

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING
3
4 PUBLIC MEETING
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6 VOLUME V
7
8 Saxman, Alaska
9 March 3, 2006
10 8:00 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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43 Recorded and transcribed by:
44
45 Computer Matrix Court Reporters, LLC
46 3522 West 27th Avenue
47 Anchorage, AK 99517
48 907-243-0668
49 jpk@gci.net

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P R O C E E D I N G S

(Saxman, Alaska - 3/3/2006)

(On record)

MADAME CHAIR GARZA: Okay, I'm calling the meeting back to order and we're starting for a late 8:00 o'clock start and we might have a slow start since the coffee isn't going, you could probably slide anything by us at this time, at least by me.

We did have the public hearing the other night, and it was a long hearing there were a number of people here, a few who left because they couldn't stay all night and I did make it clear that if they needed to come and testify that I would give them the opportunity specifically rural and so we do have one more testimony in regard to this, and if anyone else shows up for that then we will allow it this morning. Steve and Laura Huffine from Ketchikan.

And take your time and please state your names for the record.

MR. HUFFINE: I'm Steve Huffine, Ketchikan, 126 Potter Road.

MS. HUFFINE: Laura Huffine, Ketchikan.

MR. HUFFINE: I don't know where to start. We're here because we feel Ketchikan should be rural.

I would like to kind of go with a little bit of our life story since the last RAC committee that you guys had here in 2003.

This is very emotional for us, or me. Well, I guess I'll start out -- I'll try to get it together here. Thank you guys for even allowing us to come back to this.

My proposal -- or not my proposal, I'm sorry, this starts out with the subsistence designation in 2003 they decided that they were going to have a subsistence hunt on the Unuk River. The Unuk River is basically our life. We live in town. Not by choice. In 1997 I got ran over and our medical bills were a couple hundred thousand dollars, my wife is now working

1 up at the landfill for insurance reasons. Enough said
2 on that but that's the reason, I guess, why we're not
3 rural.

4
5 We started out rural. We started out -
6 - we lived Potter Road, Knudsen Cove area, in 1976
7 there were probably three or four houses on our road.
8 When we left this morning there's probably 10 or 15
9 houses that are just being built now. Everything was
10 subdivided, we own the last big piece of property
11 there, which we probably can't keep anymore because of
12 taxes, when property starts selling -- I'm rattling.

13
14 So we're trying to build a house on the
15 Unuk River, it just works there, life's happy there.
16 I'm going to try to go to the last RAC meeting in 2003,
17 I didn't even know I was going to hit on this subject
18 until this morning at 5:00 o'clock. In 2003 we all
19 testified, the problem we had on the Unuk River was
20 airplanes flying in a small valley and the people who
21 had the airplane, if any of you moose hunt you know
22 that moose do not really travel a long distance, I
23 probably spend three days short of six months living on
24 the Unuk River. I hate to leave my wife here but she's
25 up there every chance I get, if I've got friends who
26 got planes or what not.

27
28 I'm not doing this well guys, I'm
29 sorry.

30
31 So the proposal was to make a
32 subsistence hunt. I was accused and I don't know if
33 you people are the same committee that met in Wrangell
34 and there was a man -- he calls me anonymous but I'm
35 going to go, Louie Wagner and I, we used to be very
36 good friends, very, very good friends. We went to his
37 son's wedding. They'd come out to the house and we'd
38 share smoked salmon, yeah, we were just friends guys, I
39 didn't think it got much better than that. We all
40 tried to buy property on the Unuk River. We see Louie
41 there during the spring time and during moose hunting
42 season time, we have made it to where I even work for
43 the State sometimes just so I could be up there to
44 enjoy the river. When we had the last meeting Louie --
45 we were on the same side, guys, I think we're still on
46 the same side -- we -- Louie had testified that the
47 people that had cabins on the Unuk River -- no, I owe
48 you guys better than this. Louie and I had tried to
49 buy property together on the Unuk River and there was
50 none for sale. So Louie and I decided, hey, if we buy

1 property -- the first one that finds property we'll
2 share it, so we did. There was a section -- a couple
3 from Juneau were selling, we called, we were No. 2 on
4 the list, I called Louie, said Louie we're going to
5 need some money, we have some property but we're No. 2
6 on the list. That first person bought that property.
7 About three later Terry Wills had some property there.
8 I had promised Louie that we were going to be partners,
9 there was a lot of property for sale, the ideal piece
10 of property in my mind that I wanted back when he first
11 had it for sale that we couldn't afford, I said, Louie
12 -- or not Louie, I'd like this piece of property, I
13 immediately called Louie and said, Louie, do you still
14 want to go partners, Terry has property for sale, well,
15 thank -- the way things have worked, thankfully we
16 weren't partners, that Louie had bought another lot
17 right next to ours so now we both have property on the
18 Unuk River.

19
20 In Louie's testimony in 2003 Louie was
21 complaining because that year we had gone up river. My
22 partner who I've hunted with, when my wife isn't able
23 to, who, by the way is rural had to come back into town
24 for some medical reasons. So I don't remember what
25 night it was but I had ran up the river by myself and I
26 found fresh moose tracks, there was also the people
27 that were using the airplane there, they were hunting
28 there. I'd gone up by the falls and when I come out,
29 Louie and I stopped as we always do on the river and
30 talked to see how things are going, everything going
31 all right, well, he says, I'm thinking about leaving
32 and I said Louie, I don't think I'd leave, I said Louie
33 I saw the freshest tracks I've seen since hunting
34 season started up here by the falls, says I'm going to
35 be here first thing in the morning, well, okay, he
36 says, and I says Louie I'm telling you this because I
37 don't think it's right the guys with the airplane have
38 a chance, you know, you and I are equal and so that's
39 why I'm letting you know this.

40
41 And so early that morning I started --
42 early the next morning I start up the river by myself.
43 God knows what you do if you get a moose by yourself,
44 but I was there. So I'm up the river, I come around
45 the corner, here's a great big bull moose, biggest
46 moose I've ever seen. I had lost my rifle in the river
47 two years before when I lost my boat, Louie brought my
48 boat back into town, I mean, gosh I thought we were
49 good friends. Well, I had Hank's rifle, I stepped out
50 because you can't shoot from a boat, I stepped out in

1 the water, boom, shot the moose first shot, oh, no, I
2 missed. If you've ever had a moose take off on you you
3 can spend a day or two days trying to find that animal,
4 I that happen about three years before this. Luckily
5 somebody was coming down river and they did get the
6 animal so the animal wasn't a waste.

7
8 I was excited. One of the provisions
9 of me being on the river by myself is that I have a
10 satellite phone so I can check in with my wife at least
11 once a day in case there was a problem, if she doesn't
12 hear from me she'll send the helicopters out after me.
13 A few minutes later here comes Louie up the river, and
14 his son, and they came over and they helped me put this
15 moose in my boat. The only thing I could have done was
16 lassoed this moose with my jet boat, pull it over and
17 hang it up from a tree and drop it down into my boat
18 because it -- or cut it up into pieces, believe me I
19 would have got the moose in my boat somehow but it was
20 wonderful to see Louie and little Louie there. So
21 everything was fine and dandy, we were excited.

22
23 Now, we come to the RAC committee
24 meeting Louie complained about me, later on, people
25 that had a cabin on the Unuk River had a half hour head
26 start, the half hour head start is when you decide to
27 start going up the river. Louie has his boat -- Louie
28 has a cabin right next to me now, you know, we're again
29 -- once again we're equal. So he complained about
30 people having a half hour head start so I figured okay
31 Louie -- oh, and at that meeting I also testified
32 because my wife had got a moose that year or the next
33 year, and my daughter wanted to make stilts out of the
34 moose legs so I had saved those, but you don't save
35 them for a whole year, they're really bad. A set of
36 moose horns came through the landfill so I figured,
37 okay, Louie, because we're always joking back and forth
38 and I played a joke that obviously Louie didn't like,
39 the joke was that I put -- I went up to Lake Creek
40 early in the morning, my subsistence partner, maybe
41 that's the wrong word to put it, my hunting partner, he
42 is subsistence, I can goat hunt, I can deer hunt on the
43 river, I cannot shoot a moose but I can be there, so I
44 am there with my friend Gary so we were going to play
45 this joke on Louie. So we went up the river and we
46 stuck these moose horns up in the front of the boat, we
47 had these legs sitting out there and we had a tarp and
48 I put my gas tank in the middle and our lunch cooler
49 and I covered it with a tarp, you never cover a moose
50 with a tarp you hold the heat in, we headed down river

1 and Louie was coming up and I tilted my motor up so it
2 made it look like I had a moose, I had also told the
3 State Fish and Game, the Forest Service, I told
4 everybody what I was doing, so -- and maybe you guys
5 have heard this story before or not, they advised me
6 against it, I figured it, oh, Louie will get a -- Louie
7 will laugh at this, so we were headed down, well, Louie
8 comes by and he comes -- I have a little tiny jet boat,
9 I have pictures here, it's a 16-footer with a 50-horse,
10 Louie has an 18, 19 footer with a cover, 115 horse
11 motor, he comes by and damn near rolls us up into the
12 water, and I figured, oh, okay, he's just shocked
13 because he was sitting here looking, he turned around,
14 came by us again, looked, called me an asshole, forgive
15 me, and took off. And I'm going, okay, well, he
16 doesn't understand yet, it'll be there, so we went on
17 down river.

18
19 A couple minutes later, Louie came all
20 the way down and went over and turned me into Fish and
21 Game or to the Federal officers for poaching a moose.
22 There was no moose, there was nothing. It was just a
23 joke between friends that obviously went really bad.

24
25 So the next year, well, I guess it goes
26 -- the next year this went in that my brother is rural
27 -- we'd been planning a hunting trip for 20 years on
28 the Unuk River, my brother and I don't get along real
29 well, this is part of the lifestyle, that when you're
30 there everything seems to be wonderful, so my brother
31 finally made arrangements, he is rural, he's from
32 Thorne Bay, and Gary and I figured, okay, this will
33 relieve some of the pressure from Louie because Louie
34 won't think I'm hunting. So there is a certain amount
35 of private property on the lower river and again I've
36 told you people that I spent a lot of time on the Unuk
37 River and it becomes your life, you know where things
38 are when you're there. I could usually tell you what
39 bear is where when, a goat, a deer, which we don't have
40 a lot but we have been seeing more deer on the river.

41
42 Anyway -- anyway, so I was taking my
43 brother because Gary wasn't able to come up a couple
44 days before the season but I always try to make sure
45 that everything's in line. I had walked in through the
46 woods and I says, you cannot hunt here, or here or
47 here, if you see anything just turnaround, it's gone,
48 it's on private property, the Federal subsistence is
49 you have to hunt on Federal lands. Okay, so I showed
50 him where the corners were, we did bump into something,

1 I didn't know if it was a cow, I mean you can tell the
2 difference between a moose and a bear with the way that
3 they run, you know, it sounds like a horse, so the next
4 day we went up to Lake Creek, we looked Lake Creek
5 over, the next morning, I didn't even know if Louie was
6 there but I heard Louie and then the night or the day
7 before the season, that evening Louie showed up on the
8 river and the only reason I knew he was there is
9 because he pulled into his cabin into mine. In the
10 morning Gary wanted to hunt on the other side of this
11 one slough and my brother just walked from our cabin --
12 or not from our cabin but from down river a little bit
13 when he got onto private property he walked back into
14 the woods.

15

16 I took Gary over to where Gary wanted
17 to hunt and I was headed back up to Andy Taylors to
18 have a cup of coffee and just sit on the bank because I
19 wasn't required to be, you know, everybody was safe.

20

21 So I get back up to the cabin -- oh,
22 no, when I left Gary off, all of a sudden Louie comes
23 smoking out of this slough, turns around and comes
24 right back into the woods right beside where I left
25 Gary. Now, I knew that Louie wasn't happy with us, I'm
26 not rural, I can't hunt. I can't hunt the rural hunt.
27 I can goat hunt, I can deer hunt. So Louie comes
28 around -- I'll try to speed this up folks, and I
29 appreciate you taking the patience just listening
30 because this is heavy on me, so Louie turned around and
31 went back into the woods -- or went right in -- I
32 thought it was Louie and his wife, maybe it was Louie
33 and his boy, I don't know, I just couldn't believe that
34 somebody would walk into the woods right besides
35 somebody else when they're doing -- I went back up to
36 Andy's, I started having my cup of coffee and I'm
37 going, oh, this isn't good, I mean if there's hard
38 feelings or something, this isn't good, there's two
39 people and they're armed out there, you know, I hope it
40 would never, ever come to that, but it plays in your
41 mind. So I told Andy -- I said -- I heard Louie pick
42 up and go away and I figured that Louie had let one
43 partner walk through to the other side of the river so
44 I heard him start up and head that way so I went back
45 down and I figured I'd better get Gary and take him
46 somewhere else, you know, this isn't good. I went back
47 down there, I took Gary up to another spot that he
48 wanted to go to, which all this is -- the only reason
49 that we're even using the boat is because you got to
50 walk through some sloughs. Then I go back up to

1 Andy's. I get up to Andy's, Andy says, what was all
2 the shooting about, and I'm going oh, god, no, no,
3 maybe my brother bumped into a bear or something down
4 there and I'm going, this isn't good and he said he
5 heard three shots.

6
7 So Andy can I borrow your shotgun, you
8 know, I don't want to go in there if there's a wounded
9 bear or something, Andy hummed and ha'd and okay, and I
10 ran up to my place and I grabbed my shotgun, I keep a
11 shotgun over the door that has buckshot and slugs for
12 anybody that happens to be on the river they can get
13 it, I went and grabbed some bird shot, I don't know
14 why, I grabbed some -- a couple green bird shots, I
15 went back down and I asked -- Gary was standing on the
16 edge of the river bank, and I said, Gary what was all
17 the shooting about, he said, I heard it over where your
18 brother's at and I heard a bunch of hollering and
19 whooping, he says, I don't know, I says, okay, let's
20 go, let's go right now and I'm worried that something
21 happened.

22
23 Well, we went across the river bank and
24 started going up the other side and I've got the
25 shotgun with me and I'm hollering and I'm whistling, I
26 can whistle pretty loud, nothing, nothing, oh, no. So
27 I don't have much -- many slugs or buckshot, I took
28 that out of the gun, I put in one bird shot, I fired it
29 in the air, about the time I fired it in the air, this
30 moose come out to my right, Gary says duck and Gary
31 shoots this bull moose. And after Gary shot my brother
32 started hollering to us and so we walked over there, at
33 that stage of the game, now, there are two moose down.
34 My brother had shot a moose and was just ecstatic, I
35 mean he was hollering and whopping and all that and,
36 you know, here I was thinking the worst, trying to be
37 safety conscious.

38
39 So I looked at the guys and going we
40 have a lot of work going on right now, there's two
41 moose that are down, the sun is starting to come up,
42 this is like 7:30 in the morning, there's still a
43 little bit of frost, I said, guys, I'm going up to the
44 cabin to go grab ropes, come-alongs and stuff to get
45 the moose out so I had taken off. As I took off, I
46 wasn't anywhere around this, this is just when I came
47 back and talked to my brother -- oh, I had also grabbed
48 Andy Taylor because you have a lot of work trying to
49 get these moose out before it spoils. So when I came
50 back Dave and Gary both said, Mr. Wagner was just here,

1 he came through the woods and wanted to see our
2 subsistence permits and wanted to know who the hell we
3 were. Gary said, Louie you know me, oh, I guess I do.
4 And then when Dave told him that he was my brother,
5 Louie turned white and walked away, I think he said a
6 few discouraging words, I wasn't there to say what they
7 were but Louie just walked away.

8
9 Then we'd got the moose into town and
10 Fish -- the Forest Service officers were there, they
11 came by, we took them to the spot or told them where we
12 were, we did leave a beer can, a celebration beer at
13 7:30 in the morning, I'm sorry, it's a long day, we had
14 three beers there that when we were moving the moose
15 out, we told them where we were, they came by inspected
16 the moose and we hauled the moose into town. Well,
17 shortly after that, I believe -- no, I don't think that
18 they came out to the house but I received a phone call
19 from Officer Pearson, Ken Pearson wanting to know the
20 story on the moose. I told him basically what I just
21 told you guys about the moose, that -- how this moose
22 had happened or these moose had happened, and he said,
23 well, we heard you shot it with your pistol, I didn't
24 even have a pistol, I do have one now but I didn't have
25 one at that time.

26
27 It just so happened that when you shoot
28 these moose in this area, even if it's Federal that the
29 State likes to keep track of the horns and all that,
30 happened that Boyd Porter was out there, I had Boyd
31 come in -- or Boyd come to my house where my brother's
32 moose was and then we went over to Gary's house where
33 Gary's moose was at and I said, Boyd, would you please
34 -- he had another Forest Service biologist from Peters
35 -- or from Prince of Wales also that came over and I
36 said would you guys please inspect these moose to see
37 how they died, you know, for shot wounds and stuff, and
38 I figured at that time they could see that it wasn't a
39 shotgun wound of any sort, even with a slug. So I left
40 that alone.

41
42 Well, my wife has something here that
43 she wrote which is probably pretty good but I'm trying
44 to tell you from my heart here of how things have gone
45 to last year, was another year that Gary and I went up
46 -- Gary would be here today, Gary's got bladder cancer
47 and he has his chemo treatments and stuff like that and
48 the subsistence issue is pretty important to him, he's
49 just not able to make it, he has good days and bad
50 days, he's far from dying mind you but he has good days

1 and bad days.

2

3

4 Last year we, Gary and I, my boat, our
5 boat, it's half Gary's, my cabin is half Gary's, I mean
6 he's helped me build it, my roofing, a lot of my
7 supplies or our supplies are from there, last year we
8 went up to Lake Creek we were drifting down, this was
9 opening day, Louie and Little Louie come by, I waved,
10 they waved back, I figured, wow, maybe this is over,
11 you know, maybe we're equal again. We drifted down
12 river, they had gone up, they went up about 200 yards,
13 turned around and came back, I waved to them, they just
14 turned and looked the other way. If they would have
15 looked at me they would have seen the cow moose on the
16 river bank and all the tracks right there because as
17 soon as he went I turned around and looked, Gary
18 looked, Gary said, let me off here, I let Gary off
19 there, the next thing I know I hear shooting back in
20 the woods. I grab my gun and I go back into the woods.
21 I don't know -- something just went through my mind, I
22 shouldn't give everybody ideas, I don't know what I'd
23 do if there was a wounded moose there or what not and I
24 had a gun, I don't know if I'd shoot it or not, I
25 probably would, I don't think that that's legal but if
26 it's wounded, it's wounded, you know, suffering is what
27 I hate.

27

28

29 As I got back in there, I see Gary
30 standing by a moose, and there's another bull moose
31 just 20 yards off and there's a cow moose right there,
32 if I was going to be illegal I would have shot the
33 other moose, I could get it out of there, nobody would
34 ever know, maybe they would, I'd know, that's bad
35 enough.

35

36

37 We get down to the cabin -- I hear
38 Louie come back and forth as we're getting this moose
39 out of the woods, it's taking us three hours to drag
40 this moose 250 yards through the woods, we get down to
41 the cabin all of a sudden Louie comes up into the cabin
42 -- or comes up to where we're at, we have a half hour
43 to get out of there, we live on a tide plain, we have
44 sand bars and stuff and if you're hauling a moose out
45 in a boat you usually need enough water to clear some
46 of the sand bars, Louie comes in puts his boat right up
47 against the bank at my place, starts taking pictures,
48 starts cussing at me, screaming at me, that we shot the
49 moose the night before, I said, Louie, you're more than
50 welcome to feel any part of that moose that you want, I
51 didn't know you were rural Steve, I said, Louie, I'm

1 not rural, I'm not guiding, I'm here, Louie, I'm just
2 here just like you, Gary is the one that was hunting.
3 I'm with Gary. We're partners. We're as close to
4 brothers as you can be. Louie kept being abusive. I
5 have a satellite phone, like I said, I picked it up, I
6 have Officer Pearson's phone number, I called him, no
7 answer, I called the Forest Service Department in town,
8 I should have just called 911 because, guys, tempers
9 were going. And I promised my wife that I will try not
10 to be armed, I'm not making threats or anything, you
11 just don't know where some of these things go. So I
12 try not to have any gun or anything anywhere around me
13 when these confrontations are happening, if it is I'll
14 set it down and walk away from it. Louie kept
15 hollering, I called Forest Service police, I finally
16 got a hold of my wife, she got a hold of the Forest
17 Service police and we left, and I asked Louie please
18 get out of there. I said, Louie, I hope you don't ever
19 need anything. I feel bad because I've worked on
20 Louie, Jr's, things, on the river you cannot alienate
21 friendship. If I wrecked my boat I doubt if Louie
22 would come by to pick -- if I was standing on the river
23 bank I doubt if he would come by to rescue me and I
24 doubt if I would rescue him, that's where things have
25 gone with this division of subsistence with us.

26
27 I thought my wife had explained our
28 testimony, in her testimony of what went on two nights
29 ago, I come in, Mr. James, I don't remember his first
30 name, I thought he did well, Mr. Charles, I could
31 hardly understand him, I figured, oh, boy, here we go
32 and that man said it, he said if you live the lifestyle
33 he didn't have an objection. I wished there were more
34 people from Ketchikan that would come in here and
35 testify. And I know that you guys are doing everything
36 you can to make use equal.

37
38 Some of us don't need to be equal if
39 they don't feel that it's an issue. I can live and I
40 can work anywhere, I chose to live and work here
41 because it's a wonderful place. Every day I wake up I
42 have to fight something, I have to fight annexation,
43 forgive me guys, my wife bumps me when I start getting
44 on my high horse, am I don't all right.

45
46 MS. HUFFINE: Yes.

47
48 MR. HUFFINE: I'm sorry, I have a
49 temper, I'm sorry, I'm getting way off. And I think
50 I'm trying to wrap up guys with what I'm saying. But

1 we live the lifestyle, there's other people that live
2 the lifestyle here. You guys are in support, the
3 Borough's in support of this, I would really like to
4 have the people that make the final decision here,
5 whether it's Saxman or Ketchikan just down here so we
6 have the access to them to make -- to let them know
7 where we're at and maybe by then I can convince some of
8 the other people, if I'm the only one sitting here
9 going that we should be rural then maybe we shouldn't
10 be rural, but I feel that there's more people here.
11 It's a wonderful place, guys, and we're divided. I've
12 lost a good friend over the deal. It still does me
13 good, though, to see Louie and his son up there
14 hunting. It does me good to see Louie and his wife up
15 there hunting. It does me good to see Louie and his
16 girl up there hunting because he's living the
17 lifestyle. I'm living it too, guys, you just made us
18 different.

19
20 Thank you very much for letting me
21 talk. I don't mean to be misguided or whatever, it's
22 from the heart. That's the only way I can do it.

23
24 I'm done. Sorry.

25
26 MADAME CHAIR GARZA: Thank you, Mr.
27 Huffine. And, Laura, did you have something quickly
28 you wanted to add.

29
30 MR. HUFFINE: I think he covered pretty
31 much covered all the issues. I didn't sleep last night,
32 I read your minutes and the accusations really hurt
33 that was made on my husband, just wanted to clarify.

34
35 MADAME CHAIR GARZA: Thank you, very
36 much. And I think the testimony is helpful. I hope
37 that the Federal Subsistence Board will understand that
38 this is what rural and urban has done in Ketchikan, it
39 has pitted people against each other and it's done the
40 same between Ketchikan and Prince of Wales. I mean,
41 you know, there are friends that hunted together and
42 now they have different openings and it's affected them
43 and we've heard that. But Ketchikan is rural and this
44 shouldn't be happening to us, we should be going up at
45 the same time to Unuk, and we know that Unuk is a tough
46 situation because it is a remote area and it is well
47 occupied by a lot of Ketchikan people for a long time
48 and it has changed things.

49
50 And I know you know that we supported

1 not having a C&T determination or an early hunt because
2 of the early conflicts it could create and Federal
3 Subsistence Board meeting the requirements of ANILCA
4 did support that. So I do thank you very much for your
5 testimony and we do want it as public testimony but we
6 need to get on our agenda, too, so thank you.

7
8 MR. HUFFINE: In closing, or maybe I
9 shouldn't even say this, I hear that you are leaving
10 us, I'm very sorry to see that. I feel that we've been
11 well represented, everybody, by your work. I don't
12 know the rest of you, some of you I know from past
13 proceedings or what not, but thank you very much for
14 all the effort and work that you've done on this RAC
15 committee and other things.

16
17 Thank you.

18
19 MADAME CHAIR GARZA: Okay. From what I
20 remember I think there were one or two more men that
21 were at the meeting that may show up because they -- I
22 told them they could testify on rural status but that
23 may or may not happen. But I did promise them that if
24 they did show up that we would make the time. But we
25 do have a busy morning and so we have things we need to
26 get to.

27
28 MR. SCHROEDER: Madame Chair.

29
30 MADAME CHAIR GARZA: Dr. Schroeder.

31
32 DR. SCHROEDER: Madame Chair. Just to
33 make sure that we know the remaining items of business
34 that we need to do today. The things that I have on my
35 short list are we need to discuss subsistence use
36 amounts, amounts necessary for subsistence. We'll have
37 a presentation also on the draft closure policy and
38 we'd like Council comments on that. We need to talk
39 about our annual report. And Council members have
40 brought up issues concerning sea otter, concerning
41 halibut and concerning the Kuiu Island sale.

42
43 Are there other items that Council
44 members or Staff are aware of.

45
46 Mr. Adams.

47
48 MR. ADAMS: I think we need to think
49 about an alternate for the SRC, you know, Council for
50 any reason I can't make it. I've made them all so far

1 but, you know, you never know and it's crucial that we
2 have a quorum up there when we have our meetings
3 because people travel from a long distance, you know,
4 to get there. So I think that should be handled some
5 time today.

6
7 DR. SCHROEDER: Thank you, Bert.
8 Council members are there any other items. And Staff
9 members, Larry Buklis has been real good about
10 reminding me about things that we do need to cover in
11 this meeting.

12
13 MADAME CHAIR GARZA: Okay. So we're on
14 subsistence use amounts.

15
16 Mr. Kessler.

17
18 And if that red light goes off we're
19 going to take a break and go get coffee but it's still
20 percolating.

21
22 MR. KESSLER: I assume that's only if
23 you turn it off, oh, that light over there, not this
24 light.

25
26 (Laughter)

27
28 MR. KESSLER: Madame Chair. Members of
29 the Council. Steve Kessler with the Forest Service
30 representing the InterAgency Staff Committee, and with
31 me is Marianne See from the Alaska Department of Fish
32 and Game.

33
34 We have been doing all of these
35 presentations on this draft protocol together with the
36 Federal side and the State side making joint
37 presentations and it was just an oversight that
38 Marianne's name wasn't in the original agenda for your
39 meeting. So I'll start out and then Marianne will
40 continue.

41
42 First of all this draft protocol has
43 been underway and in formulation for a number of years.
44 It's from the Memorandum of Understanding that is in
45 place between the Federal side and the State. And the
46 State side that would be the Alaska Department of Fish
47 and Game, the Board of Fisheries and the Board of Game.
48 I'm going to look primarily at the briefing papers that
49 you have here on Page 198, there are a number of
50 questions and answers. There's a briefing paper also

1 on Page 196, is where this starts, the questions and
2 answers start on Page 198, and then the actual draft
3 protocol itself starts on Page 200 through 203.

4
5 This draft protocol is a document that
6 provides guidance to State and Federal managers for
7 coordinating subsistence management. In the spirit of
8 cooperation with the Alaska Department of Fish and Game
9 the Federal program has agreed to consider amounts
10 necessary for subsistence and subsistence use amounts
11 as a useful tool for subsistence management for fish
12 and wildlife. The purpose of this is to provide a
13 process for considering the amounts of fish and
14 wildlife harvested for subsistence uses in the Federal
15 Management Program. Having this quantifiable amount
16 will enable Federal managers to know whether enough
17 opportunity for subsistence users is being provided and
18 whether a given area should be closed to non-Federally-
19 qualified users.

20
21 These are tools. And one of the things
22 that we'll be mentioning a couple of times, is this
23 amounts necessary for subsistence use amounts is not
24 meant to be a harvest limit or a cap, it's meant to be
25 a tool. These findings refer to the amount of fish
26 stock or wildlife population subsistence users harvest
27 for subsistence users. Subsistence use amounts
28 specifically refers to the amount harvested by
29 Federally-qualified users for all the ANILCA defined
30 subsistence uses. ANS findings or amounts necessary
31 for subsistence developed by the Alaska Department of
32 Fish and Game are usually expressed as a range to
33 accommodate annual or cyclical variations of harvest.
34 Again, all subsistence uses are included. Subsistence
35 use amounts would reflect harvest taken for all
36 customary and traditional uses.

37
38 Proposals to make or to revise existing
39 State amounts necessary for subsistence findings are
40 submitted to the Alaska Board of Fisheries or the
41 Alaska Board of Game and are subject to public review
42 and comment. If necessary proposals for Federal
43 subsistence use amounts would be submitted to the
44 Federal Subsistence Board and subject to public review
45 in the same manner as our regular proposals so that it
46 would come before the Regional Advisory Council,
47 however, there's no plan to put Federal subsistence use
48 amount findings into regulation.

49
50 I'm just going to go through sort of a

1 step by step process to show you where in the process
2 of deciding whether there are Federal closures, who
3 gets priority use in case there's not enough resource
4 and how the subsistence use amounts would fit into
5 that.

6
7 So the first question we often ask is
8 can harvest take place consistent with the maintenance
9 of a healthy population or another way of saying that,
10 is there a harvestable surplus. If there is a
11 harvestable surplus -- well, if there isn't a
12 harvestable surplus then we just close an area to all
13 Federal subsistence and non-subsistence uses. If there
14 is a harvestable surplus the next question would be,
15 are there enough resources to allow allocation for non-
16 subsistence uses. Again, we're on Federal public
17 lands. So this is the subsistence use amounts
18 question. So how much resource is being used by
19 Federal subsistence users. Is there enough for others.
20 If the answer is, no, there's not enough, then we would
21 close Federal lands to non-subsistence uses. But the
22 subsistence use amounts number can be used to help in
23 that determination.

24
25 If there are -- if the Federal lands
26 are closed to non-subsistence uses, the next question
27 we normally ask would be, are there enough resources
28 for all subsistence uses, that's Federally-qualified
29 subsistence users, and if the answer is yes we just go
30 forward and implement the regulations or, no, then we
31 would go to the ANILCA .804 criteria to allocate
32 between users.

33
34 But what I wanted to describe here was
35 where we use the subsistence use amounts, the question
36 is -- that is used -- where we ask the question,
37 whether there's enough resource for all users.

38
39 Now, there are a number of other
40 questions that are in here if you get confused by what
41 subsistence use amounts are and amounts necessary for
42 subsistence, there's a little block on Page 196 which
43 you can refer to, and it just sort of summarizes those
44 definitions.

45
46 Marianne, do you have things to add
47 then.

48
49 MS. SEE: Yes, thank you. For the
50 record my name is Marianne See with Department of Fish

1 and Game. And I'm one of the Chairs to the Federal
2 counterpart to the working group that's been working on
3 this most recently.

4
5 But as Steve points out this has been
6 in development for several years. It's been considered
7 something that was important but we had other protocols
8 we worked on, Yukon River salmon, for example, was one
9 that took a lot of time and effort and we set this one
10 aside at various points. But recognize that we wanted
11 to have tools that would be useful to ensure the
12 subsistence priority in both the State and the Federal
13 programs, and that we were working from the most useful
14 information, the most current information in both
15 programs to really look at what are subsistence users
16 using. That's not to say that you shouldn't constantly
17 be looking for better information.

18
19 And what this does is simply say this
20 is a source, and the term amounts necessary for
21 subsistence is in State regulations, that's why in this
22 formal document we're required to use it. But
23 subsistence use amount is, in fact, probably a better
24 descriptive term, and that's the one that the Federal
25 program is using so you see both of these terms in
26 here. But the Federal concept here of a subsistence
27 use amount is to take the best information from all
28 sources, you can -- if the State has already done
29 surveys, has other kinds of harvest information, that
30 has been developed or adopted by Board of Fish or Board
31 of Game into these amounts necessary for subsistence
32 finding that's in regulation, then that's a useful
33 source, it's a tool in the tool box, it's by no means
34 the only one, and there should be other ways that
35 information is brought into decision-making. Of course
36 one of them is the kind of testimony that you develop
37 at these meetings, there are surveys and studies that
38 need to be done periodically to update information. So
39 the use of ANS as I'll refer to it from here forward
40 just for simplicity, use of the State's regulatory
41 finding about the range of a resource used is simply an
42 indicator of that use. It's something that's a useful
43 piece of information but it's not a cap, it's not a
44 limit, it's not the only piece of information, and it
45 certainly is a point of departure in many respects that
46 should be used, but if there's a question about it then
47 it's the sort of thing that leads to research, for
48 example, that could be identified as a priority in a
49 particular region where the resource use is not well
50 understood or thought to be out of date, and that could

1 be anywhere.

2

3 If that's an issue then the State and
4 Federal programs, as part of this protocol agree to
5 help prioritize research on the use of different
6 species, and to help jointly get money applied to those
7 research needs, and that's a very helpful step.
8 Because sometimes either the State or the Federal
9 programs could develop some money but maybe not enough
10 to do a good job of a particular kind of survey or data
11 gathering effort. So by joining forces we can look at
12 prioritizing and addressing the information needs.

13

14 So we think that we know that from
15 talking with other Councils, from talking with folks
16 around the state, but that there's a lot of
17 misunderstanding about the State's ANS numbers, they're
18 tools, they're indicators, they need to be updated
19 periodically and there needs to be -- any other kind of
20 information is helpful, brought into looking at a
21 Federal subsistence use amount evaluation because it's
22 an evaluation of what is being used by Federally-
23 qualified users on Federally-managed lands and waters
24 in a particular place.

25

26 And that question is the kind of
27 question that as Steve noted in his sort of process
28 description, that's the kind of thing that needs to be
29 looked at when opportunity is being evaluated for
30 regulation purposes -- purposes of regulation. And
31 both the State and the Federal programs must look at
32 our subsistence uses being addressed in the regulations
33 so that those uses can be met, and then look at the
34 extent to which other uses might be either available or
35 not. And that you have to have some kind of evaluation
36 tool to do that and that's what the intent of this is,
37 is to forge an agreement between the Federal and State
38 programs that information will be developed. As part
39 of that the State's information will be looked at and
40 the State's information will be a good point of
41 departure if there's no other information. But by no
42 means that that should be the end of it and that's why
43 there's a research portion in this draft that says in
44 those areas where you need better information that
45 there's an agreement between the programs to really
46 look at the priorities and try to get those needs
47 addressed.

48

49 It's really important to understand
50 that there's nothing in this that limits -- nothing in

1 the numerical description about use that limits that
2 use. It's simply a way to try and get an understanding
3 of the extent of the use and make sure it's provided
4 for by both the State and Federal programs.
5

6 We would very much like to clear up any
7 kinds of questions or other issues that you have about
8 just this whole subject. This is being presented to
9 all the Councils statewide as a draft. It will need
10 additional work. Eventually we would like to see this
11 signed by all the signatories to the Memorandum of
12 Agreement, which is the Federal land managers as well
13 as the three State entities that Steve mentioned, but
14 we recognize it needs to be well understood by all the
15 Councils before that happens.
16

17 There are some regulatory findings for
18 Southeast, but really very few for fish, and so this is
19 an area where it needs to be -- and you've heard Mike
20 Turek speak to some of the findings of information that
21 studies he's been involved in, have done, as well as
22 some other studies funded by both State and Federal
23 entities, but there's still a lot to do on the
24 Southeast region with respect to making sure we really
25 understand what subsistence users. So in this part of
26 the state there is still a lot of information gathering
27 that needs to happen so that research agreement about -
28 - or that agreement to develop research priorities I
29 think will be really key in this part of the state.
30

31 Madame Chair. We're available for
32 questions.
33

34 MADAME CHAIR GARZA: Mr. Hernandez.
35

36 MR. HERNANDEZ: Thank you, Madame
37 Chair. I think this whole concept of subsistence use
38 amounts, I think you're going to see a lot of
39 dissatisfaction amongst Councils all around the state
40 and for one pretty good reason that I can think of, and
41 that would be that I think anybody who has been
42 involved with harvesting fish and wildlife over a long
43 period of time will tell you that when you're dealing
44 with any kind of a natural system, things don't always
45 happen in such a way that you can tabulate and come up
46 with nice neat round numbers to work with, it just
47 doesn't work that way in a natural system.
48

49 If you talk to Councils all across the
50 state with years and years of experience, I think

1 you're just going to hear dozens if not hundreds of
2 instances where you're going to try and come up with a
3 number for a use amount that just -- it just isn't
4 going to work.

5
6 The fundamental flaw that I see with
7 the way you're going to go about this is trying to base
8 your final numbers on amounts that have been harvested
9 in the past. And there's two real problems with that.
10 One being things you mentioned, like the information
11 bases are not always real complete or reliable. We've
12 talked about that a lot in our deliberations, about the
13 inadequate harvest reporting that takes place over the
14 years. And of course another real important factor in
15 that natural system, you're talking about population
16 dynamics and if there's anything that lends itself
17 worse to trying to come up with some kind of a nice
18 neat number, it's just how population dynamics works in
19 any wildlife species or fisheries species. It's just
20 not a constant state and it's a real hard thing to try
21 and come up with a number for based on past -- any kind
22 of past harvests from people.

23
24 I mean just in this Council, just one
25 example that I can think of right off the top of my
26 head and like I said, you're probably going to hear
27 dozens, if not hundreds of similar instances, Unit 3
28 deer, the season was closed for 17 years, you know,
29 after a real series of hard winters. If you try and
30 tabulate what people's needs were during that period
31 it's going to be totally unrealistic to what it was
32 previous to that or since that.

33
34 You know population dynamics just don't
35 lend themselves to come up with nice neat formulas to
36 deal with them for people, you know, to try and base
37 any kind of policies on that kind of information just
38 doesn't seem like it's going to work very well.

39
40 MADAME CHAIR GARZA: Mr. Douville.

41
42 MR. DOUVILLE: Thank you, Madame Chair.
43 I'll give you my opinion. First of all I don't
44 understand what is in our system that is broken that
45 needs to be fixed in this fashion.

46
47 In my opinion, letting the State
48 determine these use amounts would be like letting a fox
49 into the hen house and I feel this way because the
50 State has not changed the Constitution and has been

1 hostile virtually almost on every proposal that ever
2 comes before this RAC. And the Alaska Board of
3 Fisheries and Board of Game would be the ones to change
4 these amounts and work on them, I don't think so. This
5 is a Federal thing, it's not Board of Game or Board of
6 Fish. And I think these things need to go through this
7 Regional Advisory Council.

8
9 Plus the fact that many of the tools
10 that you're talking about are really way off even now.
11 Like one example would be Unit 2 deer, you compare
12 those numbers in the graph, what's being used and what
13 the State writes down is a number that they think is
14 right is way apart. But you compare those, take a look
15 at them, you know.

16
17 And for us to recognize and use all
18 these findings, you know, is a very uncomfortable, I do
19 not support it even a little bit at this point.

20
21 You use two different terms. Well,
22 Chairman Thomas had some difficulty in Anchorage when
23 this MA was developed and I had just gotten on this RAC
24 at this time at that time and didn't have much time to
25 review this Memorandum of Agreement and this was only
26 supposed to be a short-term thing. It's gone way
27 beyond what it was supposed to do. If I remember
28 correctly it was only supposed to be for a short period
29 of time, it should be up for review. And you use two
30 different terminologies here, you use Memorandum of
31 Agreement and this is what Chairman Thomas had
32 difficulty with, and I also heard Mr. Kessler use
33 Memorandum of Understanding and those are two different
34 things and I'm not sure, but I know that Chairman
35 Thomas had some issues with it.

36
37 There's a lot of other things that I
38 could come up with, you know, we've had a long meeting
39 here, this comes at the tail end, and there's a lot of
40 -- this has far reaching repercussions and I haven't
41 had a chance to really fine-tune my comments to it but
42 I think you probably have some ideas about how I feel
43 about it. And if we're going to go here I think that
44 we should have a FACA subcommittee of this RAC that is
45 involved or does this and that's my suggestion.

46
47 MADAME CHAIR GARZA: Before you respond
48 the coffee's ready, a five minute break.

49
50 (Off record)

1 (On record)

2

3 MADAME CHAIR GARZA: Well, we had the
4 presentation from Kessler and Marianne and I'm not sure
5 that we have questions for them so you could probably
6 sit down. I think we're just going to rant and rave
7 for awhile, so you're probably at ease, we'll call you
8 if you have questions.

9

10 MR. KESSLER: Do you want us to respond
11 to your questions.

12

13 MADAME CHAIR GARZA: No, we're going to
14 keep ranting and raving for awhile.

15

16 We did have an additional packet that
17 was given to us, as Council members, and I know that
18 it's difficult to read over materials that are sort of
19 sent last minute and not meaning to say anything was
20 done improperly but I would like to ask Dr. Schroeder
21 if he would give us an overview of some of the
22 materials that were mailed in the SERAC February 16th,
23 2006 packet, the alleged thick packet, I think, because
24 it does cover some information on the use amounts and
25 it does cover some of the stuff from the State. I'm
26 not sure if you have a packet or if you wanted to look
27 at it, but basically some of the work that the State
28 has done, I think, Dr. Schroeder.

29

30 MR. SCHROEDER: Madame Chair. This was
31 an informational packet that Melinda and I sent to
32 Council members on February 16th, and it includes 10
33 items, six of which, the first six concern subsistence
34 use amounts and these pieces of information are from
35 public documents, and most Staff are familiar with
36 these.

37

38 I'll just point out what's there.
39 Starting at Page 1 -- this is this handout, if Council
40 members have these, I'll give you a minute to find
41 them.

42

43 (Pause)

44

45 DR. SCHROEDER: So the first item is a
46 copy of the State subsistence law, the statute that
47 directs the State to develop amounts reasonably
48 necessary for subsistence uses. This statute was
49 passed post-McDowell case and post-assumption of
50 Federal management of wildlife on Federal public lands

1 in Alaska. And it basically set up the structure for
2 deciding what subsistence uses would take place.

3
4 Key in here is the provision for
5 amounts reasonably necessary for subsistence uses and
6 it sets up the decision process that Marianne and Steve
7 went through in describing how decisions would be made.
8 I've highlighted a couple of things there. Hopefully
9 you've gone through this statute a little bit. You
10 might note that the State statute talks about
11 reasonable opportunity, as we noted other times it
12 doesn't talk about subsistence needs. The last part of
13 the statute defines reasonable opportunity which means
14 an opportunity as determined by the appropriate board,
15 that would be the Board of Fish or the Board of Game,
16 that allows the subsistence user to participate in a
17 subsistence hunt or fishery or provides a normally
18 diligent participant with a reasonable expectation of
19 success of taking of fish or game.

20
21 So that's the statute.

22
23 The Boards of Game and Boards of
24 Fisheries have made some amounts reasonably necessary
25 for subsistence use findings and I've reproduced, first
26 starting on Page 4, the ones that are in statute at
27 least when I checked in early February for game
28 populations. So these are organized by species, rather
29 than by game management unit. So you need to look at
30 the species and look under the species and see what's
31 there.

32
33 I provided -- so keep your finger on
34 Page 6 and following the amounts reasonably necessary
35 for subsistence uses I wanted to provide the Council
36 with a view of how the amounts in regulation compare
37 with some of our harvest data. So we did that -- there
38 are graphs for Units 2, 3 and 4. For Unit 2 the amount
39 in code is 1,500 to 1,600 deer per year, our harvest
40 data shown on Page 11 shows the harvest from 1987 to
41 2002 for deer in Unit 2, those have ranged from a low
42 of 1,826 to a high of 3,894. For Unit 3, the amount
43 that's shown in the Alaska code is 150 to 175 deer and
44 this kind of indicates what Council member Hernandez
45 was talking about, the bar graph on Page 12 shows the
46 harvest is varied from those first really low harvest
47 years, Don, in the '80s, of under 200 deer per year up
48 to a max of 1,107 in 1998 and I don't have the latest
49 year's data. Again, the harvest data are from the
50 Alaska Department of Fish and Game, Division of

1 Wildlife Conservation mailout statistics. And finally
2 the amounts reasonably necessary for subsistence uses
3 on the code for Unit 4 is 5,200 to 6,000 deer and
4 harvest in Unit 4, according to the mailout survey have
5 varied a lot as real high harvest years in the early
6 '80s and harvest has been well below the 5,200 minimum
7 or lower amount for the amounts reasonably necessary
8 for subsistence uses in two of the somewhat recent
9 years, two of the last 10 years and I don't have the
10 more recent data.

11

12 I won't take too long, Madame Chair.

13

14 The next section beginning on Page 14
15 provides you the information of what's actually in the
16 Alaska Administrative Code for fish and we don't have
17 very much for fish for Southeast Alaska. The one
18 finding for Southeast Alaska that is in the code at
19 this moment has to do with herring spawn and that's
20 105,000 and 158,000 pounds in basically the Sitka area.

21

22 There are some others that are working
23 their way toward the code. On Page 22 is the letter
24 from the Council that requested the Board of Fisheries
25 not to act on a proposal to establish customary and
26 traditional subsistence use amounts for certain fish in
27 Southeast Alaska and Yakutat. That proposal is found
28 on Page 24. And Mike Turek briefly presented this at
29 our last meeting in Wrangell. The Council's reasons
30 why it didn't want to proceed on this at this time were
31 that the numbers appeared to be quite low and the
32 Council wanted -- let me see what we said here. And I
33 believe the Council wanted more public involvement in
34 the ability to review those numbers more carefully
35 before they be put in regulation. The Board of
36 Fisheries adopted those and they're not in the code yet
37 because it takes awhile before things move into the
38 code.

39

40 The final -- I think it's the final
41 item, let me see, the final item related to this is
42 you'll recall two years ago there were issues
43 concerning Bristol Bay fisheries and the request by a
44 number of Councils to have action on extra-territorial
45 jurisdiction because subsistence needs were not being
46 met in certain fisheries on the Yukon and Kuskokwim
47 River. The transcript provides the only statements I
48 know on the record the way amounts reasonably necessary
49 for subsistence uses have actually been used. There
50 were a number of cases, I'm not very closely familiar

1 with those data from Yukon-Kuskokwim area where amounts
2 reasonably necessary for subsistence uses as
3 established by the Board of Fisheries simply were not
4 being met.

5
6 In this case, at least the amounts
7 reasonably necessary for subsistence uses appeared to
8 be treated as a guideline or as a term of art in
9 statute and did not necessarily result in the action by
10 the Board of Fisheries to ensure that the minimum
11 amounts reasonably necessary for subsistence uses would
12 be met.

13
14 So those are background materials that
15 I provided you and I hope they help with the
16 discussion.

17
18 MADAME CHAIR GARZA: Mr. Kitka.

19
20 MR. KITKA: Thank you, Madame Chair. I
21 have some real serious concerns with this customary use
22 thing and trying to get numbers. I really believe this
23 is a right of the subsistence users. When you start
24 trying to get numbers and things for them, when they
25 start fooling with saying you're allowed this much food
26 and then they use it against you, and when it becomes
27 into politics they seem to use it as one of their tools
28 and they cast it aside just like it's nothing where
29 it's a livelihood and a right of the Native people.

30
31 I do not believe that we should step
32 into these bounds of trying to create something that
33 will be used against us in the future.

34
35 I also wanted to say that the
36 subsistence herring in Sitka our limits were about
37 105,000 to 168,000 pounds they said, we only made about
38 71,000. We were 30,000 shy of what we usually take and
39 I know the rest of the communities of Southeast Alaska
40 felt that because we were not able to ship as much as
41 we usually do to other communities to help.

42
43 A long time, before the commercial
44 fisheries, most people came into Sitka and harvested
45 their herring eggs and now the way things are, we
46 harvest and ship to them so they don't have to make
47 that trip.

48
49 But just the way things are doing it
50 seems like we're losing ground.

1 Thank you.

2

3 MADAME CHAIR GARZA: Mr. Bangs.

4

5 MR. BANGS: Thank you, Madame Chair. I
6 would agree with what's been said so far. And I'd like
7 to add I think when you are trying to put guidelines in
8 the form of policies and use amounts and population
9 thresholds and different criteria, you are taking the
10 flexibility out of something that's necessary to make
11 good decisions about subsistence.

12

13 And I think there was a good example
14 today, the ramifications of a population threshold. We
15 had a very emotional hardship on a subsistence user
16 because of a policy that was put in place that didn't
17 have the flexibility at the point of the decision being
18 made about rural.

19

20 And I think it goes along -- it's just
21 a symptom of a problem that you have when you try to
22 design policies to stop the flexibility because it's a
23 moving target. I don't think you can put a fixed
24 amount of anything, it's going to vary, like Mr.
25 Hernandez says, one year you might have a bountiful
26 deer population and good harvest and the next year it
27 may not be that way, maybe there'll be more salmon,
28 it's just a flexible moving thing. And I really have a
29 problem with trying to put tight restrictions, I like
30 at them as restrictions, on how we make decisions in
31 deciding on subsistence issues.

32

33 Thank you.

34

35 MADAME CHAIR GARZA: Okay. I'm ready
36 for my half hour rant. I have very strong opposition
37 to this whole process. From the beginning when we were
38 talking about subsistence use amounts there was to be a
39 working group and we were going to have Council members
40 from around the state on it and I was the one from
41 Southeast, and I was kicked off it, I was very
42 offended. It's the only thing I've been kicked off of
43 and I serve on many committees and groups around the
44 state as well as nationally. So I felt like there was
45 some level of excluding the actual users. Because, you
46 know, if you have Anchorage and Juneau people on this
47 Council then you end up with the urban people who
48 really don't have the ties to the land and to the
49 resources and don't have a feel for how this works.

50

1 The subsistence use amounts and amounts
2 needed for subsistence are not part of ANILCA. They
3 are not required. There has been so much dissention
4 from this and against this that there probably will be
5 lawsuits similar to the one that was filed in Bristol
6 Bay. And I use this as an example, the Marine Mammal
7 Protection Act attempted for years to try and figure
8 out, well, what is going to be the seal take, what is
9 going to be the sea otter take, we have to have some
10 type of regulation, you guys are going to overharvest
11 everything. They tried to make us define art, which we
12 couldn't do. They said, well, unless we can figure out
13 how we're going to restrict your use you're going to
14 overharvest it.

15
16 That's the purpose of regulations.
17 That's why you have four deer harvest in Prince of
18 Wales, that's why you have 10 sockeye in some streams.
19 Those are the implementing regulations that serve to
20 ensure conservation.

21
22 That's all we need. That is simply all
23 that we need.

24
25 We don't need use amounts. We don't
26 need amounts necessary.

27
28 It's been stated that they won't be
29 used against us. But neither of you, and I have great
30 respect for both of you, can speak for the Governor,
31 can't speak for legislators, can't speak for future
32 Boards of Fish, Boards of Games or future Federal
33 Subsistence Boards. And as an example, again, back to
34 MMPA there was a survey done and I don't like using
35 names, but I will use it this time and Matt Kookesh was
36 involved with the seal survey trying to figure out how
37 much is harvested and did the work for Southeast, and
38 in communities it was said over and over again, this
39 won't be used against you, we just want an idea of how
40 much we have to start this, after the season this is
41 the amount of seals and sea lions you're taking,
42 there's no regulations on you, there's no harvest
43 levels, it won't be used against you. So he faithfully
44 did this, he worked with lots of people, they were glad
45 that he was there because he was a Native person and
46 they trusted him. Well, turns around that the total
47 harvest of seals in Southeast was close to this new
48 number that they created, the potential biological
49 removal level that they threw in MMPA because they were
50 trying to estimate how much could be taken,

1 incidentally before you have issues, and so all of a
2 sudden there was this committee that was created
3 because in Southeast they were taking too many seals
4 and do we need regulations and this went into the paper
5 and Matt got slapped in every community, I mean people
6 were yelling at him, you promised you wouldn't use this
7 against us and he was angry. I went to a meeting, he
8 was angry and he was ashamed because it was turned
9 around and it was used against the villages that were
10 promised it wouldn't be used against them. And I think
11 that was a major turn in Matt's life because he
12 faithfully went out there and said it won't be used
13 against us, it won't be, you know, they've sworn to me
14 and it was.

15
16 And how I can see it being used against
17 us in the future is that, okay, we'll say that we use
18 1,500 deer on Prince of Wales and I know that's way,
19 way, way too low. So then we're going to start an
20 increase in guide, well, that's a State provision and
21 the State can allow it because they only use 1,500
22 deer, and what you'll see is you'll see changes in the
23 time that are available, you'll see an increase in
24 harvest from the commercial level, and as long as they
25 provide reasonable opportunity well then they'll
26 probably get those two deer that they need, 2.2 deer,
27 and it just snowballs and all of a sudden it does
28 become a tool in discussion, it becomes a tool as part
29 of the justification and so it doesn't become a tool in
30 saying, well, you know, if they're going to harvest
31 3,000 that's okay, but it becomes a tool to set all
32 these sideboards and dates and openings and as long as
33 they have reasonable opportunity, you know, we can just
34 keep expanding on every other commercial operation
35 whether it's guide or whatever, and I have seen that
36 over and over and over again. I've been to -- Harvey
37 brought up the herring fishery in Southeast, and when
38 we were looking at areas available for subsistence use
39 and trying -- and there was an effort to try and
40 establish a pound fishery and we had a subcommittee
41 that was created to the Board of Fish process and I was
42 literally beat up, beat up by these men who had the
43 potential to make \$300,000 and of course they're
44 fighting for their income but they want us -- you know,
45 they're saying, well, if we're going to have a viable
46 pound fishery in Sitka Sound area then basically we
47 need you to move your branches out of Middle Island
48 because that's the best spawning area and as long as
49 you can set your branches in the north end and the
50 south end in areas where there may be wind which isn't

1 good for our pounds, you still have reasonable
2 opportunity, you still will get your subsistence
3 amounts and amounts needed, and that's what happens.
4 That is simply what happens. And I have seen it over
5 and over and you all have seen it over and over and
6 over again.

7
8 Nobody can guarantee this won't be used
9 against us and I have seen it used against us in many
10 instances, and so I don't know if we can through
11 resolution just violently oppose this whole process.
12 As far as I'm concerned it should all be put on hold
13 since the Board of Game has announced that they will
14 likely withdraw from the MA process, anything that the
15 Federal Subsistence Board should do should no longer
16 involve any MA agreement, as far as I'm concerned
17 that's on hold. We shouldn't be trying to do something
18 because the Federal and State are trying to work
19 together. If the State is threatening to pull out
20 because they don't like something that's going on for
21 subsistence, that's not their job to like something
22 that's going on for subsistence, it's the job of the
23 Federal Subsistence Board to protect subsistence; it's
24 as simple as that.

25
26 And in my opinion, subsistence use
27 amounts and amounts necessary will not protect
28 subsistence, it will be used as a tool against us.

29
30 Thank you. Mr. Adams.

31
32 MR. ADAMS: Thank you, Madame Chairman.
33 How should I go about approaching this. As I was
34 listening to other people speak here I tried to bring
35 this down to a basic fundamental issue.

36
37 When we talk about our lives and
38 liberties and pursuits of happiness, we are talking
39 about some very basic fundamental inalienable rights and
40 an inalienable right is a right that has been given to us
41 by the creator or it is based upon some natural law and
42 a natural law or something that has been given to us by
43 our creator is something that is very fundamental and
44 it's essential for our basic survival. And I've
45 mentioned this before if we violate any of those so-
46 called rules or laws or go against the laws of nature
47 then those things are going to be taken away from us.
48 And the more and more that those things will be
49 disappearing the more and more that we are going to
50 have to start regulating and making laws.

1 And so when we go back and talk about
2 our lives, our liberties and our pursuits of happiness
3 we are talking about some very, very fundamental rights
4 that cannot be taken away from us. I've heard Marc
5 Jacobs talk about that many, many times and he's very
6 adamant that those things are things that belong to us
7 naturally.

8
9 The ability to be able to subsist or
10 live off of the land is a natural right, it is given to
11 us by the creator. Therefore, any government, and it
12 doesn't make any difference whether it's a Federal,
13 State or local government has no authority to take
14 those away from us. And so the ability to be able to
15 use these things, and I've reiterated this in many
16 instances before, is to be good stewards over these
17 things. Make them available to the people who need
18 them with a very minimum of regulation. When we start
19 dealing with quotas and I think I've heard, you know,
20 people talk about that today, this morning, we are
21 dealing with things that are going to take us away from
22 that natural environment. And then we will be getting
23 into trouble, then those things will become, we call it
24 shortages.

25
26 Several years ago I was reading an
27 article in the U.S. News World Report, and the title of
28 that article was on 9 billion people for dinner please,
29 and it talked about how the world is capable of feeding
30 everyone from its natural resources. There are some
31 countries who are poor, deprived, who have their
32 natural resources but there are other parts of the
33 world that can provide for them and it also said that
34 with the new technology that will be coming forth in
35 the next 50 years or so we will be able to feed every
36 person on this earth. And then it began to explain the
37 reasons why and it all boiled down to the reason why we
38 have shortages is because of government policy.

39
40 So I get really concerned when, and I'm
41 saying again that it doesn't matter whether it's
42 Federal, State or local, when we start implementing
43 restrictions on our resources in an unnatural way then
44 we are going to be heading into trouble and there were
45 will be shortages and we will have to do more
46 regulations.

47
48 I feel like I need to say more but I'm
49 going to stop here, Madame Chairman.

50

1 Thank you.

2

3 MADAME CHAIR GARZA: Okay, so here is
4 where we come back to you, so is there direction we can
5 send -- just we'll get to you again -- are you looking
6 for direction, can we send a resolution, can we send a
7 letter, is there a timeline we're looking at, what are
8 the next steps.

9

10 MR. KESSLER: Madame Chair. The
11 expectation is that there would be comments provided
12 from the Council the Federal program as part of your
13 Council meeting. That can take any form that you so
14 choose.

15

16 One of the things that I did want to
17 talk to you earlier about because this was requested,
18 was the Yukon-Kuskokwim Delta asked that you be
19 provided the action that they took at their meeting and
20 I know copies of this were made, I'm not sure if they
21 were distributed or not, but they wanted you to be
22 aware of their action.

23

24 This was, in part, as a result of an
25 ANS for moose in Unit 18, which is the Yukon-Kuskokwim
26 Delta area that they felt to be extremely low and
27 extremely inaccurate. And so their motion was that all
28 Councils should look at the ANS numbers and make
29 recommendations for change before adopting the protocol
30 and their rationale is on the piece of paper that was
31 handed out to you.

32

33 There are just a couple of other things
34 I did want to mention quickly. One is that I misspoke
35 when I said, at the beginning, Memorandum of
36 Understanding, I had meant to say Memorandum of
37 Agreement, there is only a Memorandum of Agreement that
38 we have.

39

40 And I think the other thing that I had
41 wanted to mention and I think Dr. Garza brought it out
42 is that originally there were members of the Regional
43 Advisory Councils that were on this group that worked
44 in developing this protocol and because of the Federal
45 Advisory Committee Act requirements, those people that
46 were on that committee or on that group were removed
47 from that group. That's unfortunate but that did
48 happen. There were a number of meetings that occurred
49 prior to their removal. And just as this change
50 occurred the Southeast Regional Advisory Council was

1 going to have a member put onto that group working on
2 subsistence use amounts, and that didn't happen.

3
4 So your specific question was what
5 actions can you take, you can take all the actions that
6 you normally do. You can write a letter. You can have
7 a resolution. But all of that should occur, hopefully,
8 by the end of this meeting, or if not by then by the
9 end of this Council meeting cycle which is sometime in
10 late March.

11
12 MADAME CHAIR GARZA: Okay, so I have a
13 couple of points that perhaps we could either forward
14 by resolution or by letter trying to come up with --
15 and listening to what you guys have said and my own
16 bias.

17
18 We obviously strongly oppose creating
19 MOAs or ANS.

20
21 We have not been involved in this
22 process and in fact we're specifically
23 excluded from the process.

24
25 It is not required in ANILCA.

26
27 The MA reference or an in process
28 should not be the rule for Federal
29 Subsistence Board actions who's job, in
30 fact, is to protect subsistence.

31
32 At minimum we should create a statewide
33 council, either a subcommittee, an ad
34 hoc committee, a working group,
35 whatever we can legally do so that
36 committee members from around the
37 Regional Advisory Councils can sit down
38 and get a big picture of what's going
39 on. I think this letter, this document
40 from YK-Delta gives an idea that other
41 regions are not happy with it. But
42 this is significant. And for that
43 reason I think there needs to be a
44 statewide review from the Council
45 perspective.

46
47 The final, is that no further action or
48 steps forward should be taken until we
49 have a subcommittee or a statewide
50 review of this process and of what our

1 interests are.

2

3 So I don't know if we could do a
4 resolution to cover these points or if there are points
5 that I missed that you would like to add.

6

7 And I think there are other points and
8 just that the subsistence use amounts don't reflect
9 what our harvest levels may be. What Hernandez was
10 saying, you know, there's so much variability that we
11 really can't pigeon hole anything in terms of numbers,
12 but I'm not sure how to put that.

13

14 Mr. Hernandez.

15

16 MR. HERNANDEZ: Thank you, Madame
17 Chair. I think I was thinking along the same lines is
18 just the need for review and consultation on this issue
19 and it either has to come from statewide gathering of
20 councils or councils and other user groups, tribes,
21 should probably be included. That might be something
22 to add. Something to that effect.

23

24 MADAME CHAIR GARZA: Okay. And did you
25 want to add something in terms of just the fact that
26 the SUAs or ANS just can't reflect really what the
27 harvest levels can be from year to year.

28

29 Mr. Hernandez.

30

31 MR. HERNANDEZ: I think that would be
32 something good to add to the resolution, wording to
33 that effect, that all data needs to be reviewed by the
34 users, effected users before any conclusions can be
35 made.

36

37 MADAME CHAIR GARZA: Dr. Schroeder.

38

39 MR. SCHROEDER: Madame Chair. I have a
40 number of points here and I'm not sure that I have them
41 all, could I go through them at this time.

42

43 MADAME CHAIR GARZA: (Nods
44 affirmatively)

45

46 DR. SCHROEDER:

47

48 Point one is the point that Councils
49 have been excluded from the process.

50

1 Point 2 that this action is not
2 required by ANILCA.

3
4 Point 3 is a suggestion that there be a
5 statewide Council working group or
6 subcommittee to allow Council members
7 to discuss this from a Council
8 perspective.

9
10 Point 4 request that no further be
11 taken until the statewide process takes
12 place.

13
14 Point 5 that amounts don't reflect
15 actual use. That these amounts need to
16 be reviewed by users.

17
18 Point 6 the point of natural
19 variability in ecological systems, that
20 points made by Council members Bangs
21 and Hernandez.

22
23 And I'm not sure, Don, if you meant
24 inclusion of tribes on a consultative basis, did you
25 suggest that?

26
27 MR. HERNANDEZ: Yes.

28
29 MR. SCHROEDER: And then Dr. Garza I
30 wasn't quite clear what you were saying about the MA,
31 you had a point concerning the MA and I didn't get
32 that.

33
34 MADAME CHAIR GARZA: I guess the point
35 is on Page 196 of the document where it has the
36 overview of the subsistence use amount protocols, it
37 starts as interim Memorandum of Agreement, Federal and
38 State agencies have agreed blah, blah, blah, and then
39 of course we have front page news that basically says
40 the Board of Game is threatening to pull out unless
41 they get what they want. I just don't think Federal
42 Subsistence Board should be making decisions based on
43 threats by either the Board of Game or the Board of
44 Fish, and that it's their obligation to protect
45 subsistence.

46
47 And so I guess my point is I'm tired of
48 the MA being used as a sledgehammer.

49
50 And so I think we can set this up in

1 resolution form and have Dr. Schroeder work on the,
2 maybe at one of our breaks we can pop it up and make
3 sure it's what we want.

4
5 But I think this is a process and it
6 may come to a grinding halt, it may not. And if
7 there's some effort to keep something going forward, I
8 guess the caveat I'd like to stick in at the end is
9 that Federal Subsistence Board seek substantial funds
10 in order to develop something similar to the FIS
11 project to allow regions to do studies by tribes on
12 what the amounts necessary for subsistence are because
13 SUA and ANS are so, so different and we have heard that
14 from the public from years and years and years and
15 probably the champion of that was Vicki LeCorneu from
16 Hydaburg, you know, who basically said, you know, the
17 Hydaburg people use so much more deer than what's
18 reported and they have to take it illegally and that's
19 what they harvest and that's what they need and
20 unemployment rate is high but they can't report it, you
21 know, they can't report it, they just have to take it.

22
23 And so we can't use deer ticket returns
24 to ADF&G, which are in the eyes of the people who turn
25 them in are regulatory and are used as enforcement and
26 to imply that those are in fact need amount figures,
27 they're just not. And so if we are to look at anything
28 like that somewhere down in the future the work has to
29 be done by trusted bodies and that's the tribes and
30 perhaps some agency staff, But we can't use harvest
31 tickets and come up with numbers.

32
33 Mr. Hernandez.

34
35 MR. HERNANDEZ: Thank you, Madame
36 Chair. Do we need a motion to draft this resolution.

37
38 MADAME CHAIR GARZA: Yes.

39
40 MR. HERNANDEZ: If we do, I'd make a
41 motion that the Council adopt a resolution expressing
42 our views on subsistence use amounts to include the
43 eight points which we've discussed.

44
45 MR. STOKES: Second.

46
47 MADAME CHAIR GARZA: Seconded by
48 Stokes. So we have a motion that is in opposition to
49 this whole effort using the points that were drafted,
50 through the comments and then drafted up by Dr.

1 Schroeder, so he'll stick them up on the PowerPoint so
2 we can take a look at them and make sure that we're
3 comfortable with them, and then that's what you'll take
4 forward.

5
6 Mr. Douville.

7
8 MR. DOUVILLE: Thank you, Madame Chair.
9 I would like, before we finish up on these is to take a
10 brief break or something while he gets them up on the
11 screen so we can read them. And if I can, I just
12 briefly touched on, like nine, is -- can I discuss
13 that now, is that appropriate?

14
15 MADAME CHAIR GARZA: So you're
16 referring to the Page 199, the subsistence use amount
17 protocol question and answers, No. 9?

18
19 MR. DOUVILLE: (Nods affirmatively)

20
21 MADAME CHAIR GARZA: Okay, go ahead.

22
23 MR. DOUVILLE: I've probably touched on
24 this a little bit, but these findings, you know, to
25 change them you'd have to go the Board of Game or Board
26 of Fish, you know, this is a Federal program. I think
27 that would be one of the worst things you could do and
28 to make things more difficult.

29
30 I said this before because the State
31 hasn't amended the Constitution. If they amended the
32 Constitution I wouldn't have a problem with it but the
33 way things are now that, to me, is way wrong, and I
34 would not agree to it.

35
36 MADAME CHAIR GARZA: Okay. I think
37 there is a little bit of confusion there. So the State
38 has established some subsistence use amounts for their
39 resources as part of State management.

40
41 If, hypothetically, we had use amounts
42 under Federal management those could be changed through
43 the Federal process, so it wouldn't require to Board of
44 Fish or Board of Game, but it would require going to
45 Board of Fish or Board of Game to change any of the
46 amounts that are currently listed under the State in
47 the 16 packet.

48
49 MS. SEE: Madame Chair. Member
50 Douville. To change a current regulatory ANS range and

1 they're typically expressed as ranges, does require,
2 and this is on the State process only, it does require
3 going to the Board of Fish or Board of Game for that
4 respective information. And we encourage that, and
5 that's actually mentioned in the material here that the
6 other piece of this is is that there can be a
7 beneficial input to the State process if information is
8 developed that updates, corrects, improves the quality
9 of the information about the actual amount of use, that
10 that information can plug back into the State system
11 through a proposal to the Board of Fish or Board of
12 Game. But in no way does this information remain
13 static or unchangeable. If it's not accurate then it's
14 important to bring information forward to look at that
15 and it doesn't require that that's the only information
16 used on the Federal side. It's simply a piece of
17 information, it's a tool. It's a place to look but if
18 there's questions about that information, other
19 information needs to be brought forward and in no way
20 limits what the Federal program would do.

21
22 And Steve may have an additional point.

23
24 MR. KESSLER: Madame Chair. Mr.
25 Douville. The amounts necessary for subsistence is set
26 in the State statutes. If we go to.....

27
28 MS. SEE: Regulations.

29
30 MR. KESSLER: State regulations, excuse
31 me. If we determine, Regional Advisory Councils,
32 Federal Staff determine that that amounts necessary for
33 subsistence is not -- does not appear to be the
34 appropriate number that's when we develop in the
35 Federal side the subsistence use amounts.

36
37 So if the amounts necessary for
38 subsistence, as everybody can agree that that is an
39 accurate number, then the Federal system would use that
40 number also. But the point here is that the
41 subsistence use amounts then would kick in if those
42 numbers, those amounts necessary for subsistence were
43 inaccurate and that would be done through a full public
44 process involving the Regional Advisory Councils.

45
46 MADAME CHAIR GARZA: Okay. I want to
47 follow up on that and then I'll give it to you, Mike.

48
49 So I understand that for Federal
50 resources it wouldn't go through the State process,

1 that's obvious. However, in both instances what I see
2 could happen and what has happened, I'm going to use
3 this as an example, when we first took over fisheries
4 management, this was at a meeting in Kake and we sat
5 down with Bill Knauer for two days and what are going
6 to be the proposed regulations, you know, and means
7 methods under this new Federal program and so it was
8 like, you know, we have so little time, we have to get
9 going, we're just going to start with the State numbers
10 and then we can fix it blah, blah, blah, and at the time
11 Kake had tried to increase the numbers to meet Kake's
12 need and, oh, no, we'll just stick with the State
13 numbers, blah, blah, blah and it'll be easy and it's
14 not easy. It is not easy to change anything. Because
15 what gets thrown at us is do you have substantial
16 evidence. Can you demonstrate need. Do you have
17 customary and traditional use. It doesn't appear
18 you're even close to what you could possibly take. It
19 goes on and on and on.

20

21 I mean as a Council we see as
22 regulations come before us what it takes to change
23 something so that it reflects the actual needs, use
24 amounts and opportunities for subsistence people. So
25 although it's easy to say, well, yeah, it can be
26 changed, what it would take to change it hasn't been
27 discussed and what could easily happen is that wall
28 that gets put up in order to change something will be
29 so hard that nothing will be changed. And that's
30 exactly what has happened with the regulations from
31 fisheries from the Kake meeting. And, you know, all
32 you have to do is throw out substantial evidence and
33 things can be screwed, all you have to say is
34 reasonable opportunity already exists and nothing will
35 be changed.

36

37 And we have faced that over and over
38 and over again. If we were being paid for this job,
39 you know, I'd say it'd be job assurance but we're not
40 and so it does take a lot of volunteer time.

41

42 Ms. See.

43

44 MS. SEE: Madame Chair. I think one of
45 the things that this draft tries to communicate is that
46 there's a use or a consideration of the State's
47 information but it doesn't bind the Federal program in
48 the sense that if there's a question about that
49 information the Federal program, through recognition of
50 subsistence use amounts has a way to bring in any other

1 information and make decisions based on whatever the
2 determination is about the subsistence use from a
3 Federal process. So it doesn't bind the Federal
4 process to defaulting to only using State information
5 and nothing else. If that were the case you wouldn't
6 even need a protocol, you'd say, you know, the State
7 numbers govern, which clearly is not the intent here.

8

9 The intent is to use the information
10 but to also commit to developing information that's
11 relevant if there's any question about the State's
12 information. It's just a point of here's information
13 to start with and if there's information brought out
14 through the Federal scrutiny of that should inform the
15 State side that get into the State system, too. But
16 it's a way to recognize this information. But also to
17 provide flexibility on the Federal side, as I
18 understand it, and, Steve, correct me if that's not
19 correct on your view.

20

21 MR. KESSLER: Correct.

22

23 MADAME CHAIR GARZA: Mr. Bangs.

24

25 MR. BANGS: Thank you, Madame Chair.
26 In regards to what Dr. Garza said about having the
27 number changed, well, in reality it's always changing.
28 You write it down and it changes. I just don't see the
29 point. It's just one of things, it's moving all the
30 time. I just don't see it.

31

32 MADAME CHAIR GARZA: Okay, so we have
33 some language behind it, we'll do an at ease so we can
34 get up and look at it and see if we want anything
35 changed.

36

37 (Pause)

38

39 MADAME CHAIR GARZA: So can everybody
40 see it, I'm just going to go ahead and read it. It's
41 just hard to sit there and read what's up there.

42

43 So the main points would be.

44

45 We have been excluded from the process.
46 And this is even though we attempted to
47 be a part of it. I was kicked out.

48

49 It is not required by ANILCA.

50

1 In referring to Page 196 of our packet,
2 the Memorandum of Agreement, it refers
3 to that, however the Board of Game has
4 threatened to pull out of it, and the
5 MA should not be used as a directive to
6 the Federal program, it is their job to
7 protect subsistence, and Board of Game
8 has a much different directive if you
9 read the Constitution, the Alaska
10 Constitution.

11
12 There should be a statewide Council,
13 Regional Advisory Council working
14 group, or subcommittee or ad hoc
15 committee or whatever you have to call
16 it to make it legit to allow Council
17 members to discuss this from a Council
18 perspective so that they can take it
19 back and share it with their respective
20 Councils.

21
22 That no further action should be taken
23 until this statewide process takes
24 place.
25 We're very concerned that using the
26 State numbers as an example that we
27 were shown, the amounts do not reflect
28 actual use.

29
30 Any potential amounts that are being
31 considered need to be reviewed by the
32 users, by the Councils, by the public,
33 by tribes, possibly through government
34 to government relations even.

35
36 That it would be very difficult in
37 setting up a use amounts to recognize
38 the natural variability in population
39 numbers as well as in harvest
40 opportunities even just based on
41 weather.

42
43 That tribes need to be consulted
44 through the government to government
45 process because this is a substantial
46 change.

47
48 I guess, you know, adding to this, if
49 this is a substantial change I'm not
50 sure if there's a requirement through

1 the Federal process for a more formal
2 review, and I can't remember the
3 language but it seems like there is a
4 substantial change that this may have
5 to go through -- I'm not sure if it's
6 an Administrative Rule or whether it
7 has to go through the Federal Register.
8 I mean if there has to be a whole
9 process. But that should be
10 considered.

11
12 I mean this is being presented to us as
13 basically an operational tool but it, in fact, could be
14 much more substantial in terms of its impact on
15 subsistence users. So we may add that to that, I'm not
16 sure of the language, I'll ask Dr. Schroeder to work on
17 that.

18
19 Mr. Hernandez.

20
21 MR. HERNANDEZ: Thank you, Madame
22 Chair. I think in regard to Item No. 1 on the process,
23 yeah, I think like you stated this is pretty important
24 to the users and as it is now it seems like it's just
25 going through an internal process and I think maybe
26 something should be added to that first line as to
27 request a formal rule-making process which would
28 involve more people and keep it out of just the
29 internal process.

30
31 MADAME CHAIR GARZA: So Dr. Schroeder,
32 can you figure out how to type up what we're -- I think
33 we're trying to say the same thing and maybe we just
34 need to figure out where to stick it.

35
36 So the intent is to maximize public
37 access to information and make them away of what's
38 going on and give them the opportunity to comment, not
39 only through the Council process but through whatever
40 process is possible.

41
42 And I think the other point that I
43 brought up and I'm not sure if we want to stick this in
44 the resolution but I mean my hope is that all the
45 regions complain and everything comes to a grinding
46 halt. However, if something does go forward, I think
47 that nothing should go forward until we receive
48 substantial research funds in order for tribes and
49 regions to conduct their own subsistence needs amounts
50 studies, similar to the FIS and WIS sort of project

1 times, but allow communities to figure out what their
2 community needs are, not to be done through the State
3 but through community processes.

4

(Pause)

6

7 Okay, so we have a motion on the table
8 to pass this resolution that basically adamantly
9 opposes subsistence use amount determinations and the
10 resolution will be fleshed out but will include these
11 key points.

12

Is there anything further discussion.

14

Mr. Thomas. Good morning.

16

17 MR. THOMAS: Good morning, Madame
18 Chairman. Sorry I'm so late coming in this morning.
19 But could the intent of the motion be explained briefly
20 before you vote on it.

21

22 The reason I'm asking is as I was
23 coming in I got some information outside that was kind
24 of disturbing and this might not be the resolution
25 pertaining to that particular information I got. So I
26 was just wondering what the intent of the motion was
27 without having read it.

28

29 MADAME CHAIR GARZA: Okay, so we are on
30 Item 14(3) of our agenda which is subsistence use
31 amounts protocols. We received a briefing by Federal
32 and State in terms of what has happened.

33

34 We have a motion on the floor to
35 adamantly oppose this process. There was information
36 on the process in our packets on Page 196 for several
37 pages, so we basically have, through discussion, come
38 up with these bullet points as to our opposition to
39 subsistence use amounts so we're getting pretty close
40 to calling the question on it.

41

42 MR. THOMAS: Thank you, Madame
43 Chairman. With regard to the need amounts and the
44 usages, I'm hoping that whatever was discussed to this
45 point and the intent of whatever resolution was
46 presented is in total compliance with the existing
47 language and intent of Title VIII. That's all I ask,
48 thank you, Madame Chairman.

49

50 MADAME CHAIR GARZA: Thank you. Yeah,

1 one of our points does refer to ANILCA and so you might
2 help Dr. Schroeder with that particular point as we
3 flesh out the resolution.

4
5 Okay, so we've got a resolution before
6 us, we still have lots of other things to do this
7 morning and some people think they're going to leave
8 this afternoon, if we don't keep moving they're not
9 going to.

10
11 MR. ADAMS: Call for the question,
12 Madame Chair.

13
14 MADAME CHAIR GARZA: Call for the
15 question, thank you.

16
17 So the question before us is to adopt
18 and support this resolution to oppose the subsistence
19 use amounts and the amounts needed for subsistence as a
20 concept and as a process and to submit this resolution
21 with the points that are on the PowerPoint behind me.

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 unanimously. And we will -- Dr. Schroeder. Mr.
34 Douville.

35
36 MR. DOUVILLE: If it is possible I
37 would like to do the same thing and have this
38 information we just did shared with other RACs and
39 seeing that it becomes available or possible, is that
40 within our scope of things, we don't have to ask
41 permission to do that.

42
43 MADAME CHAIR GARZA: Dr. Schroeder.

44
45 MR. SCHROEDER: Madame Chair. We'll
46 make sure that that takes place. Usually when we pass
47 a resolution where the intent is clear and there's not
48 time available to get the final wording done, the
49 Council designates a couple of Council members to work
50 with Staff on the final wording if you can note who the

1 volunteers might be.

2

3 MADAME CHAIR GARZA: I'll be one, and
4 Bert will be the other, I think that's good unless
5 someone else wants to jump on board. But that will
6 give us time to flesh it out and get it out normally,
7 I'm sure Chairman Littlefield would jump right on it
8 but he has other duties right now.

9

10 Dr. Schroeder.

11

12 MR. SCHROEDER: Madame Chair. The
13 Council had a pending request with the Federal
14 Subsistence Board concerning formation of a Council
15 subcommittee to look at subsistence use amount
16 questions for Southeast Alaska and we asked that in our
17 annual report and then the Federal Subsistence Board
18 responded and said, well, we're not disallowing this
19 but we'd like a better idea of what you want to do with
20 such a subcommittee. Just following the discussion
21 this morning, it may be that we don't want a
22 subcommittee at exactly this morning but I'd like to
23 hear the Council wishes on that of how we respond to
24 the Board asking us for -- okay, what the Board was
25 saying is if you want a subcommittee, please tell us
26 what you'd do, who would be on it, what the charge
27 would be et cetera. It may be that the discussion's
28 gone a little bit further than that at this point, so
29 that I'm not sure that we need that request to be
30 active at this moment.

31

32 MADAME CHAIR GARZA: So what we could
33 do is recommend that the request for the subcommittee
34 on subsistence use amounts be expanded to the request
35 for the statewide committee of Regional Advisory
36 Councils to review subsistence use amounts, that would
37 be the first step. So this request would go on hold
38 temporarily.

39

40 Okay, so I'll so order.

41

42 We do have, looking at our agenda,
43 which occasionally I do refer to, the Item 2 in front
44 of it was the draft closure review and policy briefing,
45 was there someone that was presenting on that.

46

47 Mr Buklis.

48

49 MR. BUKLIS: Thank you, Madame Chair.
50 Larry Buklis, Office of Subsistence Management.

1 There's a brief overview of the issue on Page 173 of
2 your Council book and then the draft policy on closure
3 review follows, beginning on Page 174. I've drawn out
4 a few key points from the Page 173 overview and I
5 thought I'd just go through those key points and then
6 walk you through the draft policy itself and it should
7 only take a few minutes for my presentation.

8

9 In January 2005 Governor Murkowski
10 raised several issues concerning the Federal
11 Subsistence Management Program to the Secretary of the
12 Interior. One of these issues was the standards used
13 by the Federal Subsistence Board when closing areas to
14 non-Federally-qualified users. The Secretary's office
15 responded to this by directing the Board to review its
16 current practices regarding closure decisions and to
17 develop a written policy clarifying the Board's
18 approach to such decisions. It was emphasized that the
19 Board needed to ensure that such closures are necessary
20 for the conservation of healthy populations of fish and
21 wildlife or to continue subsistence uses of such
22 populations. The new policy is to be provided to the
23 Secretaries after review by the Councils during this
24 Council meeting window.

25

26 As I said the Draft Policy follows
27 beginning on Page 174. Looking back, during the fall
28 2005 Council meetings, during the last cycle of
29 meetings, many Councils were asked to consider OSM
30 reviews of existing wildlife closures in their regions.
31 That review process was consistent with this new draft
32 policy. So the new draft policy would have us review
33 closures in the way that we began doing that last
34 cycle.

35

36 Council comments on the draft policy
37 can e developed at this meeting or individual comments
38 can bee submitted independently by April 1st. So the
39 target date for comments in is April 1st.

40

41 Now, I'll just take a moment to walk
42 you through the parts of the draft policy beginning on
43 Page 174, there's a brief introductory statement and a
44 statement of purpose. The authorities from ANILCA and
45 the regulations are shown there, at least the reference
46 is, and then it goes through the types of closures at
47 the bottom of 174 up through the top of page 175 and
48 there's some bullet points there on Page 175. The
49 types of closures, season closures that were carried
50 over from State regulations beginning back in 1990.

1 Secondly there's closures to Federal Subsistence Board
2 users for conservation purposes. And then there's a
3 motion of closures for public safety, although -- or
4 administration but those would typically be done by the
5 individual agencies and as such it wouldn't be a
6 Federal Board action. And then moving on there's
7 closures to non-Federally-qualified users, either, as I
8 said earlier, for conservation purposes or to continue
9 subsistence uses.

10

11 And this policy would have OSM maintain
12 a list of closures either of the type to Federally-
13 qualified users or non-qualified users.

14

15 Then the next section at the bottom of
16 175 talks about the criteria for establishing future
17 closures.

18

19 One is when necessary for conservation
20 of healthy populations of fish and wildlife.

21

22 And the second type would be when
23 necessary for continuation of subsistence uses of such
24 populations, as I said earlier. And this ia point
25 which came up earlier, I think, in your Unit 2 deer
26 discussions at this meeting. The point that
27 competition in and of itself should not be a
28 justification for closure of Federal public lands to
29 non-Federally-qualified users.

30

31 And then moving to Page 176, again, for
32 public safety or administration.

33

34 The next section goes into factors to
35 consider in deciding on closures and takes you through
36 a list of considerations.

37

38 And then finally the draft policy lays
39 out an intent for reviewing existing and future
40 closures and it would have us review closures on a
41 three year cycle. So every three years we'd take up
42 and look again at a particular closure to see if the
43 circumstances still warrant the closure.

44

45 Madame Chair, that's a brief set of key
46 points from the introductory page and then a walk
47 through on the draft policy.

48

49 Thank you.

50

1 MADAME CHAIR GARZA: So then on Page
2 178, so are these specific only to game closures?

3
4 MR. BUKLIS: Thank you, Madame Chair. I
5 should mention, you're right, beginning on Page 178 is
6 some tabular information, not really a part of the
7 policy but it's some reference information related to
8 the issue and it attempts to present all the closures
9 in the records. I believe there are five fishery
10 closures. They're shown on Page 184, fish and
11 shellfish closures, yes, there's five of them showing,
12 but the vast majority are wildlife closures.

13
14 Madame Chair.

15
16 MADAME CHAIR GARZA: Mr. Hernandez.

17
18 MR. HERNANDEZ: Thank you, Madame
19 Chair. Could I ask a specific question on their policy
20 here. is that something for this time?

21
22 MADAME CHAIR GARZA: (Nods
23 affirmatively)

24
25 MR. HERNANDEZ: Mr. Buklis, you're
26 reading through the criteria for establishing future
27 closures and the second bullet there you said,
28 competition in and of itself should not justification
29 for closure of Federal public lands to non-Federally-
30 qualified users and then you mentioned, you know, part
31 of our findings in the Unit 2 Subcommittee, but there
32 is a comma, and a however in that same sentence, it
33 says; however, where significant levels of
34 displacements are shown and usual subsistence harvests
35 aren't occurring through reasonable efforts, closures
36 to non-Federally-qualified users may be justified.

37
38 So it kind of looks to me like it isn't
39 quite as clear cut on competition as you indicated
40 there. I was going to ask you, you know, the language
41 is kind of somewhat vague in your wording there. I was
42 wondering if you're familiar with the process in
43 determining this policy, did the makers of the policy
44 did they look at ANILCA, Section .801 on the findings
45 where it talks about continuation of the opportunity
46 for subsistence uses of resources on public and other
47 lands in Alaska as threatened by the increasing
48 population of Alaska with a result in pressure on
49 subsistence resources.

50

1 That language in ANILCA kind of seems
2 to me to speak towards competition, was that part of
3 the discussion, do you recall, I was kind of wondering
4 where that policy bullet came from and how it was
5 determined.

6
7 MR. BUKLIS: Madame Chair, thank you.
8 Mr. Hernandez. Yes, I'm quite confident they
9 considered ANILCA in its entirety and the portion
10 you're talking about does emphasize the concept of the
11 priority -- the rural priority in ANILCA, and in the
12 part of this draft policy you pointed to does go on,
13 you're correct, and that's why it's competition in and
14 of itself; a desire to not have to conduct the
15 subsistence activity in the face of competition in and
16 of itself is not sufficient reason to remove the
17 competition through regulation. But you're right to
18 point to the factor where the closure can be
19 implemented if the competition is such that it's -- and
20 it would bring in a factor of substantial evidence, I
21 think, would be required to demonstrate that that
22 competition is displacing the ability of subsistence
23 users to get the food they need.

24
25 So it's not so much perception or
26 desire issue in terms of not having competition out
27 there, it would have to be a level of competition that
28 would intrude upon the ability to gather the food. So
29 it is a matter of interpretation that would have to be
30 based on some evidence being brought forward.

31
32 I think that's what's trying to be
33 described in that point. And if there's better ways to
34 say it or more precise ways to convey that, I think
35 this is a draft that's open to those improvements.

36
37 MR. HERNANDEZ: Thank you, Mr. Buklis.
38 Yeah, it is open to a lot of interpretation and
39 something like that, I think, I believe that ANILCA
40 addresses in its findings and I would have to say it's
41 a very hard thing to quantify.

42
43 ACTING CHAIR ADAMS: Mr. Thomas.

44
45 MR. THOMAS: Thank you, Madame
46 Chairman. When I attended the Board meetings in the
47 past, the Board in itself was very timid in confronting
48 much of the language that was presented to them
49 regardless of where it came from. And since the
50 inception of the RACs they've developed a tendency to

1 lean way from the recommendations of the RACs to yield
2 to recommendations from other sources. And that is out
3 of compliance with Title VIII.

4

5 If this policy from the Federal
6 Subsistence Board is allowed to occur they are, in
7 fact, bypassing the very process that Title VIII is
8 designed to do. And it wouldn't take much effort to
9 find them out of compliance.

10

11 If they're able to influence the
12 language in Title VIII to this level, you can be sure
13 that it will become a habit and you'll have to
14 challenge this at every cycle of the RAC meetings. So
15 what needs to happen is before they move any further
16 with their intent with this language is to include the
17 RACs in their discussion and their intent and make sure
18 that they're staying within existing language of Title
19 VIII.

20

21 Thank you, Madame Chairman.

22

23 MADAME CHAIR GARZA: Thank you, Mr.
24 Thomas. And, yeah, I agree. My view of this is, is I
25 don't think the policy is necessary because I think
26 Title VIII of ANILCA serves as the policy itself. But
27 we're all getting candy up here so we're going to
28 revive our energy and go on a rant pretty soon. You
29 probably don't want to be sitting there, Mr. Buklis.

30

31 Mr. Douville.

32

33 MR. DOUVILLE: Mr. Hernandez is
34 discussing some of this particular line and I've read
35 it I don't know how many times and it still isn't clear
36 to me how it's going to work.

37

38 I think that, again, here we have a
39 system that is working fine and I can't understand why
40 you would want to fix something that works. But
41 competition in and of itself was the very reason that a
42 portion or Unit 2 was closed. And it wasn't done by
43 this RAC, it may have been requested and discussed, but
44 in reality it was done by the Federal Subsistence
45 Board.

46

47 I still haven't figured out how this
48 works in any case.

49

50 Thank you.

1 MADAME CHAIR GARZA: Mr. Hernandez.

2

3 MR. HERNANDEZ: Just another question
4 for Mr. Buklis here. I mean I've been looking at the
5 last section in your presentation here. Scheduled
6 reviews of existing and future closures.

7

8 It says all closures to non-Federally-
9 qualified users and closures to Federally-qualified
10 users implemented for conservation reasons or to
11 continued subsistence use shall be reviewed by the
12 Federal Subsistence Management Program three years from
13 the establishment of the closure and every three years
14 thereafter. When you say Federal Subsistence
15 Management Program, does that include the Councils?

16

17 MR. BUKLIS: Madame Chair, thank you.
18 Yes, I think we would implement and approach in
19 practice like we did this past fall, absent this
20 policy, OSM did a review of what the closures were and
21 generated a table like this that's attached to see what
22 the closures, were kind of an inventory to see what's
23 out there, and Staff at OSM looked at the history of
24 how the closure had been implemented and the reasoning
25 for it and whether those circumstances still applied,
26 and we wrote up brief reviews. They weren't quite like
27 wildlife Staff analysis but they were brief reviews
28 stating the points I just made, and then those were
29 shared with the various Councils for those regions, and
30 I think there were some for your region, I don't
31 remember the details, but I think there were some, and
32 my recollection is those reviews concluded with an
33 assessment of whether it appeared that it may warrant
34 an analysis and consideration for change in that
35 closure or not. And then that was shared with the
36 Council, the relevant Councils and the Councils
37 expressed their view on whether they wanted to submit a
38 proposal along those lines to have an analysis of
39 reconsideration done or not. And that was the process
40 we followed.

41

42 Others could also submit a proposal or
43 instead submit a proposal once a closure was so
44 highlighted. And in this past cycle I think -- I think
45 in the current cycle we may have had some proposals
46 because of those closure reviews.

47

48 That's my recollection of how it was
49 conducted this last fall absent this policy. This
50 policy would try to put to paper an approach like that,

1 to sort of systematize a review, an inventory,
2 maintaining an inventory and a periodic review of what
3 the closures are so that we can reassure ourselves that
4 the reason for the closure or the reasons are still in
5 place, and if not then we address them so they don't
6 sit unattended past their time of appropriateness.

7
8 MADAME CHAIR GARZA: Mr. Hernandez.

9
10 MR. HERNANDEZ: I think Mr. Douville
11 kind of hit the nail on the head there, I think, you
12 know, the process is working, anybody can, you know, if
13 they don't agree with a closure, it's no longer
14 necessary anybody can submit a proposal to change that
15 and it seems like an unnecessary task to go about every
16 three years reviewing closures when, you know, they're
17 under constant review from the users.

18
19 MADAME CHAIR GARZA: Okay, so we have
20 to figure out how to move this forward. I think in
21 moving forward, as was mentioned, really the easiest
22 way is to refer to ANILCA.

23
24 There are possibly several avenues we
25 could do. One is to oppose this, which may or may not
26 be beneficial, if it looks like it's already in draft
27 form and something may go through I'm not sure if it
28 won't be just shoved down our throats. I haven't seen
29 this before and maybe I just didn't look.

30
31 But the other thing is if we were to
32 look at this policy and say, okay, this may go forward
33 then I think what we would need to do is modify it to
34 reflect what it should be, and that would be, under
35 Board authorities that Section .801 needs to be added,
36 because .801 does clearly state and it has been
37 mentioned by other Council members, the continuation of
38 the opportunity for subsistence uses of resources on
39 public and other lands in Alaska is threatened by the
40 increasing population of Alaska with resulting pressure
41 on subsistence resources, by sudden decline, and it
42 just goes on and on, and it does clearly give Federal
43 Subsistence Board direction to take action based on
44 increasing population in Alaska of humans. And so that
45 needs to be part of this policy, it needs to reflect
46 that that's part of their job.

47
48 And so using that you go over to the
49 bullets on Page 175, season closures can be carried out
50 from State regulations, those bullets there and then

1 the last one closure to non-Federally-qualified users
2 for conservation purposes and to continue subsistence
3 uses; that to continue subsistence uses needs to be
4 made the priority that it should be -- it needs to be
5 strengthened so that it meets the needs and
6 opportunities and is to the benefit of subsistence
7 users. So I think we could come up with language in
8 ANILCA for that.

9
10 But I think that that one little line
11 as a bullet to me is very understated and sort of goes
12 back in terms of what ANILCA is intended to do.

13
14 At the bottom of 175 where it says and
15 this is the paragraph that I know several of you have
16 brought up, when necessary for continuation, that
17 competition in and of itself should not be
18 justification, I think that needs to be changed,
19 obviously based on .801 and also based on .804. And
20 looking at it here, .804(2), I'm not going to read the
21 whole thing, but it says;

22
23 in order to assure the continued
24 viability of fish and wildlife
25 populations or the continuation of
26 subsistence uses of each population,
27 the taking of such populations for a
28 non-wasteful subsistence use shall be
29 given preference on the public lands
30 over all other consumptive uses.

31
32 That would imply that you would make
33 changes based on displacement, if subsistence users are
34 displaced, if opportunities are, in fact, minimized,
35 then you would make changes in order to provide and
36 ensure the opportunities for rural subsistence users.
37 And so to me, I mean this policy is just about as
38 counter to the ANILCA provisions that I see that could
39 possibly happen. And this to me is an alarming policy
40 to even be a draft policy to even be looking at.

41
42 So I would be assuming that the Council
43 has issues with this policy and that's all that I've
44 heard are issues with it. We could take several steps.
45 One, would be a motion to oppose it, based on .801(3)
46 and .804(2), which guides opposite of this policy.

47
48 Mr. Douville.

49
50

1 MR. DOUVILLE: Madame Chair. I'm not
2 prepared to make a motion at this point. But in my
3 opinion the State is asking for this, the government
4 is, and I'll say this again that the State does not
5 recognize this program, they have not amended the
6 Constitution.

7
8 The other part, my comment would be
9 that ANILCA clearly offers all this protection and it's
10 clearly stated and I would not be in favor of trying to
11 change it in any way or modify it in any way.

12
13 MADAME CHAIR GARZA: Mr. Adams, can you
14 take over Chair.

15
16 ACTING CHAIR ADAMS: Yes, ma'am.
17 Dolly, go ahead.

18
19 MADAME CHAIR GARZA: Thank you, Mr.
20 Chair. I would like to make a motion that we oppose
21 the draft policy for decisions regarding closures to
22 hunting, trapping and fishing opportunities on Federal
23 public lands and waters in Alaska as started on Page
24 174 of our meeting packet. And I'm not sure if this
25 should be in resolution form because there are several
26 points I would like to make.

27
28 DR. SCHROEDER: Let's do a resolution.

29
30 MADAME CHAIR GARZA: Okay. So if
31 someone could second it first then I'll throw up the
32 point.

33
34 MR. BANGS: Second.

35
36 ACTING CHAIR ADAMS: Second by Mr.
37 Bangs.

38
39 MADAME CHAIR GARZA: Thank you, Mr.
40 Chair.

41
42 Point 1 would be referencing .801(3).
43 Continuation of the opportunity for
44 subsistence uses of resources on public
45 and other lands in Alaska is threatened
46 by the increasing population of Alaska.
47 With result and pressure on subsistence
48 resources by sudden declines of
49 populations of some wildlife species,
50 which are crucial subsistence

1 resources, by increased accessibility
2 of remote areas containing subsistence
3 resources, and by the taking of fish
4 and wildlife in a manner and consistent
5 with recognized principles of fish and
6 wildlife management.

7
8 This should be directing Federal
9 Subsistence Board on how they make their decisions.

10
11 The second point. In ANILCA is under
12 .802(2) in the second half of it. It
13 says -- I'll read the whole thing.
14 Non-wasteful subsistence use of fish
15 and wildlife and other renewable
16 resources shall be the priority
17 consumptive uses of all resources on
18 public lands of Alaska. When it is
19 necessary to restrict taking in order
20 to assure the continued viability of
21 fish and wildlife populations or the
22 continuation of subsistence uses of
23 such populations.

24
25 The taking of such populations for non-
26 wasteful subsistence uses shall be
27 given preferences on public lands over
28 other consumptive uses.

29
30 That policy does, in fact, Federal
31 Subsistence Board to make closures in order to improve
32 the opportunities for subsistence uses which is exactly
33 what we have been doing.

34
35 So I would like those drafted into
36 resolution points. And then the final point:

37
38 Is that this policy is also counter to
39 the whole Regional Advisory Council
40 process, which, although sometimes we
41 feel we're going up a hill, does work,
42 people submit proposals, we react on
43 them.

44
45 If we had a three year review it would
46 probably increase the amount of work that we have to do
47 rather than having people submit proposals when they
48 see the problem. We have no shortages of proposals
49 that are submitted when people see perceived problems.

50

1 So I think by mandating a three year
2 review it's a slap in the face and implies that we, in
3 fact, are not doing our job and I think that at least
4 the Southeast Regional Advisory Council takes their job
5 seriously and does a lot of homework to ensure we do
6 our job as best as we can.

7
8 So my resolution would be to speak
9 against this proposed policy based on those three
10 points. There may be others that someone wants to add.

11
12 ACTING CHAIR ADAMS: Any other
13 comments.

14
15 Richard Stokes.

16
17 MR. STOKES: Thank you, Mr. Chair. I
18 would like to see some way where there would be local
19 control for those that open and close the season
20 because the last few years in the Wrangell area the
21 sockeye traditional streams have been late coming in,
22 and the season closes July 31st and after this date is
23 when the sockeye have been coming in and I wish there
24 was some way we could do something about it.

25
26 Thank you.

27
28 ACTING CHAIR ADAMS: Do does the
29 Council want to discuss that some or just take it down
30 as a matter of comment from Mr. Stokes.

31
32 Bob, do you got that recorded, okay.

33
34 DR. SCHROEDER: Salena does.

35
36 (Laughter)

37
38 DR. SCHROEDER: Yes, I've got it
39 recorded.

40
41 ACTING CHAIR ADAMS: Any other
42 comments. Mr. Thomas.

43
44 MR. THOMAS: Thank you, Mr. Chair.
45 Just keep focused on the language of this part of the
46 information you have. I support Dr. Garza's position
47 in opposition to this.

48
49 Thank you.

50

1 ACTING CHAIR ADAMS: Thank you.
2
3 MR. HERNANDEZ: Question.
4
5 ACTING CHAIR ADAMS: Question's been
6 called, all in favor please say aye.
7
8 IN UNISON: Aye.
9
10 ACTING CHAIR ADAMS: Opposed.
11
12 (No opposing votes)
13
14 ACTING CHAIR ADAMS: It carries. Dr.
15 Schroeder.
16
17 DR. SCHROEDER: Mr. Chair. Could we
18 designate about one or two Council members to work with
19 Staff on the language for the three main points that
20 the Council brought up in this discussion.
21
22 ACTING CHAIR ADAMS: Any volunteers.
23
24 MADAME CHAIR GARZA: Mr. Hernandez and
25 Mr. Littlefield.
26
27 ACTING CHAIR ADAMS: I'm going to turn
28 the gavel back over to Madame Chairman.
29
30 MADAME CHAIR GARZA: Okay. Next on the
31 agenda was the Avian Flu update, that's for information
32 only, it's spreading. Don't know what it means to us
33 but it's kind of scary.
34
35 Mr. Chester, did you give up on us yet,
36 oh, there you are. WIS. And Mr. Johnson, are you
37 reporting with him at the same time?
38
39 MR. JOHNSON: (Shakes head negatively)
40
41 MADAME CHAIR GARZA: Mr. Chester.
42
43 MR. CHESTER: Madame Chair. Members of
44 the Council. This is just informational as well. I'm
45 just wanting to update you a little bit on the Wildlife
46 Resource Monitoring Program and where it's at and where
47 it's been since your last meeting. I guess I'll start
48 out by just kind of recapping what we did in 2005.
49
50 I think when we last met we had pretty

1 much funded a couple of proposals in response to our
2 RFP. The request for proposals for 2005 requested
3 proposals on four issues, Unit 2 subsistence uses and
4 needs for deer. Unit 2 improved population trend data
5 for deer. Prince William Sound subsistence uses and
6 needs for black bear, and a tracking mechanism for bear
7 parts used in handicraft.

8

9 We received proposals addressing the
10 first three issues and we ended up funding two
11 proposals, one on Unit 2 deer population trends and on
12 on Prince William Sound black bear uses and needs. We
13 had actually had hoped to also fund a proposal on
14 subsistence uses and needs for deer on Unit 2 but the
15 steering committee that reviewed the proposals that one
16 did not meet the standards that we needed to fund it.

17

18 However, that one is still on the list.
19 I believe Cal handed out the list and I'll go into a
20 little more detail on how that list came up but it will
21 probably -- well, it will be on the 2006 request for
22 proposals.

23

24 So since our last meeting in Wrangell,
25 the last time I had a chance to talk to you, the
26 primary activity of the program has been to develop
27 that prioritized list that you have before you. We're
28 referring to this in its entirety, that's just a
29 portion of it, as a strategic plan. We used pretty
30 much a two phase process. The first phase we
31 identified a number of different groups and
32 representatives of those groups and conducted telephone
33 interviews to develop a preliminary list of issues,
34 wildlife subsistence issues relating to wildlife
35 subsistence resources on Forest Service managed lands.

36

37 We also sent a letter to all the tribal
38 organizations in Southcentral and Southeast Alaska with
39 questions and an invitation to respond.

40

41 The second document you have there is
42 the response we got from the Organized Village of Kake.
43 They asked us to share that with the Regional Advisory
44 Council as well as the Alaska Department of Fish and
45 Game.

46

47 The second part of the process was to
48 convene a group, a subgroup of the interviewees, we met
49 in Juneau in January. And the purpose of this group
50 was to review all the issues and information pertaining

1 to those issues that were identified in the interviews.
2 Also this group developed criteria by which to rank the
3 issues and finally took that information and that
4 criteria and developed the prioritized list that you
5 have before you.

6
7 So the whole objective of this exercise
8 was to develop a prioritized list of subsistence
9 wildlife issues that we could potentially fund through
10 this program, the Wildlife Resource Monitoring Program
11 and we tried to involve -- it would have been nice to
12 involve just about everybody but as it came down we
13 pretty much only had room for folks from the Southeast
14 and Southcentral Regional Advisory Councils, Alaska
15 Department of Fish and Game, various tribal
16 representatives and some folks from the Forest Service.
17 Dolly Garza and Mike Bangs were the two folks from this
18 Regional Council.

19
20 So where this process is, we're
21 currently -- we're just about to send the draft report
22 out to all the participants to make sure that
23 everything is as they remember it and, you know, it's
24 accurate and we'll get that back and finalize it and it
25 will be available to -- we'll certainly provide it to
26 the RACs but basically we'll make it available to
27 whoever would like to see it and use it.

28
29 And the final thing I wanted to mention
30 is that we have determined that we have money available
31 to fund at least a project or two in 2006 and so we
32 will be going forward with a request for proposals for
33 2006. I hope to get that request out this month.

34
35 And I'll stop there and try and answer
36 any questions, unless you had something to add, Steve.

37
38 MADAME CHAIR GARZA: Mr. Kessler.

39
40 MR. KESSLER: Madame Chair and Council.
41 Steve Kessler with the Forest Service. The reason I'm
42 sitting up here is because I wanted to give you an
43 update sort of on the funding situation because it's
44 not particularly rosy.

45
46 As I reported at your last meeting, the
47 Forest Service received a \$900,000 decrease in funds
48 for this fiscal year, fiscal year 2006 from the
49 previous year. Because the previous year we had
50 received a \$500,000 increase, that's why we started

1 with this Wildlife Information Services, or Wildlife
2 Resource Monitoring Program, we thought that was the
3 highest priority for use of additional funds. Well,
4 that \$500,000 increase became a \$900,000 decrease for
5 this year. The President's budget is out and the
6 President's budget for fiscal year '07 has about a
7 \$240,000 increase it, that would essentially keep us
8 flat. Essentially that would no change from where we
9 are this year based upon a three or four percent
10 inflation.

11

12 The bottom line here is that without
13 any additional funds and if we were to next year, not
14 fund any WIS projects, no Wildlife Resource Monitoring,
15 then we would probably see about a \$300,000 to \$500,000
16 decrease in the FIS side. So without any change in
17 funding or no change beyond the 240,000 increase that's
18 in the President's budget, we already will see probably
19 a significant change in the amount of money that we
20 have available for FIS, let alone for WIS.

21

22 MADAME CHAIR GARZA: So what do we do?

23

24 MR. KESSLER: What do we do about the
25 funding situation?

26

27 MADAME CHAIR GARZA: Yes.

28

29 MR. KESSLER: I -- I, in no way can
30 lobby or do anything else but if you, for instance,
31 wanted to take some sort of action on that, you might
32 be able to remember, though, that the Council is a
33 Federal Advisory Committee Council and that the Federal
34 Advisory Committee Council is essentially an arm of the
35 Federal government and so one needs to be very careful
36 about ways that the committee acts to try and get any
37 increases in funding.

38

39 But at this point I just wanted to
40 inform you that we will start seeing, my anticipation
41 is, start seeing reductions in the amount of money for
42 monitoring programs.

43

44 MADAME CHAIR GARZA: But we do have
45 limited funds for the WIS call for proposals for this
46 cycle?

47

48 MR. KESSLER: Yes, Madame Chair. The
49 situation is that remember we had a substantial
50 increase last fiscal year and we did not fund as many

1 of the wildlife projects as we thought we would. So
2 what we ended up doing was essentially forward funding
3 some of our fisheries projects this year. In other
4 words we used last year's funds to fund some of the
5 fisheries projects this year. That made more money
6 available this year in order to put into some of these
7 wildlife projects.

8

9 As a matter of fact, it was a
10 substantial amount of money and without that
11 substantial amount of money to forward fund that
12 \$900,000 decrease that we received this year would have
13 had a huge effect on this years -- our ability to move
14 forward with both FIS and WIS this year. We were able
15 to cushion that effect, the \$900,000 effect this year.
16 Next year we will have absolutely no ability to cushion
17 the effect at all.

18

19 MADAME CHAIR GARZA: Mr. Adams.

20

21 MR. ADAMS: I have a question for
22 Dennis over three. Just glancing through this here and
23 I see down there on Yakutat, mountain goat on Nunivak
24 bench and I know that, you know, they watch that very
25 closely and have been for the past two or three years
26 because the goat has been declining. And the only
27 studies that I know of that are taking place there, you
28 know, are just fly by observations and so forth.

29

30 The goat in other areas, you know, like
31 over in the Harlequin Lake area, down toward Dry Bay
32 are pretty healthy. But other than just fly bys and
33 the Forest Service and the State always get together
34 with the tribe, you know, to talk about that issue and
35 then if they -- they closed it down, I think it was
36 this fall. With that kind of consultation, and I like
37 that, you know, I like that relationship but I think
38 maybe -- my question here is, you know, is there any
39 type of other monitoring programs that are going to
40 take place, studies and so forth, why they are
41 declining, other than just, you know, visual
42 observations?

43

44 MR. CHESTER: Madame Chair. Mr. Adams.
45 Basically this -- I think Yakutat was well represented
46 by Ms. Henniger and the main reason that the Yakutat
47 goats ranked as high as they did is because it's such a
48 vulnerable population right there that seems to be
49 important to the Yakutat community.

50

1 Basically the ranking of this issue
2 would be to we would call for a proposal to develop
3 that study that you're talking about.

4
5 MR. ADAMS: Thank you.

6
7 MADAME CHAIR GARZA: Mr. Bangs.

8
9 MR. BANGS: Thank you, Madame Chair. I
10 have a question for Mr. Kessler. Was there any
11 progress made with taking the funds that may be
12 available and combining them with possible State
13 funding or local funding that could happen in these
14 areas, whether it be tribal help or community help or
15 something from the State side?

16
17 MR. KESSLER: Madame Chair. Mr. Bangs.
18 When we put these projects out with the request for
19 proposals, we ask for partners and if there are
20 partnerships that are available, those projects would
21 tend to be ranked higher as far as the ones that are
22 selected. And so if there is community funds, tribal
23 funds, State funds, any type of contributed funds that
24 would tend to influence the ranking of these projects.

25
26 As far as actually going out and
27 soliciting funds for putting into these projects, at
28 this point we haven't done that. It's not that we
29 couldn't, it's not that we couldn't look for grants of
30 some sort that would be available to use into these
31 funds, Forest Service could do that or applicants can
32 do that, it can come from either source.

33
34 MADAME CHAIR GARZA: Mr. Bangs.

35
36 MR. BANGS: Thank you. Are there plans
37 to do that? Is that in the works or is this just
38 something that could happen?

39
40 MR. KESSLER; Madame Chair. Mr. Bangs.
41 No, there are no plans at this point to do that.

42
43 MADAME CHAIR GARZA: Okay, we got to
44 keep moving. So looking at the decreasing funding, the
45 fact that we already have some population work being
46 done on Prince of Wales for deer, which Prince of Wales
47 deer is always top in everything, in adversary and
48 needs and unmet information, blah, blah, blah. We have
49 a long list here. We have limited funds. And I would
50 like to recommend that we -- and I'm not sure so you

1 guys will have to tell me if this is the right thing to
2 do, that through the WIS proposal process for this
3 year, that we focus on the top two items and that would
4 be the Prince of Wales TEK information, subsistence use
5 and needs for deer and the mountain goat population in
6 Yakutat.

7
8 And the reason I'm suggesting this is
9 because that's the kind of area where we're not going
10 to get money from other areas in order to do those
11 types of studies. They did rate at the highest and we
12 have limited funds. We have some deer biology work
13 that is being done but we don't have the TEK side of
14 the work that's being done. And my fear is that if we
15 allow for lots of proposals to come in, the TEK work
16 will fall by the side and we won't have that
17 information.

18
19 At the U-2 Subcommittee that did
20 surface as one of the top priorities.

21
22 I also, you know, if we're going to
23 submit a request for proposals, you know, I don't want
24 tribes to think they might be able to access the funds
25 without realizing what the top priorities are and they
26 spend a week of Staff time who only works 40 percent is
27 already worked on a proposal that may not receive
28 favorable condition because it's not in the top
29 priority. So sort of trying to give some direction on
30 it.

31
32 Can we do that?

33
34 MR. KESSLER: Madame Chair. We would
35 certainly take your recommendation into account.
36 Remember we also may have a recommendation from the
37 Southcentral Council so both areas are competing for
38 these funds.

39
40 And also the Regional Forester has had
41 an item on the top of his list, it was that Kay
42 Mountain (ph), the RFP last year which was a way to
43 track bear handicrafts so that still may be one of the
44 items that would come forward.

45
46 So we would appreciate your
47 recommendation, recognize that the Forest Service would
48 be ultimately responsible for what -- how that RFP
49 finally comes out.

50

1 MADAME CHAIR GARZA: Apparently the
2 chocolate didn't kick in, send those Twizzle sticks
3 around again.

4
5 So as Chair I would like to recommend
6 that we support the top two items for Southeast for the
7 WIS funding in the next request for proposals. Is
8 there any objection to that.

9
10 (No comments)

11
12 MADAME CHAIR GARZA: Okay, I can't make
13 the motion so hearing no objections, that will be the
14 recommendation from SERAC that we try and focus on
15 those top two topics for the WIS, realizing that we're
16 not the authority but if we could pass that along and
17 that's given limited funding and trying to get some of
18 the important work done and letting tribes know that if
19 they haven't surfaced as one of these top areas that
20 they shouldn't spend too much time on a proposal.

21
22 Thank you. Go ahead.

23
24 MR. KESSLER: Thank you, Madame Chair.
25 We appreciate the recommendation, that's very helpful.

26
27 Did you have something.

28
29 MR. CHESTER: (Shakes head negatively)

30
31 MADAME CHAIR GARZA: Thanks for your
32 patience and hanging out so long.

33
34 Okay, back to the agenda and next on is
35 the annual report, we need to get some topics in there
36 before we all go buzzing out of here and I remember
37 Fred just used to corner us on it, the annual report is
38 always the hardest to do. Sometimes we have burning
39 issues and sometimes we have burning issues and then we
40 forget what they are.

41
42 Dr. Schroeder.

43
44 MR. SCHROEDER: Madame Chair. I'll
45 remind you that Cal and I have the keys to the vehicles
46 so no one will be leaving until we finish these items.

47
48 (Laughter)

49
50 DR. SCHROEDER: Except for Mike.

1 (Laughter)

2

3 DR. SCHROEDER: Really your coordinator
4 hasn't done a great job on this. We really should be
5 discussing our annual report items at our fall meeting,
6 and then before you right now there should be something
7 that's a little bit further along.

8

9 What I have are a number of topics that
10 you may or may not wish to include.

11

12 I'll go through them and then put them
13 on the screen if that's the easiest way to go and these
14 are just things that I've gotten from the discussion at
15 this meeting and then conversations with Council
16 members.

17

18 One concerns Chatham sockeye issues.
19 And the Council has been concerned on that. Because
20 two key members are missing from this Council meeting,
21 the Council is not submitting a proposal concerning a
22 Chatham sockeye closure. The Council may wish to keep
23 this alive and ask for Staff assistance on this issue
24 over the next months.

25

26 The action that would be requested
27 would be a major one because this would be an extra-
28 territorial jurisdiction action to close certain
29 sockeye fisheries to allow sockeye salmon to return to
30 critical Chatham Strait subsistence sockeye areas.

31

32 As such ETJ request, or extra-
33 territorial jurisdiction requests don't go through the
34 normal proposal cycles as fish proposals take place and
35 I believe that that could be submitted at any time. So
36 I think at this point we might request some Staff work
37 on that. I am correct on that, Larry, that that's
38 basically equivalent to a petition, I think, if I could
39 get that clarified.

40

41 MADAME CHAIR GARZA: Mr. Buklis.

42

43 MR. BUKLIS: Madame Chair. Yes, Dr.
44 Schroeder, it would be a petition to the Secretary of
45 the Interior and Secretary of Agriculture, it's not the
46 Board's authority.

47

48 DR. SCHROEDER: And as I said that's a
49 very major issue but we could request Staff assistance
50 to prepare that and that could be something for review

1 by the Council at our fall meeting.

2

3 Second was an item discussed by Dr.
4 Garza, it has to do with Pacific Salmon Commission
5 nominees and the Council may wish to have these
6 forwarded through the Federal program.

7

8 A third item, and here I'm not sure
9 whether this is something that wishes to be an item.
10 There was discussion about government to government
11 relations with tribes and requirements for
12 consultation, and I'm not sure the content of that.

13

14 Fourth issue had to do with sea otter
15 questions and I'm not sure the content of that.

16

17 Fifth issue, I believe that Staff have
18 been able to -- Staff have gotten most or all important
19 correspondence and internal documents to Council
20 members. The Federal program does operate
21 transparently. Because there's so much going on right
22 now I think that may be something to highlight. I've
23 talked with John about this, simply to request that the
24 Federal program circulate relevant correspondence and
25 documents unless they're subject to attorney/client
26 privilege or concern personnel matters, which obviously
27 are things that shouldn't circulate. A second possible
28 point you may wish to include is that these important
29 documents are put on our web site. We have moved into
30 a new era of communication and that would serve our
31 publics as well.

32

33 Let me see what else I had on there.

34

35 There are two items and I'm not sure
36 whether they should -- whether there's anything the
37 Council wants to say about that. Things have come up
38 consistently at our meetings concerning habitat
39 protection recognizing that if the Council does its job
40 really well in regulating things, however, if habitat
41 is degraded or sprayed or in some other ways made
42 unsuitable for harvest we'd be out of a job. I don't
43 know if the Council wishes to do anything on that.

44

45 And finally, halibut issues have come
46 up, specifically tribal members need to be able to
47 harvest halibut closer to communities. I don't know if
48 that's an item, obviously, our Federal program under
49 ANILCA doesn't manage halibut.

50

1 Those are seven items that I had and
2 I'd welcome additions or strike some off the list if it
3 seems that we aren't likely to -- if we don't have a
4 need to address the Federal Subsistence Program with
5 these.

6
7 Madame Chair.

8
9 MADAME CHAIR GARZA: Mr. Douville.

10
11 MR. DOUVILLE: My mind is not working
12 very well, but one thing I would -- you know,
13 concerning these sockeyes and it may become quite an
14 issue, is that, if the Federal system can somehow start
15 sampling these sockeye that are taken commercially,
16 genetically or scale samples or whatever it takes to
17 start determining where these fish are coming from
18 would be helpful down the road. And I don't know if
19 you could accommodate that now or if there's funding or
20 there's ways to do it, I'm just pointing out something
21 that I feel should be done.

22
23 MADAME CHAIR GARZA: I think some of
24 that is done with ADF&G efforts, although it is
25 probably budget limited. So maybe at the next meeting,
26 which will be fish, we could get a summary report on
27 what type of work is being done and then go from there.

28
29 MR. DOUVILLE: That would be fine.

30
31 MADAME CHAIR GARZA: Mr. Bangs.

32
33 MR. BANGS: Thank you, Madame Chair.
34 If it's possible, before we adjourn I'd like to say
35 just a few brief things about the Kuiu timber sale and
36 the possible impacts on subsistence.

37
38 Thank you.

39
40 MADAME CHAIR GARZA: Okay, so we have
41 the annual report, we have the topics that Bob listed.
42 If you're passionate about one of them, please help him
43 with the language on it, otherwise we will consider all
44 of them in the letter.

45
46 The last things that I have on here, we
47 have a couple Staff reports to make. We have Kuiu
48 timber, halibut, sea otter. I think, although we have
49 halibut and sea otter in the annual report, I think I
50 can do them quickly as letters of request.

1 DR. SCHROEDER: Excuse me, I didn't
2 catch that.

3
4 MADAME CHAIR GARZA: For halibut and
5 sea otter, while they'll be in the annual report and
6 I'll be glad to help you with the language on it, I'd
7 like them as items of action and I have plans to make
8 them quick and possible letters.

9
10 DR. SCHROEDER: Okay. So do we have
11 anything else for the annual report?

12
13 MADAME CHAIR GARZA: Did anybody else
14 wish to add something to the annual report that Dr.
15 Schroeder did not add?

16
17
18 (No comments)

19
20 MADAME CHAIR GARZA: Okay, moving
21 along. So some kind of draft annual report will go out
22 to the Council, please review it, submit your comments,
23 help Mr. Schroeder with the language.

24
25 MR. SCHROEDER: Madame Chair. The
26 annual report usually, our practice has been that
27 Staff drafts something up and that goes through the
28 Chair and then from the Chair to the Federal
29 Subsistence Board, actually to the Secretaries, the
30 annual report is in ANILCA, authorization for the
31 Council to report directly to the Secretaries, although
32 the Board is acting for the Secretaries in this case.

33
34 MADAME CHAIR GARZA: Okey-doke. Do you
35 have something quick on Kuiu, do you have a request for
36 us.

37
38 MR. BANGS: Thank you, Madame Chair. I
39 just wanted to give a quick overview of what was going
40 on. I just recently found out about it and I'm sure the
41 residents of Kake are going to be concerned about the
42 impacts to the region that this timber sale is going to
43 take place.

44
45 The proposed action is 42 and a half
46 million board feet. It's right on the road that
47 supports the largest salmon and steelhead stream on
48 Kuiu Island, and the proposed action also is the one
49 that proposes the most likely instances of landslides.
50 They're putting temporary roads into roadless areas.

1 And they're doing a combination of clear-cuts and
2 helicopter logging. This is right across from Kake.
3 I'm sure that Mr. Davis will be able to voice some
4 concerns about the salmon and the accessibility by the
5 influx of all the people that will be there conducting
6 the logging and if that's going to impact their use on
7 this real important stream to the citizens of Kake.

8

9 Thank you.

10

11 MADAME CHAIR GARZA: In terms of
12 voicing our concerns as a Regional Advisory Council,
13 and I will get to you, Mr. Davis, are you looking at a
14 letter of support, a resolution of support, do you have
15 something drafted?

16

17 MR. BANGS: I would refer to Mr. Davis
18 as far as their concerns. This is an important area to
19 people of Petersburg and there was some concerns that
20 were brought to me by local people but they weren't
21 sure and I'm not sure if this is a position that the
22 Council needs to act on but I wanted to make sure that
23 it was made aware to the Council and that if there was
24 concern that there was a possibility that we could, you
25 know, help.

26

27 MADAME CHAIR GARZA: Mr. Davis.

28

29 MR. DAVIS: Yes, thank you, Madame
30 Chair. You know we've dealt with the Forest Service
31 and voiced our concerns, wants and wishes and over and
32 over and over they've ignored what we've asked them to
33 do. So a letter of support would be appreciated.

34

35 ACTING CHAIR ADAMS: Dr. Schroeder.

36

37 MR. SCHROEDER: Mr. Chair. Members
38 Bangs and Davis. The one thing that the Council, well,
39 let's see, the Regional Advisory Council, the Chair is
40 notified of all the timber sales that take place in
41 Southeast Alaska when there is a Section .801 hearing,
42 which are also called the subsistence hearings. And,
43 in fact, John, before he left was wondering whether the
44 Council should do anything about this. Usually there's
45 a notification and then there is a Council action. But
46 there definitely is a role for the Council to play in
47 providing comments on sales of this sort and they're
48 actively requested under ANILCA. The Council
49 participation is definitely in line.

50

1 Do we know what the final decision time
2 is on this sale, Mike?

3
4 MR. BANGS: Thank you, Mr. Chair. Dr.
5 Schroeder, I haven't heard of what the timeline is for
6 dates. I know the subsistence hearings are coming up
7 on the 13th of March in Kake and the 16th of March in
8 Petersburg, and I'm hoping by that time they'll give us
9 a timeline on what's expected as the sale moves
10 forward, but as of the date I don't know anything about
11 their timeline.

12
13 MADAME CHAIR GARZA: Okay, we need some
14 action. Dr. Schroeder.

15
16 MR. SCHROEDER: Just by way of
17 suggestion to keep our process going here, Mike and
18 Nick, at this time it would be completely appropriate
19 to respond to the letter that John received concerning
20 the .810 hearings and to say something general about
21 how the Council has concerns about the affect of
22 potential timber sale on subsistence uses.

23
24 For the Council to talk about specifics
25 of that sale would require the Council to be able to
26 review the sale, get a presentation on it and make
27 specific comments.

28
29 So at this point I think it would be
30 appropriate if Council members took the lead in
31 preparing a letter on that sale in general terms to
32 move that through the Chair to the planners for this.

33
34 MADAME CHAIR GARZA: Mr. Hernandez.

35
36 MR. HERNANDEZ: Thank you, Madame
37 Chair. Maybe the Council can say that in lieu of the
38 letter, you know, to our Chairman, Mr. Littlefield,
39 informing him of the actions regarding this sale, that
40 perhaps the Chairman can designate a Council member who
41 will be present at the hearings to represent our views
42 during those hearings.

43
44 Thank you.

45
46 MADAME CHAIR GARZA: So are we going to
47 do both?

48
49 (Council nods affirmatively)

50

1 MADAME CHAIR GARZA: So we can develop
2 a letter as well as request Council participation at
3 the hearings?
4
5 MR. HERNANDEZ: Perhaps we could do
6 that, a letter supporting what the Organized Village of
7 Kake, who apparently has made comments to the Forest
8 Service, we could write a letter supporting their
9 comments and designate a representative at the
10 hearings.
11
12 MADAME CHAIR GARZA: Is that a motion.
13
14 MR. HERNANDEZ: I'll make that as a
15 motion.
16
17 MR. STOKES: Second.
18
19 MADAME CHAIR GARZA: Okay, it's been
20 moved and seconded. Lots of hands up here, Mr. Bangs
21 and then Mr. Stokes.
22
23 MR. BANGS: Thank you, Madame Chair.
24 Chairman Littlefield asked me if I would be there at
25 the hearing in Petersburg and I said that I had planned
26 on it and he asked me or gave me his views on it that I
27 should represent the Council if it was the Council's
28 wishes. He asked me if I would and I agreed.
29
30 Thank you.
31
32 MADAME CHAIR GARZA: And, Mr. Davis,
33 did he also talk to you about representing the Council
34 at the Kake meeting.
35
36 MR. DAVIS: Madame Chair, he did. And
37 our plan is to go get my IQs during that period, we
38 didn't know about this until we already made this plan.
39
40 MADAME CHAIR GARZA: Mr. Stokes.
41
42 MR. STOKES: Thank you, Madame Chair.
43 Mr. Franklin James wanted to make a comment on Kuiu.
44
45 MADAME CHAIR GARZA: We're in Council
46 deliberation here.
47
48 MR. STOKES: Thank you.
49
50 MADAME CHAIR GARZA: Okay, so we have a

1 motion before us, we'll have some time for public
2 comments at the end of the meeting but we have to get
3 through this agenda here. We have other things left on
4 the table.

5
6 So the motion is to draft a letter that
7 will be done with the Chairman and Dr. Schroeder and
8 may include other Council members who are interested,
9 and then the request for.....

10
11 MR. SCHROEDER: Representation.

12
13 MADAME CHAIR GARZA:
14representation, thank you, will include Mike Bangs
15 at the Petersburg meeting, and I'm not sure if Chairman
16 Littlefield wants to figure out if someone can do
17 something at the Kake meeting. We'll leave that up to
18 him.

19
20 DR. SCHROEDER: Nick is gone.

21
22 MADAME CHAIR GARZA: Right. All in
23 favor of the motion signify by saying aye.

24
25 IN UNISON: Aye.

26
27 MADAME CHAIR GARZA: Opposed.

28
29 (No opposing votes)

30
31 MADAME CHAIR GARZA: Okay. We need to
32 keep moving. The next I have on my list is halibut.
33 We did have a request to support two things for
34 Ketchikan. One from October 1 to March 31st, open all
35 waters in the Ketchikan area for halibut gear, for
36 halibut subsistence gear. This was given to us as a
37 paper yesterday.

38
39 And, two, during the winter months,
40 allow for 90 hooks with three people on board boat.
41 I'm assuming those are the same dates, from October 1
42 to March 31st.

43
44 I would request that we draft this into
45 a letter, perhaps work with Mr. Casipit and get this
46 forward to, I think it would be North Pacific Fishery
47 Management Council, and the points would be access for
48 Ketchikan residents who have to go a mile out is not
49 safe and doesn't provide for meaningful opportunity.

50

1 Mr. Hernandez, and then Mr. Kitka.
2
3 MR. HERNANDEZ: I make a motion we
4 draft such a letter.
5
6 MR. KITKA: Thank you, Madame Chair. I
7 think you need to send a carbon copy to the -- I think
8 it's the working group, the subsistence working group
9 attached to the North Pacific.
10
11 MADAME CHAIR GARZA: Mr. Adams.
12
13 MR. ADAMS: I believe the motion died
14 for a lack of a second.
15
16 MR. DOUVILLE: Second.
17
18 MADAME CHAIR GARZA: Okay, there was a
19 motion and there is a second. I'm going to mute you
20 next time, Mr. Adams.
21
22 (Laughter)
23
24 MADAME CHAIR GARZA: Mr. Douville
25 seconded, thank you.
26
27 Okay, so we will draft a letter
28 requesting these two changes. We'll have Mr. Casipit
29 help us with it, I'm not really familiar with the
30 halibut process and it will also go to the -- I think
31 it's called the Subsistence Halibut Working Group so
32 they understand what's going on and hopefully will
33 support it.
34
35 Dr. Schroeder.
36
37 MR. SCHROEDER: Just so we don't have
38 confusion after this meeting, and Mr. Casipit was out
39 of the room, could we just restate what we would like
40 him to do and give him the material that you have in
41 front of you.
42
43 MADAME CHAIR GARZA: Okay. So the
44 request in the letter from Franklin James, it's dated
45 March 2nd, 2006, one is to open all waters around
46 Ketchikan for a subsistence halibut gear from October 1
47 to March 31st. This would provide opportunity to
48 subsistence users when there are likely not other users
49 in the area.
50

1 And, two, during these winter months
2 allow for three people and 90 hooks on board. This
3 would also allow for -- improve the opportunity for
4 Ketchikan area people and provide meaningful
5 opportunity.
6

7 Okay, and so I'm not sure if you want
8 to talk to Franklin over there but I'll give you this
9 letter as well. So this would go to the -- I think to
10 the North Pacific Management Council, and as Harvey
11 pointed out, also to the working group -- I think
12 there's a Halibut Subsistence Working Group.
13

14 MR. CASIPIT: (Nods affirmatively)
15

16 MADAME CHAIR GARZA: Okay, good. All
17 in favor of the motion signify by saying aye.
18

19 IN UNISON: Aye.
20

21 MADAME CHAIR GARZA: Opposed.
22

23 (No opposing votes)
24

25 MADAME CHAIR GARZA: Thank you.
26 Ketchikan thanks you.
27

28 MR. SCHROEDER: We need the SRC
29 alternates, Bert.
30

31 MADAME CHAIR GARZA: Our little list is
32 getting longer.
33

34 DR. SCHROEDER: No, that was on the
35 list.
36

37 MADAME CHAIR GARZA: Okay. SRC
38 alternative for Bert.
39

40 DR. SCHROEDER: And, Madame Chair, Mr.
41 Adams has faithfully served Southeast on the Wrangell-
42 St. Elias Advisory Committee. I've heard from Mr.
43 Adams that occasionally the SRC has a problem reaching
44 quorum, and I'm sure Mr. Adams plans to be at all the
45 meetings but something could come up where he can't
46 make it and he'd like to be able to substitute someone
47 in. I believe that's your intention, isn't it, Mr.
48 Adams?
49

50 MR. ADAMS: That is correct, Madame

1 Chairman.

2

3 And, you know, we've only had two
4 instances where we did not have a quorum, you know, the
5 attendance is pretty good. But, you know, we talked
6 extensively about this at our last meeting because at
7 our fall meeting we did not have one, we had a working
8 group, and so I would encourage, you know, someone to
9 hold up their hand or something to stand in if I can't
10 make it sometime.

11

12 MADAME CHAIR GARZA: We also have
13 people that aren't here, we could toss them in too.
14 Yes, I'm trying to think of who's close in terms of
15 geography and there's Mr. Wright from Hoonah, who would
16 have issues, so we'll recommend that he be the
17 alternate.

18

19 DR. SCHROEDER: Say again.

20

21 MADAME CHAIR GARZA: Mr. Wright. If he
22 has opposition he can come back at the next meeting and
23 state it. So Mr. Wright will be the alternate. That's
24 what you get for missing.

25

26 Okay, next on my little list of things
27 that we have to wrap up is sea otters and I do have a
28 draft resolution so I'm going to read it.

29

30 Mr. Adams.

31

32 MR. ADAMS: Just as a follow up, you
33 know, to the alternate. You know, we make the
34 appointment and then it's up to, you know, Barbara
35 Cellerius who would be the contact person to provide
36 all of the necessary information for the alternate to
37 take with him and travel arrangements and all that.

38 Okay.

39

40 MADAME CHAIR GARZA: Sea otters. And
41 the concern I have with -- well, Mr. Douville brought
42 it up and why I'm recommending a resolution now is
43 because Marine Mammal Protection Act is up for
44 reauthorization and I think it may be an opportunity
45 for us to make a statement that sea otters are eating
46 us out of our subsistence and our commercial house and
47 home by-valves, so that's the intent. It may not go
48 anywhere but Fish and Wildlife Service does not receive
49 a lot of public comment and so I think public comment
50 probably would be welcome.

1 So the resolution is;
2
3 Whereas sea otters have increased
4 substantially to around 20,000 in
5 Southeast Alaska;
6
7 Whereas the increasing and expanding
8 populations are moving in on
9 subsistence clam, cockle, abalone and
10 other invertebrate areas;
11
12 Whereas increasing and expanding
13 populations are negatively impacting
14 Southeast dive fisheries;
15
16 Therefore be it resolved, that the
17 Southeast Regional Advisory Council
18 encourages the U.S. Fish and Wildlife
19 Service Marine Mammal Management Office
20 and the Alaska Sea Otter Stellar Sea
21 Lion Commission seek Marine Mammal
22 Protection Act reauthorization changes
23 to allow for a protection of by-valve
24 harvesting areas;
25
26 And further be it resolved that Marine
27 Mammal Protection Act recognizes that
28 the Southeast sea otter population is
29 healthy, stable and close to a carrying
30 capacity considering other use of by-
31 valves.
32
33 So I would recommend that we support
34 this resolution and then I'll follow up after it's on
35 the table.
36
37 MR. ADAMS: So moved, Madame Chairman.
38
39 MR. DOUVILLE: Second.
40
41 MADAME CHAIR GARZA: It's been moved
42 and seconded. I have two concerns here. One is that I
43 have heard -- I was at a Marine Mammal Conference down
44 in San Diego and I have heard that the marine mammal
45 management office is concerned that sea otters have not
46 reached their former levels in Southeast, and,
47 therefore, could potentially need protection until they
48 have reached that former level which is of unknown
49 amount, meanwhile we have dive fisheries that are just
50 in critical concern, we have subsistence areas along

1 the west coast that -- you know, you just go out to
2 your favorite bed and it's gone, and so I think we need
3 to let them know that in our opinion sea otters have
4 reached their carrying capacity considering other uses.

5
6 Mr. Bangs.

7
8 MR. BANGS: Thank you. Madame Chair. I
9 think we should include the other shell fish, just, in
10 brief, the crabs, shrimp, all those shellfish, they're
11 actually being depleted by the sea otters.

12
13 MADAME CHAIR GARZA: Mr. Douville.

14
15 MR. DOUVILLE: I can verify that these
16 otters will eat themselves out of house and home. They
17 will continue to expand for some time and expand in
18 numbers and expand in areas as they follow the food
19 source, but they don't leave anything behind, or very
20 little. And I predict that at some point they're going
21 to eat up all the food and then you will see the
22 population decline severely because they don't have
23 enough to eat. And I am certain that this will happen
24 at some point.

25
26 And I feel that an increased harvest or
27 increased opportunity for other users could help
28 alleviate what I see coming down the road, and also
29 help protect some of the subsistence uses in the inner
30 areas.

31
32 I used to think that otter only stayed
33 in the ocean but nothing could be farther from the
34 truth, they will go everywhere. You see them in places
35 now you would have never believed. In my head,
36 initially I thought they would only stay in the kelp
37 beds out by Hole-in-the-Wall, but they are everywhere
38 and they will go everywhere, Stikine, Wrangell Narrows,
39 you will see them everywhere. We really need to
40 address this thing.

41
42 Thank you.

43
44 MADAME CHAIR GARZA: Mr. Adams, and
45 then Mr. Stokes.

46
47 MR. ADAMS: I've heard stories, you
48 know, by the elders, particularly I remember one from
49 Richard Dalton from Hoonah, who said that our people
50 used to hunt, or keep the sea otters, you know, way out

1 in what is called the Fairweather Bench, and the reason
2 is because, you know, of their voracious appetite, you
3 know, for our own subsistence foods. And so they made
4 it a point, and I've heard them tell stories that when
5 they went out to hunt sea otters, you know, at the tops
6 of the mountains you could barely see them, that's how
7 far out they went to get them. And then in 1968, you
8 know, the U.S. Fish and Wildlife Service transplanted,
9 you know, sea otters in our area, in the Yakutat area,
10 and lo and behold they planted them on the main lands
11 and in the islands and so now we have this problem of a
12 population explosion that is really devastating to our
13 area and it's definitely affecting as Mike has
14 indicated, that they are definitely affecting our
15 subsistence foods. They are in direct competition for
16 our subsistence foods.

17

18 Thank you.

19

20 MADAME CHAIR GARZA: Okay. So in the
21 resolution we do need to add Yakutat, so they are
22 considered different, so it would be Southeast and
23 Yakutat, and we need to keep rolling.

24

25 Mr. Stokes.

26

27 MR. STOKES: Just a point of
28 information, Madame Chair. I attended a workshop in
29 Sitka a few weeks ago, and one individual testified
30 where he'd set 250 pots in one bay and never got a
31 single crab.

32

33 MADAME CHAIR GARZA: Mr. Douville.

34

35 MR. DOUVILLE: Just as an example, I
36 like to eat sea urchins, you can't get sea urchins
37 around Craig anymore, they're gone, there is none.

38

39 MADAME CHAIR GARZA: Mr. Davis.

40

41 MR. DAVIS: Thank you, Madame Chair.
42 Another point, in Security Bay, people that crab over
43 there said it's almost not even worth it, they live in
44 Security Bay so they've always made a living doing that
45 and also Debenkof (ph), and that whole coast is pretty
46 much cleaned out right up to Sagna Bay, and they're
47 right there in front of the cape now.

48

49 MADAME CHAIR GARZA: Okay. We could go
50 on for hours and hours about what they're doing, that's

1 bad, but Mr. Bangs.

2

3 MR. BANGS: Thank you, Madame Chair. I
4 just was hoping that we could insert a little brief
5 sentence that would possibly encourage when they do
6 this reauthorization that they would allow for the
7 customary and traditional use that the Natives of
8 Alaska, the true customary and traditional use of
9 selling of whole pelts.

10

11 MADAME CHAIR GARZA: Okay, so we'll add
12 that as another point. It's MMPA Reauthorization is
13 tough, I mean you will have the friends of the sea
14 otters right alongside, and the majority of the actual
15 public testimony they receive is actually from the
16 Lower 48 about how nobody should be taking sea otters
17 and the Alaska Native's shouldn't be harvesting sea
18 otters, so we really try and stay away from trying to
19 expand our opportunities and try and down play that and
20 so the intent of the resolution was just to protect
21 some shellfish beds. But there's nothing wrong with
22 throwing it in.

23

24 MR. BANGS: Question.

25

26 MADAME CHAIR GARZA: Question has been
27 called. All in favor of the motion signify by saying
28 aye.

29

30 IN UNISON: Aye.

31

32 MADAME CHAIR GARZA: Opposed.

33

34 (No opposing votes)

35

36 MADAME CHAIR GARZA: Maybe I need to
37 give all of you guys Pepsi because mine's kicking in,
38 I'm on a roll. Motion passes.

39

40 MR. SCHROEDER: And, Dr. Garza, I'm
41 assuming that you'll review the resolution, the final,
42 is there other Council member who would like to be on
43 that.

44

45 MADAME CHAIR GARZA: Would someone else
46 also review the resolution that will go forward.

47

48 MR. BANGS: (Raises hand)

49

50 MADAME CHAIR GARZA: Mr. Bangs, thank

1 you. Okay, we're getting close to the end here. I
2 just want to backtrack here. We had talked about
3 eulachon being one of the priorities for the next round
4 of FIS proposals. We had talked about doing a TEK
5 proposal and I'd like to ask if Dave Johnson, as a
6 subsistence coordinator and even John Autry, I know I
7 don't have the right to ask you, but we'll ask you
8 anyway, if you could help us as us being myself and KIC
9 draft a proposal to get something in?

10

11 MR. JOHNSON: Madame Chair. Council.
12 With respect to the eulachon proposal, I've already
13 been working with Todd Tisler, and I know you've been
14 involved in the discussions there on the Unuk and I'll
15 be more than glad to work with you on the FIS proposal.

16

17 MADAME CHAIR GARZA: Okay.

18

19 DR. SCHROEDER: Johnson and Boyd have
20 some reports to do.

21

22 MADAME CHAIR GARZA: Yeah, I'm going to
23 get to that. Okay, and so Mr. Autry is shaking his
24 head, yes, he will help. Thank you very much.

25

26 Also for the WIS project, getting
27 together, I don't want to call it subsistence use
28 amounts because that wasn't the entirety of the
29 project, I don't want to focus it, but for the Prince
30 of Wales TEK use of Prince of Wales deer, that was one
31 of the top two priorities and so we had two attempts at
32 a proposal that didn't work so, Mr. Johnson, we had
33 talked about asking you and I would be willing to work
34 with Craig or whatever tribe wants to develop a
35 proposal so that we can get a meaningful and hopefully
36 successful proposal forward.

37

38 Can you do that?

39

40 MR. JOHNSON: Madame Chair. There's
41 some pretty strict criteria with respect to how the WIS
42 projects are selected and funded. Dr. Schroeder and I
43 worked this last year with respect to the proposal that
44 didn't get funded so in terms of how that happens we
45 can still work with you on that, but it will be
46 important to have an investigator that knows what the
47 criteria is and the RFP process and so on.

48

49 MADAME CHAIR GARZA: Dr. Schroeder.

50

1 MR. SCHROEDER: Madame Chair. Earlier
2 in the meeting Dr. Pat Petrivelli was here. She worked
3 very closely with KIC and in a short period of time
4 appeared to establish extremely good working
5 relationships with on that difficult and productive
6 project. The Council may wish to put something on the
7 record requesting Dr. Petrivelli's assistance on Prince
8 of Wales.

9
10 MADAME CHAIR GARZA: Sounds good to me.
11 Is there any objection to that.

12
13 (No comments)

14
15 MADAME CHAIR GARZA: So the Council
16 will request that Pat Petrivelli, as BIA subsistence, I
17 think anthropologist and if she needs help from Dave
18 Johnson or Dr. Schroeder, that we figure out how to get
19 something forward.

20
21 Okay. We do have some agency reports.
22 We did do Park Service. He's up and done. BLM. Is
23 there anybody from BLM here.

24
25 (No comments)

26
27 MADAME CHAIR GARZA: BIA.

28
29 (No comments)

30
31 MADAME CHAIR GARZA: Okay. Wait we
32 stuck enforcement in here, you guys got something you
33 want to say.

34
35 MR. MYERS: Thank you, Madame Chair.
36 Counsel. This is Mary Myers. Assistant Special Agent
37 in charge of the Forest Service. We'll be brief.
38 Basically wanted to let you know that John Herrick, the
39 special agent in charge for law enforcement in this
40 region is moving to another job in Montana so that
41 position is going to be open, probably won't be filled
42 for a couple more months so we don't know who that will
43 be yet.

44
45 Other positions, the officers that we
46 had on POW, both officers have now been transferred and
47 so we're in the process of moving two of the officers
48 that were in Petersburg and Wrangell over to POW, hence
49 we will be flying positions to replace Petersburg and
50 Wrangell positions, one or both, and the likelihood of

1 getting someone from the inside is probably pretty slim
2 so there may be a transition period for someone new
3 coming in to the area to deal with those issues.

4
5 As far as assistance with the Council
6 on preparing something for the spot-lighting regulation
7 we'd be glad to assist the Council with that
8 regulation.

9
10 And with that I will hand it over to
11 Officer Ken Pearson who can give you a little bit of a
12 run down on some data from this last year for stats for
13 fish and wildlife.

14
15 MR. PEARSON: Thank you, Madame Chair.
16 Council members. I guess I'd just like to begin by
17 saying I want to thank the Council for their support of
18 law enforcement. I feel that the Council has been very
19 supportive of law enforcement and, you know, we're not
20 always the most popular guy in the room but I feel like
21 the Council has certainly stood behind us and helped us
22 and I want to thank you for that.

23
24 With that being said, again, I will
25 make this brief. Our officers made a total 1,640
26 contacts last year while on fish and wildlife patrols.
27 Of that 1,640,. 498 were subsistence-related contacts.
28 A total of 72 citations were issues, 31 warnings, four
29 arrests. Officers attended 13 meetings last year and
30 participated in 10 conference calls.

31
32 Some highlights from last year, I've
33 already talked about Prince of Wales deer so I'm not
34 going to bore you with that again other than I think we
35 made significant progress with the spot-lighting issue
36 on Prince of Wales.

37
38 Another area we focused on was Prince
39 of Wales steelhead last spring. We are not finding
40 Prince of Wales steelhead to be a law enforcement
41 concern at this time. We're finding very little
42 participation and very little illegal activity are we
43 detecting at all in subsistence steelhead or steelhead
44 in general on Prince of Wales.

45
46 One other thing I'd like to let the
47 Council know, I actually spent three weeks on
48 assignment in West Africa last year. Actually working
49 with the Liberian government on regulations to help
50 control the illegal trade of wildlife. And the

1 highlight of the trip was actually spending five days
2 in the bush, in the jungle, if you will interviewing
3 village hunters and getting their take on subsistence
4 and on that lifestyle and it was quite eye-opening and
5 it was quite a rewarding experience for me.

6
7 And that's pretty much all I have,
8 thank you.

9
10 MADAME CHAIR GARZA: Thank you. Thanks
11 for attending the meeting and we do support
12 enforcement.

13
14 MR. ADAMS: Madame Chairman.

15
16 MADAME CHAIR GARZA: Mr. Adams. Oh,
17 wait, sit back down.

18
19 MR. ADAMS: I got a question maybe for
20 Marty. Is there a chance that Yakutat might get back
21 an officer, we kind of miss him over there.

22
23 MR. MYERS: Yeah, we're still
24 struggling with the budget issue like everybody else in
25 the Forest Service is and that's why I say when it
26 comes to replacing the Wrangell/Petersburg position,
27 you know, we're hoping to get both positions replaced
28 and, you know, the Yakutat position was -- is still
29 vacant but it's not been filled because of funding.
30 But in the meantime what we're trying to do, at least
31 during the times when there's the greatest need, we
32 have officers over there to help assist with taking
33 care of some of those issues.

34
35 MR. ADAMS: Thank you.

36
37 MADAME CHAIR GARZA: Mr. Davis.

38
39 MR. DAVIS: Yeah, this question is for
40 either one. But we attended a conference in Sitka and
41 a lot of it was pertaining to sea otters but there was
42 one guy who made a statement there that he catches a
43 lot of sea otter and also owns a little shop right
44 there in Sitka and he's been to court because they
45 wanted to press charges on him and he said he's got six
46 ID cards, all different and my question is, what ID are
47 you looking for, is there anything.....

48
49 MR. MYERS: I guess I'm not quite
50 understanding the question but you're referring to --

1 we actually don't have any jurisdiction over the
2 saltwater aspect of it. So unless there's a specific
3 ID required for the take of sea otters, I'm not aware
4 of that. If it's just an ID, as far as I take it, that
5 person, you know, typically it's just a driver's
6 license.

7
8 MR. DAVIS: Yeah, I've never been --
9 you know, I've only gotten one sea otter in my whole
10 life and I've never had to show any ID for it or
11 anything so nobody's come along my boat and asked for
12 it while I've had a sea otter in possession. So
13 before, you know, I actually come to that point I just
14 wanted to make sure if there was any special ID that we
15 needed.

16
17 MR. MYERS: Like I said that's -- I'm
18 not aware of it, it's outside of our jurisdiction but
19 either the U.S. Fish and Wildlife Service or NOAA
20 Fisheries should have that information because they
21 deal with the Marine Mammal Act specifically.

22
23 Thank you.

24
25 MR. DAVIS: Thank you.

26
27 MADAME CHAIR GARZA: Thank you. Dave
28 Johnson, did you have a report.

29
30 MR. JOHNSON: Very brief, Madame
31 Chairman and Council. I'm not going to bore you with a
32 lot of the things you already heard throughout the
33 meeting, I just would kind of highlight some of the
34 things that's been going on across the Forest that most
35 of you are aware of.

36
37 But just to reemphasize what the role
38 of the coordinator is on the Tongass. As you know
39 we've got this young growth project that's been
40 undertaken and the Council has taken action here on
41 that and there will be more activities in the future,
42 I'm sure, with respect to young growth.

43
44 In addition to that ensuring the
45 facilitation through Bob and through the Federal
46 program for the facilitation of the GMU 2 Subcommittee
47 planning process. And also we'll be following up with
48 additional items that will come out of the report from
49 this Council with respect to GMU 2 and the action items
50 that have been taken by the Council. That includes

1 additional follow up with the State on the reporting
2 process, harvest reporting and we'll have more
3 information for you at the next meeting.

4
5 In addition to that another component
6 that was talked about that I'll be working with Council
7 and with Dolly Garza and Dr. Schroeder is the
8 educational component of the Unit 2 deer planning
9 process that was -- there was a shortfall this year,
10 and we're also working with OSM, Maureen Clark in order
11 to get some posters and some signs perhaps on the IFA
12 ferry both the Prince of Wales ferry and also the
13 Stikine ferry that will be on the north end.

14
15 Other than that we also have the FIS
16 project process that Mr. Casipit has brought to your
17 attention and, again, my role is to make sure that the
18 Council members in the various communities are being
19 involved with the Forest Service and making sure that
20 there's a process for people to provide input into
21 that.

22
23 Additionally, we also will be selecting
24 the Craig Ranger District and the Thorne Bay Ranger
25 District will be selecting a wildlife biologist shortly
26 for Prince of Wales Island.

27
28 And so that's kind of a very brief
29 overview of what's going on on the Tongass.

30
31 MADAME CHAIR GARZA: Okay. I think
32 we're at the end here.

33
34 DR. SCHROEDER: Boyd Porter.

35
36 MADAME CHAIR GARZA: Oh, Boyd.

37
38 MR. PORTER: Madame Chair. Members of
39 the Council. I'll make this fairly brief. My name is
40 Boyd Porter and I'll give you the Fish and Game region
41 report just briefly going through what we're involved
42 in, and this would include from Yakutat south to
43 Ketchikan.

44
45 Research projects. Lots of stuff going
46 on around the Kensington Mine north of Juneau to look
47 at impacts to wildlife. Those studies include goat
48 sightability and movements, habitat use of those goats
49 focusing a lot on the sightability which is always a
50 critical issue when you're trying to estimate numbers

1 of goats.

2

3 Brown bear distribution and movements
4 around the mine and around the roads that be part of
5 the construction up there.

6

7 Moose projects, Gustavus, those are
8 habitat and habitat use projects.

9

10 Also in Yakutat, Berner's Bay, same
11 thing on moose, looking at habitat capability and use
12 patterns.

13

14 First time ever in Southeast we're
15 doing wolverine work around the Kensington Impact area.

16

17 Mainland brown bears on the Unuk and
18 Bradfield areas, and those are population estimates and
19 distribution movements. This is the second year of
20 those projects.

21

22 Also finishing work on the Chichagof
23 brown bears and looking at the use of riparian areas.

24

25 There's a deer meta analysis that we're
26 compiling everything that we know about deer up to this
27 point and trying to see if there's things that we can
28 glean from old studies and old harvest and use
29 information to address some of the issues that we have
30 now.

31

32 We've already talked a little bit about
33 the deer mark/recapture population estimate on Unit 2
34 and that was at the request of the Unit 2 Deer Planning
35 effort to try to get better information on deer
36 numbers. Also part of that project is refinement of
37 the deer pellet program and to test to see how well our
38 traditional pellet program has tracked long-term trends
39 in deer.

40

41 Under management actions we've got
42 mountain goat surveys, we've got a new drawing hunt
43 near Ketchikan which is a success story from a
44 transplant back in 1986 and so we can harvest goats
45 from the area near Ketchikan now.

46

47 We still do our deer mailout surveys
48 and spring pellet monitoring across the region.

49

50 Moose surveys are done late fall after

1 the harvest every year in most of the areas.

2

3 We collect harvest data and for most
4 species through surveys and registration hunts across
5 all of Southeast, and we administer general season and
6 registration and drawing hunts for all those game
7 species.

8

9 We seal furbearers. We now seal sheep,
10 horns, and so that takes up a fair bit of time.
11 Regulatory process we're involved with the Board of
12 Game, Regional Advisory Councils and the Federal Board
13 and with advisory groups across Southeast.

14

15 Under education, we have an education
16 specialist in Juneau that works with us in this area
17 and she's working a lot with the schools, with the
18 media, putting on public demonstrations and seminars
19 and area staff across the region are involved in
20 schools at various capacities and present a lot of
21 information to our school kids.

22

23 Interagency efforts, with Forest
24 Service, Fish and Wildlife Service, we're reviewing
25 TLMP, Tongass Land Management Plan. We're also helping
26 review the conservation strategy. Reviewing the
27 replacement of OGRs the old grow reserves across the
28 Tongass and how their placement fits into current
29 management and if they're appropriate. We're involved
30 in the Federal regulatory process. And also quite a
31 bit now, more so recently with allocation of guide and
32 outfitter use issues with goats and brown bear permits.

33

34 Thank you.

35

36 MADAME CHAIR GARZA: Thank you. I
37 apologize for missing you. I saw Doug Larson and I
38 didn't see -- I saw his name and I didn't realize you
39 were replacing him.

40

41 Mr. Hernandez.

42

43 MR. HERNANDEZ: Boyd, are you still
44 doing a grouse study here in Southeast?

45

46 MR. PORTER: Madame Chair. Mr.
47 Hernandez. Yes we are. I missed that, we're
48 continuing the second year of that grouse and ptarmigan
49 study to look at distribution and use of birds in this
50 area.

1 Thank you.
2
3 MADAME CHAIR GARZA: Mr. Douville.
4
5 MR. DOUVILLE: Thank you, Madame Chair.
6 I have to go. I'm running really short on time and I'd
7 just like to say a couple things.
8
9 MADAME CHAIR GARZA: Go ahead.
10
11 MR. DOUVILLE: One is as Chairman
12 Littlefield has played out in past meetings, that, you
13 know, farther down the road in our process here it
14 would be unethical and so on for anybody to insert new
15 testimony or such thing as that farther down this
16 process as it goes to the Federal Subsistence Board.
17
18 I wanted to say that I feel very
19 uncomfortable with new policy on closure review as I
20 believe Title VIII is very solid there. And to me I
21 would also be thinking you would be breaking the law to
22 write new policy that did not conform with Title VIII
23 as written.
24
25 Other than that it's been pleasure to
26 be here.
27
28 MADAME CHAIR GARZA: Okay, thanks Mike.
29 Yeah, you better go because we're not going to wrap up
30 too soon. We'll see you.
31
32 MR. DOUVILLE: Bye.
33
34 MADAME CHAIR GARZA: Okay, I was sort
35 of whipping through the agencies and I said BIA and
36 looked up, but I didn't look up at Warren. Did you
37 have anything to say.
38
39 MR. EASTLAND: No, Madame Chair.
40
41 MADAME CHAIR GARZA: Okay, my
42 apologies. I was trying to wrap up by noon but that
43 just isn't going to happen so we're just going to take
44 our time and hopefully people will let me know if they
45 have to do something else, as Mr. Douville did.
46
47 So I think we are to the wrapping up
48 portion, were there other Federal agencies that have
49 been patiently waiting to give a report that I did not
50 give time to.

1 Other agencies.
2
3 (No comments)
4
5 MADAME CHAIR GARZA: So we're pretty
6 much down, I think, to the good of the order.
7
8 Mr. Adams.
9
10 MR. ADAMS: Thank you, Madame Chairman.
11 I was just wondering whether anyone gave -- I noticed
12 on the agenda, the update on the Avian flu, and I was
13 wondering if that was done possibly when I was gone.
14
15 MADAME CHAIR GARZA: No, I told you it
16 was on Page 204 and it was information only.
17
18 MR. ADAMS: Okay, thank you.
19
20 MADAME CHAIR GARZA: Did anyone intend
21 to report on that or was that the intent, that it was
22 just in the booklet?
23
24 (No comments)
25
26 MADAME CHAIR GARZA: Mr. Adams.
27
28 MR. ADAMS: Just, you know, we talked
29 about it, we had a report given to us at the SRC
30 meeting and I just have a couple little points here
31 maybe that I could share from that. I don't have the
32 report before me, just taken from my notes.
33
34 The thing about Avian flu is that it is
35 only in domestic birds and it is the domestic birds
36 that have been recorded as being transferred to humans.
37 The virus is in all birds. But in the wild -- the wild
38 birds do not transmit to humans. There's no evidence
39 of transmission from humans to humans yet. There's no
40 vaccine for it, however, the National Park Service is
41 getting some detection funds, I think, at about
42 \$300,000 for that.
43
44 The thing that I learned about it and I
45 thought it was interesting, the virus is prevalent, you
46 know, in the digestive system. And the way to take
47 care of that is to cook your birds, you know, real
48 well. Make sure they're cooked real well.
49
50 That's it, thank you, Madame Chair.

1 MADAME CHAIR GARZA: Okay. So I'd like
2 to do the good of the order starting with the Council
3 here and go around. But I do want to, and I know you
4 will, but to recognize Ketchikan ANB, ANS, James
5 Stanley and Merle Hawkins, Carrie James who had to work
6 this morning, because they did submit the original
7 request for Ketchikan to go rural, have felt that they
8 should be here even though they have better things to
9 do during the week in order to take care of. I mean to
10 have our coffee service, to do whatever they can for
11 us, and so we need to make sure we thank them as well
12 as to thank the Saxman community, IRA, ANB, ANS for the
13 welcome that they have given us.

14
15 But for good of the order I will start
16 with Mr. Adams.

17
18 MR. ADAMS: Thank you, Madame Chair.
19 I'd just like to reiterate what Dr. Garza just said in
20 regards to Saxman, you know, being here and providing
21 us with the excellent lunches and we're happy to
22 support your camp with the funds that you are taking
23 in.

24
25 It's good to always be among this group
26 of people. When I was on my soapbox a little bit
27 earlier, you know, talking about our natural rights and
28 everything, I was trying to think of a good way to end
29 it and it just wasn't coming, but it came to me
30 afterwards.

31
32 When we talk about, you know, our
33 natural rights and the ability to be able to subsist or
34 survive off of our subsistence foods, you know, when we
35 sit here, you know, as a group looking at all the
36 various proposals, some of the questions that we need
37 to ask ourselves, you know, is it taking away our right
38 to be able to use those resources, whether it's fish or
39 game or the fowls of the area.

40
41 I mentioned at the beginning of the
42 meeting the other night about how the creator provided
43 these things for us and that we need to be good
44 stewards over those resources otherwise they are going
45 to disappear. And I think we have seen a lot of
46 evidence of that.

47
48 The thing that I wanted to say and I
49 thought about it afterwards is that, you know, we do
50 that here. We do that from this body. We talk about

1 whether there is a conservation issue and whether there
2 is a proposal that we are considering, you know, is it
3 going to be detrimental to the subsistence users. Is
4 it going to affect any other user groups. And we even
5 consider in those considerations, you know, the sports
6 and commercial fishers, is there enough data to support
7 those proposals. Those are all things that we consider
8 when we go through those proposals and we are, indeed,
9 going through that process that I believe, you know,
10 that is beneficial for, you know, not only to
11 subsistence users but for all user groups. And even
12 though we work with Federal proposals and so forth, you
13 know, to me, you know, it is this group, you know, that
14 is probably the most wisest, most informed, most able
15 to make wise and proper decisions for our peoples.

16
17 And so I'm really happy to be here.
18 It's always good to associate with you. I'm glad that
19 we have Nick on board. He's proven to me, you know,
20 that he is well informed with subsistence issues and I
21 look forward to his longevity here upon this body and
22 his contribution.

23
24 It's always good to see Bill, Bill
25 Thomas, and his input is very valuable to us and that's
26 why he's sitting over there and, you know, I hope that
27 we can continue to have that kind of relationship with
28 him.

29
30 So I just want to say thanks to Saxman,
31 thanks to Ketchikan for having us here and thanks to
32 all of you for being so patient and dedicated and
33 implementing your wisdom, you know, on these issues.

34
35 And, Dolly, we are going to miss you,
36 you know, there's going to be a real big gap with your
37 absence here and I can't think of anyone sitting on the
38 Council right now who has the potential to replace you,
39 or who will fill those shoes with your knowledge and
40 wisdom and your expertise.

41
42 Thank you.

43
44 MADAME CHAIR GARZA: Mr. Davis.

45
46 MR. DAVIS: Madame Chair. I, too,
47 would like to thank Ketchikan and Saxman for making us
48 feel so welcome even though I was away from home, it's
49 not like -- it's like I'm still here at home with the
50 food and the warmth that they've shown, it's the same

1 thing I would have been doing at home, enjoying the
2 kind of food that I do put up.

3
4 And this being my first meeting, I
5 didn't realize the importance -- well, I knew it was
6 important, but it was a lot more important than I
7 actually had realized and I am glad to be part of it.

8
9 And then I also want to thank Mr.
10 Thomas for being here. Thank you, very much.

11
12 MADAME CHAIR GARZA: Mr. Hernandez.

13
14 MR. HERNANDEZ: Thank you. I, too,
15 want to thank the ANB Camp 14 for all their hospitality
16 and the community of Saxman for hosting us. It's been
17 a real pleasurable meeting to attend. It's been, as
18 usual very interesting, interacting with all the
19 Council members, I always learn a lot about what's
20 going on in the region, a lot of engaging conversations
21 and I always enjoy that.

22
23 I also want to express the same thanks
24 to the people of Ketchikan and Saxman for coming out
25 with their public testimony. It was just a great
26 opportunity for us to learn more about our region and
27 it was a pleasure to act as a conduit for those
28 expressions to be passed on to the Board, and I look
29 forward to our next meeting.

30
31 Thank you.

32
33 MADAME CHAIR GARZA: Mr. Bangs.

34
35 MR. BANGS: Thank you, Madame Chair.
36 I, too, would like to thank everyone for having us and
37 inviting us to Ketchikan and Saxman, it's been a good
38 experience.

39
40 One thing that I'm constantly trying to
41 learn more about this process and I feel like I am
42 learning a lot and I still feel there's a lot to learn.
43 But one thing that I noticed about this group that I
44 really like and even though we may disagree, everyone
45 is kind, and I think that's important in being
46 productive. So I just want to, again, thank the people
47 of Ketchikan and Saxman for having us.

48
49 Thank you.

50

1 MADAME CHAIR GARZA: Mr. Stokes.

2

3 MR. STOKES: I, too, would like to
4 thank ANB Camp 14 and the city of Saxman for inviting
5 us here. And I'd also like to thank the Council and
6 Dr. Schroeder and Roadkill for their kind of
7 consideration of me.

8

9 I'd like to tell a little story. I
10 don't know whether it's true or not but I've heard it
11 many times.

12

13 Back around when the time World War I
14 came to a close an old Indian couple went south and the
15 old man wanted to take a ride on the train but he'd
16 never been on one and neither had she. So they went
17 and got aboard and went east to the mountain and this
18 was in July, and real hot and the old coal fed trains
19 were quite uncomfortable. But he was sitting there for
20 awhile and he said woman, get me water. So she got up
21 and got her cup and brought back a drink of water to
22 him. After a little while he said, woman, more water,
23 so she got up and got him another drink. They went
24 along quite awhile and then he said, woman, get me
25 water, she was gone for awhile, then came back, where
26 water, no more water, white man sitting on well.

27

28 (Laughter)

29

30 MR. STOKES: That's all I've got to
31 say.

32

33 MADAME CHAIR GARZA: Mr. Kitka.

34

35 MR. KITKA: Thank you, Madame Chair. I
36 don't know why I end up in this position where I'm
37 almost at the end of the list. But I want to thank
38 Saxman and Ketchikan, the welcome that they welcomed us
39 into our ancestral home. This is one of the places
40 where we split and all our families went from here
41 northward. And I want to thank them for taking such
42 good care of us during this time.

43

44 I also want to go back and think about
45 my first time I was on this Council, I thank the Staff
46 for all this reading material, it helps me sleep better
47 at night.

48

49 Thank you.

50

1 (Laughter)

2

3 MADAME CHAIR GARZA: Mr. Thomas.

4

5 MR. THOMAS: Thank you, Madame
6 Chairman. On behalf of the Saxman ANB we are very
7 thankful to have this opportunity to have you come to
8 Saxman for these meetings.

9

10 And it gave the community a better
11 opportunity to witness some of what goes on here, some
12 of the conscientious deliberations that go on hoping
13 that all of your efforts are representing all people of
14 this region. And I'm convinced that's the case, and
15 I'm sure that others are, having seen you for the first
16 time.

17

18 I'm especially honored to have been
19 invited to join you at this table. It's been very
20 rewarding to me over the years to have been involved in
21 this process. I think it's a good process. I think
22 it's a good law. And so I think that the diligence of
23 working like you have been is very important to hold
24 the course. And the relationships that develop from
25 this process are very positive. I've been blessed with
26 relationships from around the state, from offices of
27 both the Federal government and the Department, and a
28 variety of other entities where I've had the
29 opportunity, in some cases, to represent the RAC or to
30 represent an organization.

31

32 I just want to thank you for this
33 opportunity and I wish you the best of luck with moving
34 forward with some of the challenges that you've
35 acquired at this meeting and some challenges that are
36 continuing from the past. I wish all of you safe
37 travel home and God speed.

38

39 Thank you, very much.

40

41 MADAME CHAIR GARZA: Mr. Johnson.

42

43 MR. JOHNSON: Madame Chair. Council.
44 I'd just like to say thanks for being able to be part
45 of the program, Federal Subsistence Program. The
46 Council meetings are the high point for me throughout
47 the year.

48

49 I also want to thank the folks here in
50 Ketchikan and Saxman for making Staff feel welcome.

1 But lastly, but certainly not least, I
2 want to remind us all to Keep Mr. Littlefield and his
3 family in our thoughts and prayers. And I very much
4 want to let Dolly know that I'm very much going to miss
5 her this next year as well.

6
7 MADAME CHAIR GARZA: I'd like to give
8 the opportunity for Ketchikan ANB or KIC, if you'd both
9 like to come up, if you have something to say in
10 parting.

11
12 MS. HAWKINS: Yeah, I'd like to thank
13 the Board for coming to Ketchikan and to Saxman. It
14 was very enlightening. I've asked Mr. Autry to get me
15 another copy of this ANILCA law, this week, sitting in
16 on the meetings, I think I've gotten the most insight
17 to this law that I've ever had. It's not so
18 intimidating anymore, but it's always a process of
19 learning. And also this Federal Subsistence management
20 booklet that can be ordered, I order these quite often
21 for my own tribal council and plan to continue to use
22 it to educate members of the community because that
23 seems to be the most challenging part is educating
24 people to the laws.

25
26 I was just very happy at the large
27 turnout at the rural status hearing and the fact that
28 we stayed here until almost midnight to listen to them
29 and I was very grateful to the Board for that because
30 it's a very important issue and I think another
31 important thing is that Saxman and Ketchikan are
32 separate and that they can work separately but they can
33 also work cooperatively because we have the same goal.

34
35 So just thank you for your time and all
36 your years of expertise on behalf of Ketchikan Indian
37 Community and Camp 14, Alaska Native Brotherhood and
38 Sisterhood.

39
40 MADAME CHAIR GARZA: Mr. James.

41
42 MR. JAMES: Thank you, Madame Chair.
43 I'm glad we could put on some good food and it sounds
44 like we made a lot of friends here, business relation-
45 type friends, and I'm glad to hear you men and women
46 were able to enjoy the tea I made. It did come from
47 locally here in Saxman.

48
49 Gunalcheesh.

50

1 MADAME CHAIR GARZA: Thank you. So for
2 the -- what is this called -- oh, good of the order,
3 okay, it's just to give an opportunity to sort of wrap
4 up, are there any Federal or State agencies that have
5 any closing comments they would like to toss in, that
6 way I'm not going to you one by one.

7
8 Marianne.

9
10 MS. SEE: Madame Chair. Members of the
11 Council. I also want to thank the gracious hospitality
12 of the host. And I have to say one of the things I
13 look forward to most about Southeast meetings is having
14 herring egg salad, it's become a favorite food.

15
16 I also wanted to say that all the Fish
17 and Game Staff appreciate the professionalism with
18 which we're treated. We know that you don't always
19 agree with State positions but we appreciate the
20 professional dialogue that we have in here. And I also
21 would note for the record, I'm sorry Mr. Douville's
22 still not here but I think we reached agreement largely
23 in our positions on nearly all the proposals this time,
24 which I hope is noted.

25
26 Thank you all.

27
28 MADAME CHAIR GARZA: Any other Federal
29 agency. Staff.

30
31 DR. SCHROEDER: Me.

32
33 MADAME CHAIR GARZA: I'm going to get
34 to you, Dr. Schroeder, I will, you're near the end.

35
36 (Laughter)

37
38 MADAME CHAIR GARZA: Okay. I'm going
39 to go to public, Mr. James.

40
41 MR. JAMES: Thank you, Madame Chair.
42 I'd like to say that this is one meeting I really
43 enjoyed. I enjoyed the Council, you guys went through
44 the agenda in a very good way and I'd like to see you
45 guys again here. And I thank you from Camp 14 and the
46 Cape Fox Corporation.

47
48 I'd like to make a couple comments.
49 First on the sea otter. I don't know if you know Tony
50 DeGangi (ph), I know some of the officials here know.

1 I never did meet him. He called me one day to work
2 with our Natives, to help sell their sea otter. After
3 I looked at what they wanted our people to do, I told
4 him our people never ever made mukluks, yo-yos, ruffs,
5 parkas, and so on. No Tlingit-Haida or Tsimshian did
6 that or Athabaskan or Aleut, with Eskimos. I told him,
7 you guys go tell the jews, you guys, I don't know,
8 where kilts from the Scotsmen, so I told them, no, you
9 don't, you don't tell us. Anyway he wanted me to work
10 with him, we finally agreed to some terms because I
11 have so much connections over seas. After we agreed on
12 it, I made about \$10,000 in books and made one to them
13 -- gave one them to see, approved before I went through
14 all of them, they said it was okay to send it overseas
15 and they confiscated it all. In the meantime they
16 tried to arrest me four times, set me up, we went to
17 Washington, to Arlington, four times with my attorney
18 asking them why they're trying to want me to work with
19 our Natives and yet they're trying to throw me in jail.
20 They had a man there, a Korean guy that wanted to buy
21 2,000 male parts on the sea otter, straight cash, a
22 lady, a Japanese lady that wanted to buy skins, of
23 course I don't hunt sea otter, they're too easy to
24 kill, what can I do with them. Then they had two tall
25 gentlemen, you know, that wanted to buy sea otter from
26 me, cash, they said their wive's owned garment
27 factories in Japan. When we finally checked them out,
28 they were working for the National Marine Fisheries,
29 the lady, when I had the meeting in Arlington, I came
30 in ahead, two hours ahead of schedule and they weren't
31 supposed to be there when I was there and I caught them
32 in there and these were the people that were trying to
33 set me up, why were they trying to set me up when they
34 asked me to work with our people.

35
36 So I'm going to cut this real short,
37 though, but what they said, we need to kill 25,000
38 otter, what are we going to do with it, you guys don't
39 start killing them off we'll have to open it up for the
40 non-Natives. Said if you do let us open it for the
41 non-Natives we'll be able to sell it, just the pelts,
42 yet, they put so much restriction on us. To me
43 somebody made this proposal a little while ago, let
44 them sell the hides, we got to start thinning these
45 things out. I can't even find abalone. I'm a licensed
46 scuba diver, I had to quit because my suit shrunk three
47 times. But anyway now you have to be a hard-head diver
48 to find abalone. We used to get it for all our people,
49 not just for us, we can't find it, sea urchins, our
50 cockle beds, out in the west coast, there's nothing.

1 You know, I think something should be done to the sea
2 otter.

3

4 Now, Kuiu, this is my main subject.
5 Kuiu is a historical island, very historical. I don't
6 -- when you look at Kuiu, what does Kuiu mean, that is
7 one of the only places in Alaska on the whole island
8 that has this original Tlingit name, Kuiu means it has
9 always been there. Just like the White man words,
10 sometimes one word has many meanings, Kuiu has another
11 meaning, when the tide goes out your table is set, only
12 the lazy and the fools will starve. So to me when you
13 look at Kuiu, history goes around Kuiu. We believe
14 after the flood, if you look at the stories that you
15 hear this Nakahiti Theater, the horn, he's the island
16 where they first found the freshwater, spring water,
17 things start forming from there. They battled the
18 French. They battled the Portuguese. They battled the
19 Spaniards. They battled the English. We battled the
20 U.S., they used German warfare. You guys look at the
21 papers I gave you, one page and it will tell you on
22 there what they did on there, and the date and the
23 skipper.

24

25 To me I strongly oppose any logging,
26 any time because right now I'm in courts and I expect
27 to go to court this year as your guys, my brother over
28 there is past Senator from Wrangell, Taylor said, if I
29 win my case, these guys here will never have a job no
30 more, you're going to lose 75 percent of the jobs if I
31 win this case this year, that is Senator Taylor, I
32 still got his papers. He said the Katie John case is
33 nothing. I wasn't with the Katie John, pulled away
34 because I didn't believe in their ways. He said the
35 Glacier Bay was a small issue. But my case is the one
36 that will destroy Alaska. I don't know what he meant
37 by destroying it but it will eventually come back to
38 the original owners, you know, it's hard that we have
39 to go to an island like Kuiu that we've been fighting
40 for for years and years and look at what they did to
41 Kosciusko, that was our island, they forced us off by
42 guns, they gave our money away, 2.4 billion bucks that
43 was in trust, which I'm in court in.

44

45 Again, I request this Council, you
46 know, to oppose logging on Kuiu and I'll try to keep it
47 short I know people have to get their planes.

48

49 And, again, my condolences to John
50 Littlefield and their family.

1 parliamentarian for us and really did get us through a
2 rough spot there. I think it's a real sign of the
3 extremely valuable heritage of ANB in Southeast Alaska.
4 That it provides a way for people to do meetings and to
5 both agree and disagree and come through with good
6 conclusions. And so thank you James, in particularly
7 for that, as well as for the Labrador tea.

8
9 And maybe I won't be as longwinded as
10 usual, but, again, it's a privilege to work with you,
11 and on behalf of Federal Staff we look forward to
12 serving you the best way we can.

13
14 MADAME CHAIR GARZA: Okay. I, again,
15 want to thank the Council for coming to Saxman and for
16 committing themselves the other night to hearing all of
17 the testimony and also to hear the people that came in
18 that couldn't make that night.

19
20 As you saw from this morning, the issue
21 is one of passion that Ketchikan be rural. It makes
22 sense. It has caused so many problems. It has changed
23 friendships, not only in the instance we heard this
24 morning, but between Prince of Wales Island and
25 Ketchikan resident people, between families. Just
26 Ketchikan being rural would solve so many issues and I
27 don't think would have a negative impact on resources.

28
29 But I do appreciate your support for
30 Ketchikan being rural and for Saxman staying rural,
31 which is just, to me, a no-brainer.

32
33 My heart, of course, is for the
34 Littlefields. Beyond that I wish John were here
35 because he sure makes Chairmanship look easy and it's
36 not that easy. But I thank you for enduring me as
37 Chairman.

38
39 I do have one side point that I wanted
40 to -- Melinda, I did receive a card for you this
41 spring, the Regents Chancellor and Faculty of the
42 University of Southeast announced that Melinda Maureen
43 Hernandez as a candidate for the degree of bachelor of
44 arts and science and anthropology. This was for May,
45 we want to congratulate you for that. Come here. And
46 I have a small gift for you because education is
47 important. And I know that the university education is
48 important but I also know you value the education here
49 from the Council members, so congratulations.

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(Applause)

MADAME CHAIR GARZA: And with that, we
are adjourned.

(END OF PROCEEDINGS)

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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 658
through 756 contain a full, true and correct Transcript
of the VOLUME V, SOUTHEAST FEDERAL SUBSISTENCE REGIONAL
ADVISORY COUNCIL MEETING, taken electronically by
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THAT the transcript is a true and
correct transcript requested to be transcribed and
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THAT I am not an employee, attorney, or
party interested in any way in this action.

DATED at Anchorage, Alaska, this 18th
day of March 2006.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08