SOUTHEAST ALASKA FEDERAL SUBSISTENCE
REGIONAL COUNCIL MEETING

VOLUME II

Craig, Alaska
October 7, 2003
9:00 o'clock a.m.

COUNCIL MEMBERS PRESENT:

John Littlefield, Chairman
Bert Adams
Mike Douville
Dolly Garza
Don Hernandez
Harvey Kitka
Floyd Kookesh
Patricia Phillips
Richard Stokes
Marilyn Wilson

Regional Coordinator, Robert Schroeder

P R O C E E D I N G S

(Craig, Alaska - 10/7/2003)

(On record)

CHAIRMAN LITTLEFIELD: The meeting will come back to order, please. The record will show we have all the Council in attendance.

We have two special orders for the day on the agenda. One of them is at 1:00 p.m., and that's a customary trade discussion with Pete Probasco, and we'll probably do halibut immediately after that, and maybe discuss the halibut, because those are pertinent to him. At 4:00 p.m. we're going to be discussing the FIS projects, and the principal investigators will be given a chance to make their pitch before we discuss those projects.

At this point in the agenda we're on item 10, Tab D. We're on the first proposals, and we're at ADF&G comments, so the State, if you're ready, you can proceed.

MR. TUREK: Good morning, Chair, Regional Advisory Council, my name is Mike Turek. I'm the Southeast regional supervisor for the Division of subsistence, Alaska Department of Fish and Game, and I'll be reading the comments of the Department for the C&T proposals, Proposals 23 through 29.

This is the first time that we've had these Federal C&T proposals where there's an analysis for C&T proposals, so we understand this is sort of -- we're developing a process on how to work with Federal Staff on this, so it's sort of a work in process. What we did is we reviewed the Federal Staff analysis for these proposals, and I think that overall the general analysis was adequate, but we think that there should be some more needs to be done for a more thorough analysis.

And I'll start off by reading our comments. Our comments are, like I said, for Proposals 23 through 29. These are fairly general comments, and we can work with the Federal Staff on more detailed comments that we have pertaining to the particular proposals.

The Department recommends that these analyses be revised prior to the Federal Subsistence Board meeting in December 2003. These revisions are needed to

adequately document and substantiate the conclusions reached in the text, and to distinguish use by each specific community. The following concerns are grouped to reflect the format of the existing analyses.

We question the appropriateness of combining the C&T proposals for all communities in large areas of Prince of Wales Island under one analysis. Under the Federal system, it is our understanding that determinations are made on a community-specific basis.

The text in the analysis leads the reader into thinking that the.....

CHAIRMAN LITTLEFIELD: Excuse me a minute. The meeting will please come to order. If you want to talk, please go out in the hallway. Thank you. Sorry to interrupt you, Mike.

MR. TUREK: I'll continue with my comments. The text in the analysis leads the reader into thinking that use by every community occurs throughout the Island, which it does not.

Support for information provided towards the eight factors for determining customary and traditional uses of fish is particularly weak in a number of areas. Specifically, text for factors 3, 5 and 6 are conclusions reached with no apparent supporting evidence or basis. Also, analyses relying primarily on the maps referred to in tables 2, 3 and 4 are an inadequate assessment of a rich data set. We recommend including the data on which the maps are based into the analyses.

The analyses for Coffman Cove, Hollis, Thorne Bay, Whale Pass, Naukati, Point Baker and Port Protection need to be revised. We find that the documentation presented is inadequate, contradictory, and at times confusing.

The analyses for the customary and traditional uses of steelhead in all of the communities need to be revised, because they do not adequately present relevant information about these uses. We recommend that a thorough analysis of the harvest and use of steelhead by residents of these communities be completed prior to the Federal Subsistence Board meeting.

Under the justification, the analysis states that the data examined show that residents use

larger areas than those delineated in previous C&T determinations, but offers little to no explanation as to why. The analysis also includes little or no information on the difference between the 1989/90 analysis and the new analyses.

Subsistence harvest information that comes from household harvest surveys should be characterized as such. The data may include harvest of other than those obtained on a specific subsistence regulatory harvest opportunities.

The effects of these proposals need to be clarified. For example, on Page 150 and 151 in the proposal book, the analysis states that if Proposal 22 were adopted, existing C&T determinations would be replaced. Previously, on Page 127, the analysis stated that the proposal applied only to waters not included in the existing C&T determinations.

Department Staff will continue to work with Federal Staff on these materials, including detailed technical comments to highlight areas recommended for revision.

The maps that Bob mentions in his analysis, the sensitivity to disturbance maps, I brought copies of the ones for Prince of Wales Island for you to review. And then if you'd like, you can -- I'll leave them with you, and you can put them out on the table for others to look at. But this is a very rich data set, and so I wanted you to be able to be able to see these maps if you hadn't seen them, and it would be good if you were given a more detailed explanation of where the data come from these -- for the making of these maps.

Those are the only -- those are the comments that I have right now. If you'd like to ask any questions either now or later, I'll be here all the way through the meeting, and that's all I really have right now.

Thank you.

CHAIRMAN LITTLEFIELD: Counsel comments, questions. Dr. Garza.

DR. GARZA: Thank you, Mr. Chair. So, Mike, in your position in the past 10 years, have you done any surveys in any of these communities, Coffman Cove,

Hollis, Thorne Bay, Whale Pass, Naukati, Point Baker, Point Protection, in terms of collecting subsistence use data?

MR. TUREK: Chair. Dr. Garza. Yes, we have. Since I've been here, beginning in 1997 I believe it was, we started doing household harvest surveys in Southeast Alaska in 24 communities, and between 1997 and 2000, we did all the communities on Prince of Wales Island that you referred to, and we have -- I have that data with me, and Bob has access to that data. He has had that data, so.....

DR. GARZA: Okay. I'm trying to follow a flow here. So do you collect subsistence data for Ketchikan?

MR. TUREK: Chair. Dr. Garza. We've never done household level surveys in Ketchikan or Juneau. They're in the non-subsistence areas, so we haven't done that for that reason. Another reason we haven't done it is they're so large, it would be a very extensive and expensive project. So we have done household harvest surveys in Saxman, and we have that -- those data sets, but not in Ketchikan.

CHAIRMAN LITTLEFIELD: Other Council. Mr. Kookesh.

MR. KOOKESH: Mike, do you feel that this blanket style proposals that we're looking at is flawed? That the way we're determining the C&Ts based on the way it was presented to us by Mr. Schroeder is not appropriate.

MR. TUREK: Mr. Chair. Mr. Kookesh. I think more detail, more detailed analysis for each community needs to be in the material to get a real thorough analysis. We have communities which are -- throughout Southeast you see this, and in -- Prince of Wales Island is a real good example, where you have communities not far from each other who have different harvest patterns, different approaches to harvest. Those these may be subsistence patterns an subsistence uses, they're different, and they need to be detailed in an analysis of this level.

CHAIRMAN LITTLEFIELD: Other Council. Ms. Phillips.

MS. PHILLIPS: Thank you, Chairman Littlefield. You specifically mention that analysis

relying primarily on the maps referred to in tables 2, 3, and 4 are an inadequate assessment of a rich data set. And you recommend including the data on which the maps are used. And then further down it says we recommend a thorough analysis of the harvest and use of steelhead by residents of these communities be completed prior to the Federal Subsistence Board meeting. Can that thorough analysis come from that rich data set, or is it going to require additional research, or, you know, where are you going to find that kind of information?

MR. TUREK: Mr. Chair. Ms. Phillips. Most of the data is there and available. I think there's also data in -- the Federal Staff did a very good job on some of the steelhead proposals, the analysis that was done for some of the other steel -- not the C&T proposals, but for some of the other proposals. There's quite a bit of information in there that should be included in the C&T proposals on steelhead. It's a very important issue on Prince of Wales Island. We'll be doing some more work on steelhead harvest, subsistence harvest on Prince of Wales Island, but there's already material there that should be included in the C&T findings for these communities where the steelhead is included in that community's C&T finding.

CHAIRMAN LITTLEFIELD: Mr. Hernandez and then Mr. Stokes.

MR. HERNANDEZ: Thank you, Mr. Chairman. Mike, to follow up on Patty's question, you also say that the data may include harvest other than those obtained under specific subsistence regulatory harvest opportunities. Do you have any research that would help to try and delineate between harvest in subsistence and non-subsistence areas at this time?

MR. TUREK: Chair. Don. Yes, we do. Well, when we do our household harvest surveys, we ask for all wild resources brought into the household, no matter under what regime, regulatory regime, whether it's subsistence, personal use, sport use, sport fish, or commercial. Now, in commercial, you can take fish out of your commercial catch for home use for subsistence. So we do ask people that. We ask people about what gear they use, and there we get sport use, because in most of Southeast, statewide -- in the State regulatory system, rod and reel is not recognized as a subsistence gear, so then the rod and reel caught fish would be under that regime, sport regime. So what we do is we do ask for all resources and then we can parcel out under what regulatory regime,

either commercial or sport through the gear on sport. And so we get that data, and we refer to it in our surveys as household harvest or harvest of wild resources, because that includes more than just subsistence harvested foods under subsistence regulations.

CHAIRMAN LITTLEFIELD: Mr. Stokes.

MR. STOKES: When you interviewed those in Wrangell, was that just the native household, or both native and non-native?

MR. TUREK: Mr. Chair. Mr. Stokes. No, we interview all households. We do random samples in the larger communities, and what we'll do in the larger communities that have native and non-native communities within them is we shoot to get the same percentage in our house -- in our sample as the percentage of native households in that community. Some communities like Sitka we've actually done two parallel, two strata surveys where we do surveys, a random selection from the non-native community and random selection from the native community.

In Wrangell, we didn't do that. We just -- we did a random selection from the Kleekt (ph) community, and then we made a real effort to make sure that we've got the same percentage in our sample of native population as in the over-all population of the community.

MR. STOKES: Thank you.

CHAIRMAN LITTLEFIELD: Ms. Phillips.

MS. PHILLIPS: Chairman Littlefield. Mike, the analysis for Coffman Cove, Hollis, Thorne Bay, Whale Bay, Naukati, Point Baker, and Port Protection need to be revised. We find the documentation presented is inadequate contradictory, and at times confusing. Can you give me an example where this is inadequate, contradictory, and at times confusing?

MR. TUREK: Chair. Patty. In general inadequate in that not enough information for each of those communities is included in the analysis. I would have to take a closer -- I'd have to look at that -- review that again to be able to give you specific examples of contradictory information.

But in general it's just that there is not enough information there about those communities' harvest

patterns.

CHAIRMAN LITTLEFIELD: Other counsel.

(No comments)

CHAIRMAN LITTLEFIELD: I had a question on your bullet, the first one there, talking about number 3. Excuse me, I have the wrong glasses on today. You talked about factor number 3, which if I remember right is the use patterns, let's flip to it, and you said there was not enough information on this, but I believe that just about everywhere that I know of in Southeast that the use of gillnets, beach seines, rod and reel, gaffs and spears, and short skates for bottom fish is the norm. I don't know of any other community that varies very much from that, although there might be some specifics, so I was wondering why that short -- I realize it was a short statement, but it seemed adequate to me, that three was adequate to describe the type of activities that people undertook in Southeast.

MR. TUREK: Chair. What we would like to see, would be a more community-specific information. For instance, like gaffs and hooks, gaffs and spears. What communities use those, and what don't. I think that this is -- this particular comment, you know, I can see your angle on that. What we were looking for in particular was just more specific information for each community on that, because there is a variety of techniques used by the different communities that we think is important to illustrate in an analysis of this level.

CHAIRMAN LITTLEFIELD: And to follow on that, you also talked about Proposal 5. I'm looking at your second bullet where you talked about 3, 5, and 6. Proposal 5 -- or, excuse me, criteria number 5 was the means of handling, preserving, protect. And again, there's only a certain amount of ways that you can cook a fish and prepare a fish and preserve it, so -- and those methods are all standard throughout Southeast Alaska, so again I question why the -- we would have to have more information there. To me, that's adequate if the people do this, so I'm just looking at these things. If you want to comment on that.

MR. TUREK: Chair. Yeah, your point is well taken, and like I say, I can see your view on that. Again, what we wanted to see was a more detailed community-by-community discussion of this, and that's where we were

-- what's what we were really referring to there.

CHAIRMAN LITTLEFIELD: Okay. Then my last point was on the first page. This is my own interpretation of what I've seen at the Federal Subsistence Board. Your last bullet on the bottom of the page, where you said we question the appropriateness of combining the C&T proposals for all of the communities, and continue on there. Well, at the last Federal Subsistence Board meeting I attended, and perhaps Ms. See could comment on this, they discussed Unit 20(E), which is the Taylor Highway, Chicken area, and were going over quite a list of communities that some believe were not eligible as well as others that were eligible. And the statement that I remember hearing the Board say was that C&T determinations should be as inclusive as possible, and not exclusive. So the way I read that is everyone on Prince of Wales Island or in the surrounding areas that has this, should be included now and not just a specific analysis for one community. And maybe you could comment on that.

MR. TUREK: Chair. I don't disagree with that. But again what we would have liked to have seen was just more information on each community, because like I said earlier, is that these communities are quite unique even though they're on the same island and fairly close to each other. And we would like to see in the analysis some illustration of those unique patterns that each of these communities have.

As you heard in Coffman Cove, it's a different type of harvest there than it is in Craig or Klawock or Hydaburg, or Point Baker, Port Protection. So it would be nice to see that in the analysis. I think that that's important to continue to remind people that although these are -- communities are very close, again on the same island, and very close miles-wise, they have their unique traditions and customs and harvest patterns, and for me, that's one of the more interesting aspects of my work, so I'd like to see that in an analysis at this level.

CHAIRMAN LITTLEFIELD: Thank you. Other Council. Mr. Kookesh.

MR. KOOKESH: Mr. Turek, if you're -- I mean, let me phrase this. As a Council member, say, in the position you're sitting in and looking at us as Council members, and if you look at the paper we're looking at here, excuse me, and if you didn't see a map, say like if there was a reference made to area District 2, north of the

latitude of the northernmost tip of Tasina Point and west of a line from the northernmost tip of Tasina Point to the easternmost tip of -- and if you looked, and from your position, and if you're looking at this, and you and I, and you didn't see a map, how would you feel if we made a decision based on something we weren't familiar with. An area we couldn't relate to. You know, pictures say something. And I was just wondering, because we're going to make a decision on this, and I don't even know where this is. I can't -- I couldn't even tell you. I could go further into the document and find a map of the Island, but that still doesn't tell me from the northernmost tip of Tasina Point, west of a line from -- I don't even know what that is. And I'm going to sit here and try to make a decision based on something like that. I'm just wondering how you -- do you feel that we should have something like that if we're going to make that -- because there is something missing here. And I'd like to see that something. I've always requested it from -- at different meetings, that if we're going to be making decisions on certain areas, we should be -- know what we're looking at. I know what we're talking about, but I don't now what we're looking at. And who we're going to be affecting, and where those lines are being drawn. And that means something to me. And I'm just wondering if that's -- if it would be more appropriate to have that.

MR. TUREK: Chair. Mr. Kookesh. I agree, and that's one reason why I brought the maps that refer to an analysis, so you can look at these sensitivity to disturbance maps, but another -- that's another reason I think if we had gone by -- done the analysis community by community, showing a map of where the community is, and locate it on the island, that would help.

Part of it, when I was reading the analysis, is I was very familiar with the data that analysis referred to, I had to kind of catch myself and think, well, how would someone read this if they weren't familiar with the data that's referred to, but not illustrated. So that was part of my process in thinking when I was working on the comments.

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Thank you, Mr. Chair. This is difficult to say, but I guess I will. Someone needs to turn their mike off.

In looking at the Department's perspective

that we need to look closer at Coffman Cove, Hollis, Thorne Bay, Whale Pass, Naukati, Point Baker and Point Protection, in the data that I looked at from the analysis, these are all non-native communities, and if I'm following this process, it appears to me that ADF&G is supporting a racial-based policy for subsistence, because it would in effect exclude all of the non-native communities from C&T determination for subsistence on this island.

MR. TUREK: Chair. Dr. Garza Your point came up in discussions in the Department, and I made it quite clear that both Federal and State laws are not native or non-native. Excuse me. Federal law, it's rural. And that's one reason why these comments are particularly directed towards those non-native communities, because I thought a more thorough analysis was needed for people who were questioning their subsistence use because they were non-native communities. These propos -- these analysis are -- excuse me. These comments are directed at the analysis, not at the proposals themselves. So what we're saying is that to make the argument for those communities, there needs to be more thorough work done on the analysis. We're not saying that these communities don't have subsistence harvest rights. As a mater of fact, the State does have C&T findings for areas near some of these non-native communities, Point Baker and Port Protection in particular. And when the State makes their -- we make our C&T, the Board makes our C&T findings, we present the material for an area. For Point Baker, Port Protection, it's 6(A), 6(B), but we use those communities harvest patterns, the harvest data, to illustrate the use of that particular area. So essentially what we're saying in our comments is that we need a more thorough analysis on these particular communities, and I was -- I really think that's important because of people who want to be able to limit subsistence on the basis of ethnicity and race, and that's -- either Federal or State law, you cannot do that.

CHAIRMAN LITTLEFIELD: I guess we should probably get down to the meat of it here. I think we're going to use the information on Page 149, the preliminary conclusion as a mark-up vehicle. At least I believe that's what's recommended. What I'd like you to do is comment -- I'm going to ask you to do that on every proposal that comes up, is we need to find out what your position is. You talked earlier about deferring -- you know, you gave us this list. You'd defer all these, prefer they be deferred, but the proposal we're going to be looking at is on Page 140 -- 149, excuse me. And what I need to do is have the State's position on that for the record, if you could give

us your position, please.

MS. SEE: Mr. Chair, for the record, my name is Marianne See, I'm the assistant director of the Division of Subsistence for the State of Alaska. And I want to just point out that the comments that have been offered this morning so far are about the technical standards of the analyses themselves, because we -- it's sort of a unique situation. WE are very familiar with the data sets actually being used for the analyses, and we're applying a standard essentially that we would use if we were submitting or looking at the documents and analyses for say a Board of Fish or a Board of Game determination for C&T. So we're kind of holding a mirror up here and saying, would we submit this. Would this pass muster. Does this address all the technical kinds of concerns we would need to put in an analysis on the State side. And so that's sort of the technical view that we take on these, and that's where our comments have come in on, well, gee, this -- some of these points are not clearly substantiated by information that we in fact know exist. And we'd just like to see a better linkage of the information into the way the conclusion is drawn.

So we aren't necessarily disagreeing with the conclusion, but the way it's presented is where we think it needs -- it needs more information really, woven together to show how it's reached, how the conclusion is reached. And that's very specific to some of the community comments that Mike offered already.

And as far as the actual proposal-by-proposal conclusions, again we already know a lot about that information. We can speak to those where we have that information, and would say that -- we'd have to temper a lot of those kinds of comments with the fact that if the information's presented to that technical linkage to show that the information exists for the conclusion, we could in fact support the conclusion, but we would need to see this information better presented.

CHAIRMAN LITTLEFIELD: I guess I'm still looking for an answer on the Page 149. That's the mark-up vehicle that we -- that this Counsel will probably be using to address these, and what I'd like from you is if you could please state whether you are in support of this or in opposition to it, given the fact that you've presented your data, and we're not trying to get in an argument about how much technical merit there is or not. We received your information and weigh it. So given what was presented in

the Federal Staff analysis and yesterday by Dr. Schroeder, I'm just looking for a -- hopefully you could state a position on where you are on Page 149, the proposal on that page.

Thank you.

MR. TUREK: Chair. I would say that the State's neutral on these proposals, and we request further analysis on these proposals. At this time though, we're neutral until we see that.

CHAIRMAN LITTLEFIELD: Are there any other Counsel -- Dr. Garza.

DR. GARZA: Thank you, Mr. Chair. So it sort of sounds like any further analysis would be basically based on ADF&G subsistence data, and so in sort of scanning your brain of the data that you know is out there, are there any communities on that list that you would exclude if no other analysis goes forward in this Council that says we agree with what's on Page 149.

MR. TUREK: Chair. Dr. Garza. No, there's no communities on this list that I would exclude knowing what data exists for those communities.

CHAIRMAN LITTLEFIELD: Other Council. Ms. Wilson.

MS. WILSON: Yes. I wanted to know, this C&T for the communities we want to add, it only kicks in when the resource is low, right?

MR. TUREK: Chair. Ms. Wilson. The subsistence priority, the way I understand it, would only come in in times of shortage. In the State system that works, and I believe the Federal system, but we might want to get some clarification from someone from the Federal system on that.

MS. WILSON: I would like to know why we need more data to include these other communities, because what we're here for is to allow access to subsistence, and.....

MR. TUREK: Chair. Ms. Wilson. That's your decision. That's the Regional Advisory Council's decision, to make our recommendations. If you feel this is adequate information, then that's your decision. Our

comments were our point of view on this, so.....

CHAIRMAN LITTLEFIELD: I'm sure you're aware, of course, that this Council has protested several times in the past the inclusion of additional information after we've had the chance to act, and that's why I'm asking you those -- whether you supported or opposed the proposal, and you said you were neutral. I just want to be clear that we expect all of the questions to be raised right here, or your -- or if you're opposed to it, we would like to have that right here in front of the Regional Advisory Council. This Council believes that they're charged with the responsibility of giving that -- their recommendation to the Federal Subsistence Board based upon the information that's here today, not that's presented tomorrow after -- or Friday after we're out of business, but today or tomorrow. So that's why I was trying to pin you down on that, and I will try to do that on all the other proposals.

Other Councils, question.

Ms. Phillips.

MS. PHILLIPS: I'd like a clarification of Marilyn's question, an answer to her question.

CHAIRMAN LITTLEFIELD: You want to do that? Go ahead, Bob.

DR. SCHROEDER: Marilyn, could you restate your question, and I can figure out which of it needs to be addressed.

MS. WILSON: My main concern was why do we need more data and more information in order to include the other communities in the C&T.

DR. SCHROEDER: Mr. Chair, Ms. Wilson, perhaps I could -- was the question directed to me?

CHAIRMAN LITTLEFIELD: Yes, Dr. Schroeder, please.

DR. SCHROEDER: In writing C&T analyses, the anthropologist for the Federal program are sort of pulled in a couple of directions. As people who have worked with subsistence data for some years, we're well aware of the rich depth that exists there. And let's be real clear on why there is good subsistence data in

Southeast Alaska. The reason is that subsistence users have contributed their time and energy to provide Federal staff and State Staff with the information that is needed to understand what people harvest, where they do these harvests, and something of the cultural context of those.

On the other hand, we're limited in that really no one is going to read through 500 pages of documentations for -- in order to determine whether or not people in Coffman Cove hunt deer or catch fish. I really question whether we need a great deal of detail on those matters.

This particular analysis was assisted a great deal by data provided by the Division of Subsistence. In specific, and referenced in the -- included by reference in the C&T analysis is a really excellent report done by Mike Turek and Amy Paige, funded by the Federal program, initiated by Fred Clark when he was Regional Council Coordinator. And that's the white volume, which includes roughly 500 pages of detailed subsistence information for each community in Southeast Alaska where research has been done. Most of this information has been presented to the Council at different ties, and it definitely is available as a reference work to guide your decisions.

Several -- I guess my long answer, Marilyn, is that it may be that as a Council member,you feel that you have from all sources a very adequate base of information for making decisions of this sort.

CHAIRMAN LITTLEFIELD: Ms Wilson. Ms. Phillips.

MS. PHILLIPS: She had another question about would these customary and traditional use designation only apply in times of shortage. That's the one that I would like an answer for.

DR. SCHROEDER: The customary and traditional use determinations are what guide Federal regulations so that subsistence fishing under Federal regulations can only take place if there is a positive customary and traditional use determination. In the absence of a customary and traditional use determination, or the negative customary and traditional use determination, the Federal Government has a problem issuing permits for subsistence fishing. Or hunting for that matter.

Perhaps we could look at the -- I'll just leave it at that.

CHAIRMAN LITTLEFIELD: Is that adequate for you, Patty, or do you need more information from other Staff?

MS. PHILLIPS: It actually confused me more.

DR. SCHROEDER: Can I have another try, Mr. Chairman?

CHAIRMAN LITTLEFIELD: Yes.

DR. SCHROEDER: Maybe a real clear-cut example would be, since we've been talking about deer on Prince of Wales Island, if we look, consider just the July season that the Council suggested, recommended to the Federal Subsistence Board, and which was adopted last year. The July season set up a Federal subsistence hunt for deer on Prince of Wales Island. The only people who are eligible for Federal permits were residents of the communities that had customary and traditional use determinations. And so someone from Sitka couldn't come down here and subsistence hunt for deer during that time.

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Okay. I confess I was only half listening, but you confused me. Using the deer as the example, Coffman Cove doesn't have C&T. They do?

DR. SCHROEDER: In my what I thought was a too lengthy read through the analysis yesterday, I did point out that we have a real difference in customary and traditional use determinations for Prince of Wales Island between the wildlife regulations and the fisheries regulations. Both sets of C&Ts are pretty much legacy C&Ts that the Federal program adopted from the State program. The C&Ts for deer for Prince of Wales were done by the Board of Game probably in 1987 or '88 with, I will point out, regional council, State regional council recommendation, to be fairly inclusive. And so the C&Ts for deer on Prince of Wales included all of the communities on the Island. So residents of all the communities on Prince of Wales Island have recognized subsistence use of deer in Federal regulations.

The subsistence use of fish was much more

of a patchwork affair, and the Board of Fisheries in meeting in 1989 and January of 1990, recognized subsistence use of certain fish species in -- only in certain areas, and those areas were -- and only by the native communities of Kasaan, Hydaburg, Craig and Klawock.

CHAIRMAN LITTLEFIELD: Let me see if I can bring us back into order of what we should be doing, at least what I think we should be doing. Right now before us we have the ADF&G, and their comments were given to us, and they gave us a paper, and those are what we should be commenting. there will be adequate time at the end of this when the Council takes this, that we can discuss anything that was given to us. But what we should be doing right now is finishing up with the ADF&G comments. If any comments that you have on their presentation, we want to ask them now, and then we'll release them and go to the next. And when we get to the end of this process, when the Counsel takes action on it, then any of the things that were said previously or any of the other questions, that's probably when they should come up.

So are there any other questions for ADF&G on their comments.

Ms. Phillips.

MS. PHILLIPS: Thank you, Chairman Littlefield. That being said, the bullet that says the effects of these proposals need to be clarified. For example, on Page 150 and 151 the analysis states that if Proposal 24 were adopted, existing C&T determinations would be replaced. Previously on Page 127, the analysis stated that the proposal applied only to waters not included in the existing C&T determinations. It's -- I'm -- it's confusing to me. Could you clarify that to me?

MR. TUREK: Mr. Chair. Ms. Phillips. It was confusing to us, too, that's why we pointed it out. So we wanted some clarification on exactly what these proposals would do in that case. So that was one of the illustrations of some of the confusion that we found in the analysis.

CHAIRMAN LITTLEFIELD: Dr. Schroeder.

DR. SCHROEDER: Mike, I'm unclear. What happens in the format that we use for looking at the effects of proposals, is that when we do come to a preliminary conclusion, we say what the effect of that

conclusion would be. Is there something unclear on Page 150 in the first sentence that the intention of this recommendation would replace the existing customary and traditional use determinations? If there is something unclear there, if you could you point it out, we could definitely fix that.

CHAIRMAN LITTLEFIELD: Mike.

MR. TUREK: Chair. Dr. Schroeder. These comments were on the proposal book. Is that the draft that you're looking at, or is it a later draft that you sent me?

DR. SCHROEDER: No, the book that you have right here.

MR. TUREK: I'd have to take a closer look at this. Remember that all these comments were just me. There was a number of Staff -- there were a number of Fish and Game Staff looking at this, so I'd have to take a closer look at this. From what I read here, I thought it was clearly pointing out where the misunderstanding was.

MS. SEE: Mr. Chair and Dr. Schroeder, also we were reviewing and marking up a different version of this that we printed out and were using, so it doesn't necessarily come out with exactly the same pagination as this version in the book.

CHAIRMAN LITTLEFIELD: Can we have that clarified, and we'll ask you to clarify that before we go into deliberations, if you can clarify that for us.

MR. TUREK: Yes, we can do that.

CHAIRMAN LITTLEFIELD: Any other Council questions on ADF&G comments.

(No comments)

CHAIRMAN LITTLEFIELD: Thank you for your presentation. Next we have -- excuse me a minute. Other State or Federal agency comments. Are there any other Federal or State agencies that would like to comment on this proposal.

(No comments)

CHAIRMAN LITTLEFIELD: There is no bullet

for tribal, and I'm going to put them right after other State or Federal agencies, and so if you're looking on the agenda, Page 10, I'd like you to insert a bullet in between other State and Federal agencies, and we'll call on tribal. It's been our custom to ask for tribal comments. Are there any tribal agencies or tribes that would like to comment at this time.

(No comments)

CHAIRMAN LITTLEFIELD: Seeing none, we'll go to the next one, would be ADF&G advisory committee comments. Are there any advisory committees that would like to comment on this proposal.

Dr. Schroeder, will you do the summary or written public comments please.

DR. SCHROEDER: Mr. Chairman, we have no written public comments at this time.

CHAIRMAN LITTLEFIELD: It's now time for public testimony. Do we have any public testimony on this. Any members of the public. I don't have anybody on the yellow form here. Is there anybody in the audience who would like to comment on this proposal.

(No comments)

CHAIRMAN LITTLEFIELD: Hearing none, we're in Regional Council deliberations. And I'm going to take a five-minute at-ease, grab a quick cup of coffee. We'll came back to Regional Council deliberations.

(Off record)

(On record)

CHAIRMAN LITTLEFIELD: The meeting will please come back to order. We're on Proposals 23 through 27. The preliminary conclusion of those proposals is on Page 149. We're at Regional Council deliberations, justification, recommendation. And, remember, when we make a recommendation, somewhere in here the Council has to do at least four -- address four things. And that will be the effect on conservation if the -- if passing the proposal has any conservation concerns. The other would be the effect it has on subsistence users. And the effect on other users, and the kinds and types of information presented. So these are the things we want to make sure

that we reference when we're making our support or opposition to the proposal. So we're looking at the proposal on Page 149.

Okay. I don't have them written down, but from my memory, the four things that we were supposed to address were the effects on conservation, whether there were any conservation concerns by taking our action. The effect on the subsistence users. The effect we would have on any other subsistence users. And, lastly, the kinds and types of information that was presented, whether we believed it was adequate to make our decision.

And I'm looking for Council's motion on this to proceed. I believe the proposal's on Page 149. Mr. Douville.

MR. DOUVILLE: Mr. Chairman, I move to adopt Proposal No. 24.

MR. STOKES: Mr. Chairman, I'll second the motion.

CHAIRMAN LITTLEFIELD: It's been moved and seconded to adopt Proposal No. 24. I need to clarify that, the maker of the motion, Proposal 24 adoption on Page 149 also includes the words to take no action on Proposals 23, 25, 26, and 27, and I want to clarify if that's the intent of the maker of the motion.

MR. DOUVILLE: That is my intent, Mr. Chairman.

CHAIRMAN LITTLEFIELD: Does the second concur?

MR. STOKES: Yes.

CHAIRMAN LITTLEFIELD: Richard. Okay. Just so we all understand the language that then would be before everyone is on Page 149. We'll let the maker of the motion speak first. Mr. Douville.

MR. DOUVILLE: Mr. Chairman, I would like you to repeat the four criteria, or at least the last two.

CHAIRMAN LITTLEFIELD: Okay. AS I have them, they are -- I'll go through all four of them. And the first is the conservation concerns, and the effect that passing the proposal would have on the subsistence users in

the area. The effect that it has on other users. This would be Ketchikan or anyone that was excluded. And the kinds and types of information that are available. In other words, the information that was presented to us by the Federal Staff as well as State Staff, and including the information that we heard in any public testimony, had there been any. Mr. Douville, go ahead.

MR. DOUVILLE: Thank you, Mr. Chairman. I support this motion for I believe it doesn't present a conservation concern. You're not including a bag limit, you're just -- in any species involved. Although you are making a positive for other users, making the resource more accessible. And under the current regulations, I do not believe that it would affect other users. And I believe that the information presented by the analysis that -- along with my own personal knowledge is -- leads me to support this proposal. I don't believe that it will increase any harvest at all. However, it will make it easier for residents of Craig to fish in places where they do not have a positive C&T, where it is well documented that they do have a prior for many, many years. And, for an example, if you live in Hollis, you don't have a positive C&T for the Harris River which runs right along the side of your house. And also Craig has a long history of fishing in the Harris River or in other areas that we cannot do so under the Federal permit. And I believe this would level the playing field and provide much better access.

Thank you.

CHAIRMAN LITTLEFIELD: Other Council.

MS. WILSON: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: I have a question on the wording of the proposal on Page 149. It says -- it names all the communities, and then, and persons living outside named communities. And what are those communities? What -- where is the names?

CHAIRMAN LITTLEFIELD: Dr. Schroeder, could you please clarify that.

DR. SCHROEDER: Mr. Chair, Marilyn, the intent was there when Staff were discussing this, we were provided information that there are really a fair number of

people on Prince of Wales who may not be living downtown in Coffman Cove or Naukati, but maybe at other locations within Game Management Unit 2. And the intent of this recommendation was that they would receive C&T determination with this proposal as well.

MS. WILSON: Okay.

MR. KOOKESH: I didn't hear you.

DR. SCHROEDER: Just to say again, the intention here was to include in the C&T determination those people who may be living at other locations throughout the Prince of Wales Island area, and in talking to Council Member Hernandez, and having some conversations with Council Member Douville, we knew that there were a number of people who live at -- who live outside of named communities, and the intent of this recommendation was that the C&T would extend to them as well.

CHAIRMAN LITTLEFIELD: Mr. Kookesh.

MR. KOOKESH: So what you said was residents of Game Management Unit 2, right? That's what -- is the way it's written here, is the way I read it.

DR. SCHROEDER: Mr. Kookesh, that's correct. Just to have regulatory clarity, it seemed like a good idea to list the communities, and that people may not know that they live -- they may believe they live on Prince of Wales Island, and not in a Game Management Unit, so we also wanted to provide a list of the communities.

CHAIRMAN LITTLEFIELD: Other Council. Mr. Adams.

MR. ADAMS: Thank you, Mr. Chairman. Mr. Douville said that he doesn't foresee any, you know, conservation problems, you know, with accepting this proposal, but, you know, as we as Council members travelled, you know, on Sunday, you know, through the road systems here and we saw the paving going on, which would make it a lot easier, you know, to access, you know, these areas, as well as, you known, the boardwalks that access, you know, the creeks, and I'm just wondering, you know, long range, will this have an adverse effect, you know, on the resources by easier access to these? Because I know ANILCA says that we should provide access, you know, to these resources and so forth, but I think in some instances it could be detrimental to the resource, so I'm just

wondering about that idea.

CHAIRMAN LITTLEFIELD: Mr. Douville, would you like to respond to that, whether you -- the question was the effect that you see of -- in the future because of the easy access, that you still believe there will be no conservation concern. You'd stated there was no conservation concern, and the question was what about increased access, what does that have to do with it. Is that correct.

MR. DOUVILLE: My answer to that is that when you get a permit, it is very specific and very -- the lines are clearly drawn as to how many fish you can take and so on. It will not increase any harvest that I can see. Geographically I don't see many of these outlying areas, such as Point Baker or the outlying areas participating any more than they do now in reality. It doesn't make it any easier for most people. It doesn't really change that much for -- at least geographically, and making better access.

If I may at this point, I would like to offer an amendment to this motion, Mr. Chairman.

CHAIRMAN LITTLEFIELD: Please proceed.

MR. DOUVILLE: Thank you. I would like to amend the motion to include the area of 3(A) into the -- you'll see it on Page 122, it is in the area of District 2, remainder 3(B), 3(C), 5, 6. I would like to just include 3(A).

CHAIRMAN LITTLEFIELD: I believe it is already. Dr. Schroeder, could you please clarify that.

DR. SCHROEDER: Mr. Chairman, Mike, I think the motion before the Council is the wording found on Page 149 of your RAC book, and it's calling for a C&T throughout districts -- Fishing Districts 2, 3, 5, and 6, and waters draining into these districts. So the preliminary conclusion modified Proposal 24 to make it inclusive of all of District 3.

CHAIRMAN LITTLEFIELD: What's your wish.

MR. DOUVILLE: It is clear now that it is already included. Thank you.

CHAIRMAN LITTLEFIELD: Any other Council.

Dr. Garza. Oh, excuse me, let's go first to Mr. Hernandez, and then we'll go to Dr. Garza.

MR. HERNANDEZ: Thank you, Mr. Chairman. I was wondering if I could speak towards Mr. Anderson -- or Mr. Adam's question to Mr. Douville there on conservation concerns. I think the effect of this proposal may actually off more protection for conservation concerns in the future with increased access to the Island in the way that without a customary and traditional use determination, we wouldn't be able to as adequately protect these systems from people coming from other areas who would want to utilize it in the case of a conservation concern.

Thank you.

CHAIRMAN LITTLEFIELD: Thank you. Dr. Garza.

DR. GARZA: Mr. Chairman, looking at the proposed language on Page 149, I'd like to offer an amendment.

MR. KOOKESH: There's an amendment on the floor.

DR. GARZA: It died for lack of a second.

CHAIRMAN LITTLEFIELD: No, he withdrew the amendment. The main motion is on the floor at this time. Go ahead.

DR. GARZA: Okay. In the third column under determination, residents of Game Management Unit 2, in parenthesis, communities of Coffman Cove, Craig, Edna Bay, Hollis, Hydaburg, Kasaan, Klawock, Naukati, Point Baker, Point Protection, Thorne Bay, and Whale Pass, and persons living, and here I would add the word near, but outside named communities.

CHAIRMAN LITTLEFIELD: Could you please repeat that, after the word living, you would add?

DR. GARZA: Near, N-E-A-R, but outside named communities. And if I could get a second, I'll explain.

CHAIRMAN LITTLEFIELD: Could we have a second.

MS. WILSON: Second.

CHAIRMAN LITTLEFIELD: Maker of the motion, Dr. Garza.

DR. GARZA: Thank you, Mr. Chairman. I understand that surely there are people who may live outside the boundaries of what is considered a community such as Coffman Cove; however, we do have issues on Prince of Wales where people come here because they're tired of the outside world and squat for however many years they decide to, and if they're here for five years, and they're not established in any well-defined community, then they should not just automatically be part of this process.

CHAIRMAN LITTLEFIELD: I have only -- I have one question. What is your interpretation of near? I guess we'll leave it as near, but that's really -- it's subject to quite a bit of interpretation. Any other Council.

MS. WILSON: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: Dolly, I just wanted to ask, could you restate your motion. Near what.

DR. GARZA: Mr. Chairman, so after listing all of these communities, and we have persons outside named communities, and so I have and persons living near, but outside named communities. The concern I have, Mr. Chairman, is we have had people move to this Island as a group of people that come here with a specific ethic or belief and basically squat on part of the Island, and have no association with any of the other communities. And are not in any part of the fabric of Prince of Wales, and this particularly right now down around Hydaburg. And I -- because they aren't in any way related or don't have relationships with these nearer communities, or communities listed, they just are not part of the fabric of the community. They don't have that type of historic relationship or use of the land. And this happens like every five or 10 years. Prince of Wales is a place where people come to hide, and so we don't need to include them in this process.

CHAIRMAN LITTLEFIELD: I have a question for law enforcement. Aren't those people already excluded if they were just to move to the Island tomorrow and set

up a community 10 miles away from Hydaburg on private land. Would not those people be excluded anyway because they're not residents.

MR. MEYERS: That's correct, until they've been here for a year.

CHAIRMAN LITTLEFIELD: Okay. We have an amendment before us, and the amendment is to add the words in the last sentence under the determination, persons living near, but outside named communities. Is there any other discussion on the amendment. Mr. Hernandez.

MR. HERNANDEZ: Well, the interpretation of that word near. I was wondering if we -- I know the situation that Dolly's referring to, and, yes, it is a factor. I'm also aware that there are also some very long term residents on Prince of Wales that live outside of communities in float house communities that may not fit that definition of near an existing community, depending on how you interpret it. I don't want to get in a situation of, you know, possibly excluding some of those. I was wondering if we could have a more legal description perhaps for people that are illegally living on National Forest land perhaps.

CHAIRMAN LITTLEFIELD: Law enforcement, could you please respond to that, Mr. Meyers.

MR. MEYERS: Yeah, this is Marty Meyers, U.S. Forest Service, law enforcement. Could you repeat that question again? I'm not sure I quite got the full question.

MR. HERNANDEZ: Okay. Essentially, instead of using the phrase near existing communities, could we come up with a more legal terminology to describe people who may be living illegally essentially on National Forest land within the boundaries of Game Management Unit 2?

MR. MEYERS: Well, I believe the real issue is whether they're legally a resident, or a resident to fit that criteria of subsistence use, whether -- I think the -- whether they're illegally squatting on National Forest or not probably wouldn't come into play. That's a separate issue altogether. But I think if they'd been a resident, been here for a couple of years, I would think they would still qualify. But regardless of whether they're there legally or not. As far as where they specifically live within the rural area.

MR. HERNANDEZ: So to clarify, you're saying that somebody can illegally be trespassing essentially on Federal lands and still be considered a resident, is that true?

MR. MEYERS: They're two separate issues. I mean, the issue that they're trespassing on Federal land is one issue that we could deal with, but if they've been a resident of Prince of Wales for over a year, they would still qualify as a rural resident under subsistence regulations.

CHAIRMAN LITTLEFIELD: If they're a resident anywhere in Alaska, rural resident, they would qualify, so -- I have a question for law enforcement about the word near. Is that enforceable or what is your interpretation of the word near. Okay. Mr. Kookesh.

MR. KOOKESH: Mr. Chairman, I believe that what we're talking about with near or outside or who is and who isn't I think that's an enforcement issue. I don't think we should be taking that enforcement issue and bringing it to this table. It would be someone else's job to define the people that are outside or near. But I think that if you really want to get to the legal language of this, it's residents of Game Management Unit 2, and let's just leave it at that. If we're going to start getting into near and outside, we're getting into micromanaging the thing, and it's getting too technical. With this, if you can't figure out that you're in Game Management Unit 2, then you're lost. Okay.

CHAIRMAN LITTLEFIELD: Yes, but that doesn't address the -- Mr. Meyers.

MR. MEYERS: I would concur with Mr. Kookesh. Essentially if you want to limit with this word near, it would be best to define it rather than trying to figure it -- for someone else trying to figure out what that is at a later date. But if you're going to use Unit 2 as your criteria, that's pretty clear. If they're in Unit 2, then they're good to go. If they're -- again, if it were near, I would need a definition of what you would interpret near being.

CHAIRMAN LITTLEFIELD: Mr. Hernandez.

MR. HERNANDEZ: Thank you, Mr. Chairman. I would tend to agree with Mr. Kookesh, that we should keep the language broad and let enforcement deal with illegal

trespassers within those boundaries.

Thank you.

CHAIRMAN LITTLEFIELD: Mr. Kitka.

MR. KITKA: I call for the question.

CHAIRMAN LITTLEFIELD: The question's been called for on the amendment, and the amendment was to add the words, near but, behind living outside communities under determination. All those in favor signify by saying aye.

(No ayes)

CHAIRMAN LITTLEFIELD: Those opposed, same sign.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: The amendment has failed. You have the main motion before you, which is to adopt the language on Page 149. Any discussion. Ms. Phillips.

MS. PHILLIPS: Chairman Littlefield, having served on the Southeast Regional Advisory Council for numerous years, I have learned that though we make recommendations that oftentimes we will be hearing these same issues again and again, because it takes this process to get the word out to the public, for them to get back to us with their reaction. We are asking for public comment now here in front of us, yet there's a large percentage of the population that doesn't even know the issue yet, and so we are going to be hearing those comments at another meeting and reacting to those comments.

Concerning customary and traditional determination, is the continued viability of salmon, dolly varden, trout, smelt, or hooligan and steelhead of a particular population threatened by the harvest of all such persons that this proposal will bring before us. These are the kind of questions that I'm asking myself.

Is the ability of rural subsistence-dependent residents to satisfy their subsistence needs threatened by the harvest of all such persons. The permit system was put in place to determine users and use. Information can -- information gleaned from this system can

assist in further comprehensive review at later analysis of proposals.

The road system increases access island-wide, and increases anticipated subsistence use areas for fish populations. That's a given. What are the tribal boundary designations? I don't feel like that has been adequately addressed. The community territory mapping of traditional use areas would be helpful in determining positive and customary and traditional use.

The existing customary and traditional determinations for fish species based on 1989/1990 Board of Fish decisions were not inclusive of identifying current and anticipated subsistence users.

Do all residents of Prince of Wales Island have a direct dependence on the fish requested for customary and traditional use by the proposal? By the proposer? Historical patterns are there for Kasaan, Craig, Klawock, Hydaburg. I question the direct dependence of some of the more recent communities. The blanket proposal may have the effect of diminishing the significance of the cultural and traditional emphasis given in ANILCA.

In the document given to us by Victor Burgess, it's the marked up version of Title VIII of subsistence managed use and -- subsistence management and use, on the bottom of Page 7 it says, only those local residents with the most customary and direct dependence on the population as the mainstay livelihood, and with the least access to alternative food supplies.

And this is from the Senate Report Number 96-413. I had made an inquiry for the Congressional record so that I can make decisions based on what the intent was, and was told that I needed to come up with that myself, and it was like -- it was dropped in my lap here, and so I'm glad to say that although I do not have the entire Senate report, that I was able to get a portion of it.

On Page 147, effects of proposal, Proposal No. 24, it states, where no specific positive customary and traditional use determinations have been made to date, this customary and traditional use determinations are linked to generations of tribal existence on Prince of Wales Island. And in times of shortage, these tribes should have an inherent right to these resources. The more recent, new communities are reaping the benefits of the long-term existence of Alaskan native tribes.

I believe there needs to be a more thorough legal review based on Alaska native laws. The Federal Staff analysis should go out to the tribes and the IRAs for review and extend the comment period.

And I may have more comments later on, but I'll close there. Thank you.

CHAIRMAN LITTLEFIELD: Ms. Phillips, are you speaking for or against the motion? We should probably keep that somewhere else, but we have a motion before us right now. Could you please state whether you're for or against it, if you want to.

MS. PHILLIPS: Chairman Littlefield, I do not know what way I stand on this issue. I do not want us -- I do not want to divide community against community on an island that is linked by roads, but I'm not familiar with the road system. I live in a LUD 2 area. I'm surrounded by LUD 2 and wilderness areas. I don't know the social and cultural aspects of living on an island with Kasaan, Craig, Klawock, Hydaburg as the traditional tribal territories, yet their linked by road system. I haven't made up my mind, so I can't answer I'm for the proposal or I'm against the proposal. I'm willing to hear. That's what I'm here for. I'm here as a member of the region that I live in, and so I'm saying I can't make a decision until I hear more from the tribes. Until I hear more from the other communities. So I'd like to table the motion.

On the other hand, I know the population island-wide is dropping, and yet we're going to have increased populations at the -- where the transportation links are. But are those people customary and traditional use users, you know, so I'm confused. I don't know which way to vote, but thank you for asking.

MR. ADAMS: Mr. Chairman.

CHAIRMAN LITTLEFIELD: All right. Mr. Kookesh -- or, excuse me, Mr. Adams.

MR. ADAMS: Did you make a motion to table?

MS. PHILLIPS: No.

MR. ADAMS: Okay. Because if you were or did, I was going to second it.

MR. KOOKESH: I'll make a motion that we

table this, Mr. Chairman.

MR. ADAMS: And I'll second that.

CHAIRMAN LITTLEFIELD: WE have a motion to table, and it's been seconded, all those in favor please signify by saying aye.

SEVERAL: Aye.

CHAIRMAN LITTLEFIELD: A motion to table is not debatable. We either vote it up or down. We'll do it one more time. All those in favor of the motion to table, please signify by saying aye.

SEVERAL: Aye.

CHAIRMAN LITTLEFIELD: I suppose we'd better have a raise of hands. I'm unclear. All those in favor, please raise your right hand. I have four, is that what you have, Madam Secretary? Four.

MS. WILSON: Yes.

CHAIRMAN LITTLEFIELD: All those opposed, same sign. The motion to table has failed. The motion is before you, Page 149.

Perhaps I could explain where I am on this. I believe those four concerns that I talked about were adequately addressed by the two people most familiar with this that are on the Board, and that would be Mr. Douville and Mr. Hernandez. Those are the people that I rely on for my expert information on Prince of Wales. I'm not an expert on Prince of Wales but I am expected to make a vote and I will. And a lot of it's going to be based on what they told me.

The State of Alaska said they were neutral, which means they did not take a position,a nd they're not going to take a position before the Federal Subsistence Board. We did not hear any public testimony on this that was in opposition to it, or in favor of it.

So based upon that and the information that was presented in the book, and I read it through pretty carefully and I'm satisfied with it, so I'm going to vote in favor of it.

Other council. Dr. Garza and then Mr.

Kookesh.

DR. GARZA: Thank you, Mr. Chairman. I intend to vote in favor of this proposal as written on Page 149. I have several reasons, some that fit these four points, some that do not.

I think that the broad C&T determination, it provides use throughout the island without creating confusing regulations such as no harvest areas or different harvest levels by different community members.

While we think that voting against this may help the four native communities, it's my understanding that residents of Craig cannot go to some of the other areas on Prince of Wales and fish under C&T subsistence regulations. So this proposal in fact gives greater opportunity to those four communities.

Such divisions as are listed in the other proposals of saying that these communities have these uses for these areas are very -- are divisive, and it will turn communities on this island against each other. And this is a very strong island. People love Prince of Wales. People come here because they want to be here now. Surely every community has a different character. There are some that are hippie communities, there are some that are very strong native communities, there are some that are logging communities, there are some that will probably be transportation communities. But they come here because they want to be here. If they don't like the rain, if they don't like the remoteness, they're gone in two or three years. They don't stay.

I wanted to note that ADF&G subsistence division has collected subsistence use data from all of these communities. That means in my mind they consider them subsistence. And I asked that question, because Ketchikan is not subsistence, it does not have C&T determination, even though we have in excess of 3,000 natives there. And so that to me says that the State considers these as subsistence communities.

Opposing communities such as Coffman Cove, Naukati or Thorne Bay may result in the appearance of racial bias against non-natives. That is not the intent of ANILCA at all, not in any means. It is a rural determination, not a racial determination.

We should also note that there are C&T

determinations for -- or subsistence regulations for several of these communities through the State process as is in Point Baker or Point Protection where they have fishing subsistence rights. And so if we don't pass a proposal like this, we are being more restrictive than the State of Alaska, which is rather ironic.

And as stated, the State is currently neutral on these proposals. I'm not sure if it will end up that way at Federal Subsistence Board, since I know that Mary and Mike are not the Commissioners, they're not the heads, they're not the person that has the final say.

And when asked, I was told that they would not -- they would not oppose any of these communities C&T determination, and that their main concern was the lack of data. Whether or not the data is adequate, to me, what I've read is adequate.

What I know as someone who's come to this island for 40 some years, I have no trouble voting in favor of this proposal, and speaking to both Council Members Hernandez and Douville, I rely heavily on their information, and I believe that all of these communities are long-standing communities that intend to stay. Those communities that were specifically here to harvest a resource have disappeared. You have Laub Bay is gone, Poke Inlet is gone. You have communities here that are trying to figure out what they can do to remain members of this island.

And the final point is that all of these communities have C&T determination for deer. We've already gone through the process of saying, yes, they have customary and traditional use of a resource, so why are we starting to nitpick and say it's only -- it shouldn't be for steelhead. If they're there and they have customary and traditional use, they use everything. There isn't one community that doesn't use steelhead, there isn't one community that doesn't go get clams, there isn't one community that doesn't go deer hunting. All of these community use all of these resources. And so I am strongly in favor of this proposal.

Thank you.

CHAIRMAN LITTLEFIELD: Thank you. Mr. Kookesh and then Mr. Douville.

MR. KOOKESH: Then we should just pass a

proposal for all of Southeast calling for C&Ts for all the communities. I, too, rely on Mr. Douville and Mr. Hernandez and anybody else that has knowledge about an area that I don't have. But I also rely on information that the State gives us and the Staff recommendations. I am -- I just want to let you know that I am voting -- I'm not voting in favor of this proposal. I don't think we've received enough data. And I think that there's a lot of missing information that I'd like to have seen. It wasn't very clear for me as to what I'm looking at. I'm still trying to find out where we're at in this place, so I am voting against this proposal. I don't think that we've put enough data in front of ourselves to make a good decision here.

CHAIRMAN LITTLEFIELD: Thank you. Mr. Douville.

MR. DOUVILLE: Thank you, Mr. Chairman. Most of you will recall how long it took us to get even to where we could take the steelhead. It took at least three years of these meetings to even get that far. And then when we finally did get there, we found that we were still blocked by not being able to use traditional areas that we had before, because of simple flaws in the C&T system. And that's what we're trying to correct here today, and we aren't getting anywhere.

This proposal was made by Mr. Hernandez. I encouraged him to do so. If you had listen to some of the frustration that was expressed to me, or the joy that was expressed when we finally could take a subsistence steelhead, and then to find the frustration that, well, you can't go here even though you live -- if you live in Hollis, you can't go to the Harris River, which runs right by your house, because you don't have a positive C&T there. This proposal corrects a lot of that.

Now, if you -- we're only talking basically about steelhead. The other species pretty much are taken in salt water and are governed by the State through a State permit. The State permit allows us -- if I live in Craig, I can go virtually anywhere on the Island and fish steelhead -- or, I mean, excuse me, sockeye. There's no restriction. So why should this be any different is what I'm saying. It doesn't affect the -- how many fish or anything. It just gives you the opportunity to get subsistence steelhead, because any other species, you can still go anywhere. There's no restriction, so I fail to see where the problem is. This would just open the door

for a few people that have been able to customarily go to different streams when the fish are running there to catch them. I don't understand what happened here, but I see it as -- I'm disappointed that we're here and not able to pass this. And I would hate to see the frustration who do want to use the resource remain blocked from doing so.

Thank you.

CHAIRMAN LITTLEFIELD: Any other Council on the language on Page 149.

MS. WILSON: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Mr. Adams, and then Ms. Wilson.

MR. ADAMS: Thank you, Mr. Chairman. In looking over, you know, the criteria and how we determine, you know, whether we should vote a proposal up or down, you know, I think Mike Douville made it pretty clear that there is going to be no conservation issues, you know. It also appears that it isn't adversely affecting other subsistence users or other users in the area.

And I was kind of, you know, milling in the middle of the road here. It's kind of like the State as to what -- how I should vote on this, and it would have been really, really nice, Mr. Chairman, if we had members of the communities that are being affected by this here to testify. And, of course, you know, I do rely on Don's and Mike's, you know, comments and efforts in favor of this. And I think that's probably what's going to sway my vote here is that. But lacking, you know, the testimonies of the people from these communities, you know, is -- it's a pretty hard thing to try to determine, you know, how you should vote on this, but I just wanted to make that clear, you know, it would have been nice to have residents of those communities here to testify one way or another on this issue.

Thank you.

CHAIRMAN LITTLEFIELD: I agree. Ms. Wilson.

MS. WILSON: Yes, Mr. Chairman, as soon as I listened to Patty, I kind of wasn't sure whether we should do this or not, but at the beginning I'm for it. I'm for this motion to pass this proposal, because I think

we as a Council are supposed to follow our Title VIII, and this is to give opportunity to subsist. And when we pass the C&T, it excludes everybody that's outside of Prince of Wales to come here and get the resource.

And I appreciate Mike Turek and Marianne, all the work that the State does on all these proposals to give us this information. I really appreciate it.

And I listen also to our two Council members, and I think it's important that we listen to them. And I feel like Bert, I wanted to hear the people from the communities, but we didn't. So I'm basing a lot of this on Mike and Don, what they tell us. So I'm for this.

CHAIRMAN LITTLEFIELD: Thank you. Mr. Douville, then Mr. Stokes.

MR. DOUVILLE: Mr. Chairman, I guess we need direction. I'm not sure what we're doing here. Maybe you could explain here since it's been tabled, where do we go from here.

SEVERAL: It's not been tabled.

MR. DOUVILLE: What.

DR. GARZA: It's not tabled.

CHAIRMAN LITTLEFIELD: For clarification, we are voting on the main motion, the motion on Page 149. It has not been tabled. One amendment was tried and withdrawn. A second amendment was defeated, so we have the main motion before us. The motion to table failed. So it's on the floor, and we're going to vote on it here in just a minute. Mr. Stokes.

MR. STOKES: Yes, I was slightly confused with everything, but with Dr. Garza and Don and Mike's explanation, and Mr. Chairman, it's a lot clearer to me now, so I'm in favor of the motion.

CHAIRMAN LITTLEFIELD: Is there any new discussion on the motion. Ms. Phillips.

MS. PHILLIPS: Chairman Littlefield, the reason I voted against tabling it is because I wanted to get more information, and it's been my experience that when we pass proposals, that each time it comes before us, we get more and more information.

It did take three years to pass steelhead, but when we first started asking questions about steelhead, we would get answers like, from our -- from biologists, I don't know. Or from Staff. We would ask questions about steelhead and we would get, I don't know. We're getting a little more answers than I don't knows now about steelhead.

And what I'm getting at is that we're going to -- if this comes before us again, hope -- maybe it will go all the way through, and it won't come before us again. But we'll have more information before us.

And I didn't know whether I supported it or whether I was against it, because I want to hear what all the comment is before us. I'm not nitpicking. I'm trying to bring points before that are important to me. And so it's looking more like I will vote in favor of this, because I am hearing more deliberation that leans me in that direction.

Thank you.

CHAIRMAN LITTLEFIELD: Mr. Stokes, then Ms. Garza.

MR. STOKES: I believe that our Council people that are sitting on the Board represent their communities, and I'm sure that they're speaking for them. This is why I'm for the motion.

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Mr. Chairman, I already stated I would favor -- vote in favor of the motion, and I'm just trying to add things that will be in the record as to justification.

An issue was brought up that perhaps we don't have enough data, or that the analysis wasn't adequate, and I wanted to make it clear, I think as you did, Mr. Chairman, that if you look at the eight points, the first one, all of those eight points do not have to be met. This is not an all or nothing criteria. We have made C&T determinations based on less than these eight points.

The three that look like they're sparse are number 3, 5 and 6, and while short, I completely concur with the analysis that basically everybody use the same means and methods. Everybody teaches basically about the

same way. Everybody has consistent -- what's the other one? Has generally the same way of handling, preparing and preserving. I mean, smoking is something -- I mean, the lady in Coffman Cove talked about smoking fish. We got beautiful smoked fish from Port Protec -- Point Baker, excuse me. And if I went to the other end of the Island, I'd get beautiful smoked fish down there. So how we handle our fish is the same as well. And so I think that those points, although very short in this document, are still points that are met.

And so I think that the data is enough for me to speak in favor of this proposal. Thank you.

CHAIRMAN LITTLEFIELD: Okay I think we've heard from all the Councilmen except Mr. Kitka, and, Mr. Kitka, if you'd like to comment, I'll let you have that opportunity. Otherwise I think we're ready for the question.

Mr. Kitka.

MR. KITKA: Thank you, Mr. Chairman. I'm voting in favor of this motion. More, I think the conservation is basically an enforcement issue, and management, when they look at how much fish is in the stream and how much they've got to escape, they can regulate how many fish that people can take on their permits. And I believe that this motion here will allow people to go out and fish.

I do hear some concerns out there at times from some of the people, and they were talking about the size of these fish, the sockeye, and I know that has no place here, but from what I heard, that there was only a couple streams that produced 36-inch sockeye -- or steelhead. I'm sorry. And it seemed like some place along the line, we're going to have to address it.

Thank you.

MR. KOOKESH: Question.

CHAIRMAN LITTLEFIELD: The question's been called for. The motion before you is on Page 149 to adopt Proposal No. 24 with the secondary action of taking no action on Proposals 23, 25, 26 and 27. All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: All those opposed, same sign.

MR. KOOKESH: Aye.

CHAIRMAN LITTLEFIELD: The motion is carried. We are going to take a five-minute stretch break. What I'd like to do is we're going to have lunch by ANS today or -- I believe we have Indian tacos today. And we also have a 1:00 o'clock special order. So we'll try to break at no later than a quarter to 12, but take a five-minute break, grab a quick stretch.

(Off record)

(On record)

CHAIRMAN LITTLEFIELD: Could you please take your seats, please, and come back to order. Mr. Schroeder, are you in the house? Send the law out for Mr. Schroeder.

Mr. Schroeder will be back in and minute and we're going to start on Proposals 28 and 29, again the way we approach these is at the bottom of Page 10 you'll see the bullets where we first have the introduction, then the proposal and analysis that's done by Federal Staff, and then ADF&G comments, other State and Federal Agency, any tribes that want to comment, ADF&G advisory committees, a summary of written public comments, and public testimony. And then the Council will take that and deliberate that.

But I want to remind the people in the audience, if you have something that you would like to testify on any subject, if you would please fill out one of these -- I don't even know what color this is, canary or something, form in the back, and hand it to Dr. Schroeder, we'll get you on the list. And it can be on any subject concerning fish and wildlife.

At this time, if Dr. Schroeder is ready, we're at Proposals 28 and 29.

DR. SCHROEDER: Thank you, Mr. Chairman. The format for these proposals is basically like the -- very similar to the one that the Council just dealt with. We should be able to move through the information probably a little bit quicker since you've been thinking about C&T and the eight criteria.

Proposal FP04-28 was submitted by Dick Stokes, our Council member from Wrangell, and it requests a positive customary and traditional use determination be made for fish species for Kake, Petersburg, Wrangell residents in waters flowing into Districts 6 and 7.

Proposal FP04-29, submitted by Council members Dick Stokes of Wrangell and Dr. Dolly Garza of Ketchikan, requested a positive customary and traditional use determination be made for fish species for Kake, Petersburg and Wrangell residents in waters flowing into District 8, specifically including the Stikine River and its delta.

Map 1 shows the fishing districts that -- to which these proposals refer. And the numbers on map 1 refer to the fishing districts. That's on Page 158. And there's a somewhat faint line that separates the fishing districts from each other, delineating fishing districts from each other.

The current regulations are shown on the bottom of Page 157. Now, there haven't been any specific C&T regulations made for fish in these areas in the Federal system, so that means that we go to the default situation in which at the present time, for remaining -- for residen -- all residents of Southeast Alaska an Yakutat are presumed to have customary and traditional use of dolly varden, trout, smelt and hooligan in this area, and all residents of the State of Alaska are presumed to have customary and traditional use of salmon in these districts.

So what the C&T requests would do would be to come up with specific determinations for a set of communities, and once those were made, residents of other communities in Southeast Alaska or around the State would no longer have a subsistence -- be able to subsistence fish in these areas.

I talked a bit in the previous proposal about how we came up with the current list of customary and traditional use determinations that are on the books. The ones in the Federal system primarily were inherited from the -- from State Board of Fisheries determinations made in 1989 and '90. At that time, only 12 communities had any customary and traditional use of fish recognized.

Now, there have been some changes on the State side. Of course, post McDowell, and post the beginning of the Federal management of subsistence

resources, the State of Alaska and the Board of Fisheries was no longer able to make community-specific C&T determinations. However, they have made a number of C&T determinations that may be of interest to the Council. In spring of 1993, the Board of Fisheries recognized customary and traditional use of salmon and other species in portions of District 5 and 6 near Point Baker and Port Protection, and authorized a subsistence cape fishery in these areas. That's a fisheries that took place at the cape off of Point Baker. Council member Don Hernandez was instrumental in representing his community on that issue.

At the January 2003 meeting, the Board of Fisheries make new positive customary and traditional use determinations for salmon, trout, including steelhead, dolly varden, halibut, bottom fish, herring, herring roe, hooligan and marine invertebrates for Districts 7 and 8. So at the present time under State regulations, there are positive customary and traditional use determinations in Districts 7 and 8 for those species. Now, the State C&T determinations aren't tied to a community, so any Alaska resident would be covered by those.

In the presentation made to the Board of Fisheries, which were made by Mike Turek and his staff, the Board of Fisheries relied real heavily on data from Wrangell and Petersburg. And I've incorporated much of Mike's work into this analysis.

So we're in a situation where the existing C&Ts, or lack of them, reflects what we inherited from the State system when the Federal program got going, and the Federal Subsistence Board hasn't gone through and done a look at all customary and traditional use determination around our region.

I referred to a document that was prepared as preparatory to that, and that's -- we'll call it the white book, which we received from Division of Subsistence in the last year under contract to our program, which provides a good deal of background information on the use of fish by communities in Southeast Alaska, and it's incorporated by reference in this analysis.

Table 1 shows you the communities in this area that potentially use fish here. I provide community sketches. I think, Council members, you read through it. It was interesting getting a little bit of the peculiar history of Meyers Chuck. I've learned some things about Meyers Chuck I didn't know, and it provides some historical

background on Petersburg and Wrangell, and hopefully I didn't make too many mistakes, Mr. Stokes.

MR. STOKES: The data that's been received or taken down -- well, the data that's been gathered, especially in that Goldschmidt and Haas, they were talking about the Stikine. But there are seven clans in the Stikine tribe, and only two of the clans were interviewed, and two people from the Nanya-yi and the others were from the Kicks-adi people. And so you get a jaundiced view of this.

And from the time we migrated down through the Stikine River, and up and to -- during World War II and a short while after, my mother and my brothers lived at the mouth of the river, and they went up there. They gathered the hooligan, and they got the sockeye and the kings that were going up in there. And during the trapping season they got the beaver, and the mink, and the marten.

So what's showing here, they said that there was no customary use, but this is all false, as all the people that were the customary users are dead. And after World War II and up to about 1950, the State shut everything down, so therefore the new generation have not had the opportunity to do this. And this is why I would like to see the customary and traditional use come back.

CHAIRMAN LITTLEFIELD: Okay. What we'll do is we'll let Mr. Schroeder finish and then we'll come back with comments on that. So if you would continue, Dr. Schroeder.

DR. SCHROEDER: Thank you, Dick, for your clarification.

You'll also note on map 1 on Page 158 that most of the land area that we're talking about is Federal land. The non-Federal land are the white cut-outs, which are basically cannery sites, townsites, and things of that sort. So this is basically an area of Federal land. We will point out that almost all of the marine waters in these districts are under State of Alaska jurisdiction for subsistence management purposes. So we're mainly talking about subsistence fishing that takes place in fresh water and possibly in salt chucks, and obviously at the mouth of the Stikine.

On Page 163, provide a review of the eight factors. We have particularly good information on Wrangell

and Petersburg through Division of Subsistence studies that were conducted, well, with Forest Service support in the 1980s, so those studies are in addition to the survey data that you're well familiar with, and we also note the white report, the major house summary done by the Division of Subsistence in 2002, which helps us out quite a bit. So I would like to incorporate all of these sources that many of you have gone through at some length by reference in this document.

We will point out that Meyers Chuck is sort of a peculiar place. It's a micro community. There was work done there in 1988, and the community had a subsistence orientation at that time.

The other studies that I mentioned, the Wrangell and Petersburg studies, document the strong subsistence involvements of residents of these three communities at the time of those studies. I've provided -- from the Kake and Wrangell community studies, I've presented seasonal rounds, which demonstrate the pattern of use in this area. We believe that the pattern of use at Petersburg is very similar in terms of seasonal round, and similar to the two that I've reproduced here.

Again, on criteria 3, as previously discussed by the Council, the means and methods of harvest are characteristic to Southeast Alaska, and include the usual methods and means.

Criteria 4 is talking about the consistent harvest and use of fish and wildlife as related to past methods and means of taking near, or reasonably near, accessible from the community. We have even more map sources that we had available for the previous set of proposals. There are four map sources in this set. We have -- the first set are maps that were prepared as part of the in-depth community studies conducted by Dr. Katherine Cowen and Dr. Smythe in Wrangell and Petersburg, and by Rob Bosworth and Ann Furman in Kake in the 80s.

I've provided a second set of maps, are the maps that Mr. Stokes was referring to, the ones done in the 40s by Goldschmidt and Haas, which may have limitations because of the who were interviewed at that time.

The other two sets of maps are similar to the ones that we discussed previously. These are the intensity of use maps which were developed by Division of Subsistence as well as the sensitivity to disturbance maps

which are available for all of these communities, and those are similar in form to the ones that Mr. Turek has put out on the table right there.

In going through these maps, let's see, the first set are the community studies maps. These are maps 2 through 5, and they're a little bit hard to read. We reproduced them from reports which are -- have been scanned into computer format. They show first the places where Petersburg get fish, and the shaded areas would be the places where Petersburg get fish other than salmon during the lifetime of living residents. Figure -- the next figure on 68 does a similar thing for salmon for Petersburg. Page 169 is looking at noncommercial salmon harvest by Wrangell, and according to this data source. The next map, 5, is noncommercial harvest of fin fish other than salmon. And then the final map in that series is map 6, showing the areas that Kake uses. And these are a little bit hard to see, but the text summarizes the information found on them.

And these were really excellent studies. Again, they exist because people in these communities took time to talk to researchers and provide them with a sum of their knowledge of community harvesting patterns.

Looking across these data sources, what we see is that, you know, we have strong evidence for Wrangell and Petersburg's use of these districts. It really looks like Kake's use of these districts is not documented in these data sources. So it looks like Kake does most of its harvesting elsewhere. It's concentrated in the Kuiu Island and west Kupreanof Islands areas.

The second set of maps are the Goldschmidt and Haas maps. And again we have somewhat peculiar maps. They're excellent historical documents. They may be a little bit difficult to read.

Now, Goldschmidt and Haas mapped out Kake and Wrangell. The Petersburg Indian territory was not separately mapped at that time. The members of the Tlingit Kwans that reside in Petersburg -- let's see, members of a number of Tlingit Kwans currently residing in Petersburg -- let's see what we have here. We basically have people in Petersburg who originally were with the Kake Stikine Sumdum and Auke Kwans. And we'll point out that the traditional territories of those kwans, meaning the kwans of the people who now live in Petersburg, did include portions of Districts 6, 7, and 8, including the Stikine.

So we have those two maps, that's maps 7 and 8, and they attempt to delineate the tribal territory as it was in about -- looking back from 1946.

The Division of -- other Division of Subsistence map sources are represented in tables 2 and 3. Table 2 looks at the intensity of use maps for these districts, and as it -- what I've done there is tried to see what the intensity of use was in each district by each community for salmon and non-salmon fish. According to this data source, District 6 has a fairly low intensity of use by all four communities. Districts 7 and 8 show high intensity of use by Meyers Chuck, Petersburg and Wrangell. We really didn't find use of 7 and 8 in this data source by Kake.

The last set of maps is the third source of map data, or the sensitivity to disturbance maps, so this is a series of maps like the ones that Mike has there, except they're for Kake, Meyers Chuck, Petersburg and Wrangell. The intensity of use maps and -- let's see where I am here. These four sources document subsistence use of 6, 7 and 8, including the Stikine River by the communities of Meyers Chuck, Petersburg and Wrangell. And these districts -- excuse me, I lost my place here.

Back on the -- this map data source shows some use of District 6 by Kake, Meyers Chuck, Petersburg and Wrangell. And again Meyers Chuck, Petersburg and Wrangell show major use of Districts 7 and 8, and Kake isn't shown to be using Districts 7 and 8.

So summing up these map sources, the Forest Service has map data documents subsistence use of Districts 6, 7 and 8, including the Stikine River drainage by the communities of Meyers Chuck, Petersburg and Wrangell. These districts include the traditional native territories of the Wrangell Tlingit and of the Tlingit kwans living in Petersburg. The community studies in Petersburg and Wrangell also show use in these districts. This is also supported by the intensity of use maps and subsistence sensitivity maps. Taken together, these map data sources document long-term consistent use of these three districts by residents of Meyers Chuck, Petersburg, and Wrangell.

The same data sources basically don't support Kake's use of this area. They see that Kake is -- Kake's subsistence use is concentrated in Districts 9 and 10. And they don't really support Kake's use of 7 and 8, although they do show -- a couple of the sources show a

little use of District 6.

Criteria 5 is the criteria talking about how you cook, smoke, freeze, dry, can, salt, pickle, or ferment fish. These are pretty much common as Council members have provided information on that, common throughout Southeast Alaska. Likewise the pattern of use for inter-generational transmission of hunting and fishing skills and knowledge, we again note that there's some very special things that take place in the native community where people may learn from their maternal relatives about specific sites and specific ways of doing things. Much of the teaching, as I am just starting to learn, takes place around traditional ceremonies and potlatches, and has a very central cultural and spiritual dimension to it.

Learning among non-natives is also real important for people. Some of this takes place through the native network of people -- of non-natives who are integrated to a greater or lesser extent with native friends and/or relatives. And we should also point that there's a real strong hunting and fishing ethic among people who want to live in a place like Wrangell or Petersburg. Criteria -- the information in criteria 6 points to some of that.

Looking at criteria 7, this specifically is looking at distribution and exchange, provided at table 4, which looks at the levels of households using particular resources, trying to use, that means attempting to harvest, harvesting, receiving or giving. In all communities, a large portion of respondents said that they had received and given subsistence foods in the previous year. We note that there are differences in rates.

Criteria 8 looks at basic reliance on a diversity of fish resources. Provided two graphs, they're similar to the previous analysis. Figure 3 gives you an over-all total subsistence harvest in pounds per capita for the most recent year when household surveys have been done in places. And I would just point out that Meyers Chuck is one of those unusual micro-communities, and so at the time of this survey, there may have been -- there were a small number of people living there, and apparently all of them harvested a lot of fish. So that's why their harvest total would be pretty high compared to the other communities. We have harvest levels ranging from a low of 161 pounds per capita in '98 in Petersburg to the league winner of over 400 pounds per capita in Meyers Chuck in the earlier year.

Figure 4 breaks out the salmon and other fin fish harvest.

Okay. I've pointed out that the regulations currently in effect allow subsistence use of dolly varden, trout, smelt and hooligan by all rural residents in Southeast Alaska and Yakutat, and subsistence use of salmon species by all rural residents in Alaska. The proposed customary and traditional determinations would limit subsistence uses of these species to the residents of the named communities, and by so doing, residents of any other communities in Southeast Alaska or elsewhere would not be eligible to subsistence fish.

Our preliminary conclusion is to support Proposals 28 and 29 with the modification to include the community of Meyers Chuck. And we're on Page 179, so this is our proposal. The Staff did not include Kake and reached no preliminary conclusion for including Kake in the customary and traditional use determinations for these fishing districts. The anticipation there was that there may be information provided by the Council that would justify inclusion of Kake in this C&T determination for these districts, although the record is examined to not support that.

Looking at the justification, we can see that native residents of Petersburg and Wrangell are quite obviously the descendants of Tlingit kwan that have used what are now Fishing Districts 6, 7, and 8 for hundreds if not thousands of years. The Wrangell Auke, Sumgum and Kake Tlingit formerly maintained fishing camps, permanent villages and trading routes throughout these districts.

The subsistence studies conducted in Meyers Chuck, Petersburg, and Wrangell have shown a high level of participation in subsistence harvest and use activities and recorded substantial over-all per capita harvest levels. The examination of the map data provided by Division of Subsistence documents the regular subsistence use of these Districts 6, 7 and 8 by these communities. All of these communities have considerable longevity, and their residents have continued strong documentation of the use of fish and wildlife resources.

The situation with Kake is a little bit more complex. Kake Tlingit have historical ties to areas within Districts 6, 7 and 8 and may continue to participate in subsistence harvest throughout -- in these areas through kinship networks. The primary traditional territory of the

Kake Tlingit, however, was primarily in what are now other fishing districts. And then more recent studies have not shown residents of Kake making substantial use of 6, 7 and 8. And because of this possible ambiguity, we don't have a recommendation at this time.

So the preliminary conclusions supports a positive customary and traditional use determination for the listed fish species used for subsistence, and we will point out that although most salmon and other named species are taken in waters that are under State jurisdiction, some harvesting does take place and would take place in Federal lands and waters, particularly the Stikine. And this analysis supports making a clear and complete customary and traditional use determination for these species and for these fishing districts at this time so that the public would have a good understanding of what our program allows and supports.

Mr. Chairman, that's the end of this presentation. Depending on how you act on this proposal, we will need to figure out what we do with District 6, because there's -- as written, as the two analyses are written, District 6, we simply -- you passed a recommendation concerning District 6 as it relates to Prince of Wales. This proposal also deals with District 6. And so I need to get you to do the cross walk depending on where you come out on this proposal, if I didn't confuse everyone totally on that.

CHAIRMAN LITTLEFIELD: I was with you until the end there. What do you want us to do on 6?

DR. SCHROEDER: We just made a recommendation to recognized customary and traditional use of fish in District 6. If you look at the map on Page 158, District 6 includes the northwest portion of Prince of Wales Island, and it also includes other islands that are over on the Wrangell/Petersburg side. So to have consistent recommendations, when we're done talking about this proposal, I'd like to -- then I'd talk with the Council about what we do with District 6, particularly that portion on the northwest side of Prince of Wales Island.

CHAIRMAN LITTLEFIELD: Okay. Are there any questions for -- questions or comments on the Staff presentation.

First Mr. Kookesh.

MR. KOOKESH: Mr. Schroeder, on Page 158, where's the line, the boundary line for -- the third boundary line for number 7? Is it Wrangell?

DR. SCHROEDER: The boundary line.....

MR. KOOKESH: Does Wrangell cover it?

DR. SCHROEDER: It's probably easier to show you that, if somebody can draw that on there for Mr. Kookesh. It's a little bit south of Wrangell. There's a line crossing the two bodies of water.

MR. KOOKESH: Mr. Schroeder, what I'm saying is, there's a 7 and then I see two points, one by Meyers Chuck, and then one just south of Wrangell, but then there's a passage on the inside, and I don't see the boundary line for the rest of 7, and I don't know where number 8, is it drawn by Wrangell? Do you hear what I'm saying? Is Wrangell covering the 7's line?

DR. SCHROEDER: Mr. Kookesh, let me ask my fisheries partner to delineate these districts.

MR. CASIPIT: Chairman, may I approach Mr. Kookesh and point out that line on his map, please?

CHAIRMAN LITTLEFIELD: I believe it should be made clear to all of us. Perhaps you could explain it and then make sure that we all understand where it is.

MR. CASIPIT: The line between Districts 7 and 8, if you look at Zarembo Island, the east coast of Zarembo Island, there's a little gray line that goes over to it looks like Etolin, and then from Etolin there's another tiny little line that goes from Etolin to I believe that's Wrangell Island, and then there's another little, tiny little gray line that you can barely see under the N in Wrangell. And that goes to the mainland. Am I clear? There's -- you can barely see it, because the word Wrangell kind of covers it. The N in Wrangell kind of covers it.

CHAIRMAN LITTLEFIELD: Questions for -- okay. Mr. Kookesh, follow-up, please.

MR. KOOKESH: A second, Mr. Schroeder, I have to get back here. Excuse me, on Page 177, you show data for Meyers Chuck that goes back to 1987, while the other communities that we're basically talking about have data that goes to the year 2000. I was wondering what the

population of Meyers Chuck was in 1987 and what the population of Meyers Chuck is in the year 2000, which would probably more accurately reflect the poundage per -- because I'm seeing different kind of data. You're trying to get a C&T determination for data that's over 16 years old, and I was just kind of wondering how that works.

DR. SCHROEDER: Mr. Chairman, Floyd, I don't remember the exact population size of Meyers Chuck at the time of this survey, although I did have occasion to put a boat in there right around that time period, and the community had a small population, under 50. And it was decreasing in size. At the present time it has a population, census population of 21. I did meet Mr. Meyer a few years ago in Beijing, and discussed his community, and he said there were just a small number of people living there at that time.

CHAIRMAN LITTLEFIELD: Okay. Mr. Stokes.

MR. STOKES: Yeah, thank you, Mr. Chairman. I would address this to Cal. I see there at the upper end of Etolin Island, there's a small line that goes across to Wrangell, and it seems like 8 and 7 are divided at this point. Is that correct?

MR. CASIPIT: Mr. Chair, Mr. Stokes, yes, 7 and 8 are two different fishing districts.

MR. STOKES: Thank you.

CHAIRMAN LITTLEFIELD: Mr. Casipit, is it possible to get a map that's drawn with some colors on it that can be distributed among the Council members before we take action on this after lunch.

MR. CASIPIT: With some assistance from Mr. Johnson, I think we can do that.

CHAIRMAN LITTLEFIELD: Yes, that would be helpful. We should be all on the same page on this. Other Council questions or comments.

Dr. Garza.

DR. GARZA: Mr. Chairman, just as a point of information when we get to deliberation, it is my intent to separate the proposals back to 28 and 29, because of the Pacific Salmon Commission, and I will elaborate at that time.

CHAIRMAN LITTLEFIELD: Any other Council. Mr. Kookesh.

MR. KOOKESH: Mr. Schroeder, and other Council members, so we can make decisions based on 16-year old data, and for the benefit of Meyers Chuck. I'm just kind of wondering, is that -- that's how we do this process? You know, I've only been here for four years, but this process is still kind of new, and so we can make a decision based on data that old, is that correct?

DR. SCHROEDER: Floyd, I think you have to use best available information, and because Meyers Chuck is sort of -- there are a number of small communities around Southeast Alaska, almost micro-communities where the population is unlikely to be really large. There was information provided, or collected on Meyers Chuck back in the Tongass Resource Use Cooperative Survey, and frankly we haven't been able -- no one's been able to get back there to update that, because being such a small community, it really didn't justify the effort. In your area there would be other small communities, and they also haven't been revisited. Those would include Port Alexander, Baranof Warm Springs, even Tenekee Springs hasn't, or Elfin Cove, haven't received research attention since the late 80s.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: Mr. Chairman, a few years back we had a Council member from Meyers Chuck. Mim McConnell.

DR. GARZA: Port Alexander.

MS. WILSON: Port Alexander. Oh, I thought it was Meyers Chuck. Okay. I just -- wrong memory.

CHAIRMAN LITTLEFIELD: Other Council questions on the presentation.

(No comments)

CHAIRMAN LITTLEFIELD: Comments.

(No comments)

CHAIRMAN LITTLEFIELD: Hearing none, we'll proceed, we're going to go to ADF&G comments, and we'll get the table ready for you in just a minute, if someone from Federal Staff could get that table prepared.

We'll do -- there's several other people here, we'd like to let the coordinator do introductions, that have attended the meeting.

DR. SCHROEDER: We have a number of people who have come into the room. Perhaps I could get you to identify yourself, but I see Jim Brainard in the back, and Jim may be able to provide us some information on the way the deer hunt's been going when we get to that agenda item at the close of our meeting.

I saw Andy McGregor a moment ago. Andy McGregor is the Com Fish regional supervisor in the Douglas office. And Andy's here to give us some insight on how the treaty process works. Thank you, Andy.

And do I have Tom Brookhover? Tom Brookhover is back there. Hopefully he and his staff will be available to provide us comments on steelhead proposals.

And who else do we have. Do we have any one else who I've missed? And we'll try to catch people as they come in. Thank you.

CHAIRMAN LITTLEFIELD: We're going to take a break in about 15 minutes, but prior to that, we'll go ahead and go with ADF&G comments.

MR. TUREK: I'm Mike Turk with the Alaska Department of Fish and Game, Division of Subsistence. I'll start off with the State comments. The analysis for Proposals 28 and 29 we thought were more thorough than the analysis for the previous C&T proposals that we discussed. We would still like to see a little more work done on them. And we also thought that what the Federal Staff brought, their concerns about Kake and the lack of recent data indicating the use of those areas by Kake was a valid concern.

And I'd also like to add that the State has make positive C&T findings for salmon, dolly varden, char, steelhead and trout for these areas for Districts 6(A) and 6(B), and Districts 7 and 8. And as you are aware, the State makes its C&T findings, they're not community specific. All Alaska residents can use that area for subsistence once it has a C&T finding, but we use the -- for the purposes of the research for the C&T worksheets, we do use the communities that -- the data from the communities that harvest in those areas.

So I'll reiterate that we thought that these were more thorough analysis than the analysis for 23 through 27, but we still think that there could be some more work done on these. And again that we also express the same concerns for Kake as was -- as have been expressed by Federal Staff in their analysis.

MS. SEE: To add to Mike's comments -- again for the record, Marianne See, with the Division of Subsistence. But in this matter I'm speaking for the Departmental comments on this particular set of proposals. Again we are essentially using a standard in looking at these that the Department would use in submitting C&T information to either the Board of Fish or the Board of Game, so we still feel that the analyses lack a little clarity as far as referring back to some of the data that we know exists here.

We do see a distinction on these, because existing State C&Ts for fish are already in place, and therefore on these proposals, the Department supports these with the caveat that we would like to see modification to address some of our technical concerns.

And with that, either of us is available for questions. Thank you.

CHAIRMAN LITTLEFIELD: Could you clarify for me that given one of the Council members has indicated the intent to separate these, 28 and 29, if you could address them separately, 28, whether you support that, and 29, whether you support that or oppose that.

MS. SEE: Yes, Mr. Chair, for each of these proposals, the position of the Department is the same. We would support with modification to address our technical comments. Thank you.

CHAIRMAN LITTLEFIELD: Okay. Thank you very much. Council. Mr. Adams.

MR. ADAMS: Thank you, Mr. Chairman. I'm just wondering what your opinion as far as adding Meyers Chuck to this proposal, because the original one include Petersburg, Kake and Wrangell.

MR. TUREK: Chair. Mr. Adams. I guess how I'd answer that is that from the data that we have on Meyers Truck -- excuse me, Meyers Truck, Meyers Chuck, there -- it does have -- the community does have the

subsistence pattern.

CHAIRMAN LITTLEFIELD: Mr. Kookesh.

MR. KOOKESH: Under Page 160, on the top it says that under State law, customary and traditional use determinations refer to an area, and not -- and are not community specific. That's very accurate, right?

MR. TUREK: (Nods head affirmative)

MR. KOOKESH: So we're not really talking -- we're talking about 6 and 7, we're not really -- you're just referencing the communities, that way, in case people are lot, they'll know where they're at, what we're talking about.

MR. TUREK: Mr. Chair. Mr. Kookesh. You're correct. The State C&T findings are by fishing district, and that's how you -- that's how they're designated. So the only -- the part in the State process that the community harvest data plays, is that that's the reference material we use to make that C&T finding. But once the C -- positive C&T finding is made, it's not restricted to that community. It's all Alaska residence. That's difference between the State and the Federal system.

CHAIRMAN LITTLEFIELD: Other Council comments or questions for Staff, ADF&G Staff.

(No comments)

CHAIRMAN LITTLEFIELD: That's it. Thank you very much.

Next on the agenda is other State or Federal agency comments. Any other State or Federal agencies that want to comment on 28 and 29.

(No comments)

CHAIRMAN LITTLEFIELD: Seeing none, we are at tribes. Are there any tribes that would like to comment on Proposal 28 or 29. Any tribes present.

(No comments)

CHAIRMAN LITTLEFIELD: Any ADF&G advisory committees, local advisory committees. Anyone here to comment on those.

(No comments)

CHAIRMAN LITTLEFIELD: Seeing none, Dr. Schroeder, if you could give us the summary of written public comments, please?

DR. SCHROEDER: Mr. Chairman, we have no written public comments at this time.

CHAIRMAN LITTLEFIELD: The next item is public testimony. Do we have any cards for public testimony on Proposals 28 and 29? I don't think so. Is there anyone in the audience who would like to testify on proposals 28 and 29.

(No comments)

CHAIRMAN LITTLEFIELD: We are ready for Council deliberations. But what we're going to do is we're going to take a break. We're five minutes early for the Alaska Native Sisterhood benefit luncheon. There's enough -- 29 people have signed up. They've informed us they have enough they believe to serve everyone here if they would like to attend. I don't know exactly what that was. Was it $7?

UNIDENTIFIED VOICE: $6, John.

CHAIRMAN LITTLEFIELD: $6 for lunch. It's to benefit the Alaska Native Sisterhood. And we're going to stand down until 1:00 o'clock. We have a special order at 1:00 o'clock, and we'll be discussing customary trade and also we will be going halibut subsistence right after that.

(Off record)

(On record)

CHAIRMAN LITTLEFIELD: We need to get a quorum here, Council. Okay. The order of business now at -- we made a special order to discuss customary trade, and the limit was going to be one hour. I would like to limit this to one hour, the discussion, and I'd like to remind everybody that talks were not a court of law. We are a Regional Advisory Council. Our job is to make recommendations to the Federal Subsistence Board which we probably will do on the subject of customary trade, as well as halibut. We have an opportunity to present our concerns to Mr. Pete Probasco, who will be presenting these to the

National Marine Fisheries -- or North Pacific Fisheries Management Council, as well as the Federal Subsistence Board. So on customary trade, I know the one question that's going to come up is processed/unprocessed. There was a couple questions that the Council wanted answered. So we have an open agenda on customary trade for 1:00 p.m.

I don't know if you want to go first, Pete, or not. I think you made your presentation. Maybe you should come up here and see f if any of the Council has any questions for you at this time. Customary trade.

MR. PROBASCO: Mr. Chair, for the record, my name is Pete Probasco. I'm with the U.S. Fish and Wildlife Service, OSM.

My understanding is that you wanted to schedule this specific time to discuss customary trade. John, your mike's on. Now I'm off. Are we okay?

REPORTER: Yes.

MR. PROBASCO: So that the Council, as you stated, could provide either recommendations or request clarification through the Federal Subsistence Board to the very solicitors on the subject of processing, and how it affects customary trade and the laws and regulations we work under, not only Federal regulations, but ANILCA as well. So that's my understanding.

And I guess there's two options the Council could elect to do. They could verbally describe it and I could write it down or you could assign staff to draft letter for your review, and then submit it to the Federal Subsistence Board. Mr. Chair.

CHAIRMAN LITTLEFIELD: Any Council, they want to start off, any questions for Mr. Probasco. Nobody wants to start.

(No comments)

CHAIRMAN LITTLEFIELD: Well, I'll tell you the one question that came up to me that I heard a couple times, and maybe we could clarify it, and I'd mentioned it earlier, that in the customary trade brochure, that it mentioned that rural residents have the right to undertake customary trade. And then in the very next paragraph over, on the next column, when it was asking the question, is it legal for rural residents to conduct customary trade, and

the answer was no. And my understanding is this has to do with processed fish or processed product. So we want to get this clarified, that we can tell people who ask us, whether it is legal for them to conduct customary trade in processed products, such as smoked salmon, et cetera.

MR. PROBASCO: Mr. Chair, as far as a rural resident conducting customary trade of a processed product, if they met the State requirements for processing, then they could legally sell. However, that's not an arena that's under the purview of the Federal Subsistence Board as far as governing processing regulations. And as you and I were discussing off the record, Mr. Littlefield, it is sort of like a circular argument as far as what is -- can a rural resident legally do under the current customary trade regulations.

Outside of the DEC requirements for processing fish, you as a rural resident can sell fresh fish or gutted and headed fish, but that's it. Once you get into the processing sector, then the State laws kick in as far as processing requirements.

And probably the best thing to do, my opinion, is to request not only a solicitor's opinion from the Federal side, but also ask for clarification on the State side as far as DEC regulations as they pertain to a subsistence product that has been processed. Mr. Chair.

CHAIRMAN LITTLEFIELD: Any other Council questions.

(No comments)

CHAIRMAN LITTLEFIELD: Do you want to -- I guess that's it. Oh, excuse me. We'll go first with Mr. Kitka, and then with Dr. Garza.

MR. KITKA: Do I understand you right to say we have to get a license from the State? If I look at this from my point of view, you're actually saying you have to be a business and you have to get a license, and if you go to that point, then you're not really in customary trade any more.

MR. PROBASCO: Mr. Chair, Mr. Kitka, because our regulations only pertain to the act of customary trade, and we are silent, if you will, on the aspect of processing, that's where the State law kicks in, and that's a whole different slate of regulations that we

as proces -- or as subsistence users, if we elect to process fish, have to be aware of, and we felt the onus on us to make the subsistence users aware of, that if they elected to sell processed fish, that the State may prosecute them under processing requirements. We felt that we could not be silent on that and say that -- and not say anything that there are other regulations that pertain to processing of fish, Mr. Chair.

CHAIRMAN LITTLEFIELD: Thank you. Dr. Garza.

DR. GARZA: Thank you, Mr. Chair. It's kind of interesting that none of this came up the whole time that we were as a committee discussing and going through all the drafts of customary trade between rural residents and rural, and urban residents and rural, and whoever else there is. And I -- and I think that something -- that the process that we followed was a good one, and I think that the results that we came up with were a good one. And then what we got thrown in was this monkey wrench at the very end that just confused everyone.

And so I think that we as a Council need to end a clear message back that in our opinion customary trade will include smoked products. It will include jarred eggs. it will include those type of things that we have always traded and bartered.

Further, I'm not sure that it necessarily has to be the onus of the Federal Subsistence Board to make that State requirement clear in that brochure. I mean, it could have been a small footnote that says if -- you know, you may be illegal in DEC's eyes. But what it makes it look like is that we as the Federal subsistence process are telling you you can't do that. And so I think that needs to be clarified, that that was not the intent through the Federal subsistence process to deny that kind of opportunity.

If DEC wants to write their own brochure and send it out to all the subsistence people and tell us what we can and cannot do under their state law, let them.

MR. PROBASCO: Mr. Chair, Dr. Garza, your comments are well received. I as myself working with the public, and if I'm cognizant of regulations that may affect them, and may put a person in jeopardy of doing an illegal activity, the onus is on me to make the public aware of

those laws. I can't ignore that.

How we presented it in the brochure, I think your comments are well received, and I think we could have done a better job of presenting and clarifying that. And we will work towards that, Mr. Chair.

CHAIRMAN LITTLEFIELD: Follow up, Dr. Garza.

DR. GARZA: Thank you, Mr. Chairman. And I guess to follow on that, I appreciate that. However, in this world of subsistence, it seems like there are always things that are illegal that whole agencies will flat out tell you that they ignore. The whole issue with whether or not you can take seagull eggs. You know, under one of the international treaties, you can't. If you talk to anybody in the agency, nobody will prosecute.

If you look at the Marine Mammal Protection Act, it's been modified several times. Through these modifications it says you cannot take marine mammal products out of the country and then bring them back in. Well, then Senator Stevens tried to fix that. He changed one part of the law, but the other part wasn't. The people at Customs said, we won't prosecute. Don't worry. We'll fix it in the next four years. We're not going to prosecute anybody.

And so there are instances here and there where because of these types of, well, we didn't notice it, or we didn't think of everything, that agencies just flat out say that they will not prosecute, and I can't imagine that DEC is going to go to celebration and knock everybody down because they're selling smoked salmon.

MR. PROBASCO: Mr. Chair, Dr. Garza, and that is a very good point, and if you recall, both you and Mr. Thomas served on that committee, and it was -- and it may have been at that time when you weren't present at the meeting, but Mr. Thomas was, when we had DEC there, that discussed these laws. They also discussed it before the Federal Subsistence Board, and said that this activity has been going on for many years, and even though technically it's illegal, the Department of Environmental Conservation has not been actively pursuing it. That's what they sated on the record. So that sort of goes in line with the statements that you were saying. That's not to say they won't in the future, but they were giving the Board the current status as to how they currently enforce that

particular regulation, Mr. Chair.

CHAIRMAN LITTLEFIELD: Okay. Is it the Council's intention that we ask for a clarification or ask Staff to write a letter requesting clarification? Is that the Council's wishes, or any objections to doing so? Dr. Garza.

DR. GARZA: Well, I think it's more than clarification. I think we should state a point that our version of customary trade includes smoked salmon in jars and in strips, and salmon eggs in jars, or smoked or whatever. That that is part of our definition.

CHAIRMAN LITTLEFIELD: Staff, do you feel comfortable making a letter that gives our version of what we think subsistence and customary trade is, and have that ready to send to the Council?

DR. SCHROEDER: Mr. Chair, would there be a subcommittee of the Council, one or two people who would work with Staff on that letter? And then if you could also -- I'm a little unclear as to whether we're talking about a letter and a resolution, or whether we wish a letter expressing Council views, if we could clarify that.

CHAIRMAN LITTLEFIELD: Council wishes. A resolution which we can take care of the same way, or a letter. Clarification. Anybody have any ideas on that. I'm comfortable with a letter myself, but any others. How long would that take before we could see that? Is it possible that we could look at that tomorrow afternoon?

DR. SCHROEDER: We can be pretty close on that. Did I see that Dr. Garza was interested in helping Staff with this task?

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Heck, no. I'm leaving in the morning, so I mean, if you can work around that. I will not be accessible to e-mail for the next four days, and then I'll be in Canada for the next week. I can e-mail then. But I'll be glad to help however I can.

CHAIRMAN LITTLEFIELD: How about if we just by tomorrow morning have the bullets down, in other words, so we have the main things, and then we'll -- you know, if that has the intent of it, we'll just say yes or no and you can finish the letter for my signature. Any objection to

that. Okay.

Well, thanks, Pete, for coming forward.

What we're going to do now is we'll continue it, so open to customary trade for others that want to testify on customary trade. And again I'll remind you, we are not the court of law, and we're not the Federal Subsistence Board, and so our -- we will take your concerns, and we'll take them on the record. Our limit is 2:00 o'clock. We've allowed an your for this on our agenda, so I would say depending -- I don't know who's signed up. Were actually not going to ask you to sign up on this. We're just -- you can come up and claim your time. I would say keep it to 10 minutes. If you want to come back up a second time, we'll do that. We want to make sure everybody's heard. Maybe 10 minutes. So anybody that wants to testify. First, Dr. Garza.

DR. GARZA: No, I don't wish to testify. Just to remind people, even they've been up here before, they need to state who they are for the record.

CHAIRMAN LITTLEFIELD: That's correct. You can go ahead and come on up one at a time if you want to and claim your time. State your name for the record. Make sure you turn the mike on. And I'd also remind you that toward the end of this, because Mr. Probasco is also going to be representing us at the halibut board that comments on halibut subsistence would be pertinent -- that you have that are pertinent at this time, we'll take those, too. Go ahead, gentlemen.

MR. LECORNU: Good afternoon. My name is Adrian LeCornu, and I guess, you know, I don't want to repeat what I had said yesterday, but I think what was just discussed is another example of a chilling effect on our rights for subsistence when you create confusion in the minds of people about how they can assert their rights. I think it creates a situation where people where people are not confident in their ability to do what they need to do to take care of their families and whatnot. So I think it's a good point you made to clarify that for people, and I hope that it has a significant impact on the communities.

You know, it's a real touchy issue, like I said yesterday, and a lot of people get pretty tense about it. And like you're saying, you're not a judicial council or anything, and we certainly don't expect you to rule on

these things, but what I think we need to do as native people in the villages of Alaska is to look at every option available to us to assure that our people are taken care of.

And I think the situation subsistence finds itself in is extremely chaotic, because there was never any clarify about hunting and fishing rights. All the discussion in ANCSA is a simple sentence, that these rights are extinguished.

But I think that the issues of how this subsistence fits into the economic life of our people is vital. And it's our opinion that the tribes must maintain in this issue, and must support our people and not let them stand alone each time they confront the Government.

The issue of whether DEC will inspect the subsistence product, well, that could be worked out, but it shouldn't be foreclosed. Every law is a restriction on freedom, and I think that's important for everybody to understand, you know, that we can't continue to restrict and restrict and pretty soon there's nothing worth exercising any more.

And, you know, we -- well, I think we need to come back to this difference of how we can, you know, distinguish between rural and native. And I just wanted to make a small quote just to see if this clarifies, maybe it doesn't. Maybe it will confuse everybody, but in 1969 they had a Sohappy versus Smith law -- court case in Washington, and in that case they said that the State may regulate fishing to achieve a wide variety of management or conservation objectives. Its selections of regulations to achieve these objectives is limited only by their own organic law and the standards of reasonableness required by the 14th Amendment.

But when it is regulating the Federal right of Indians to take fish, it does not have the same latitude in prescribing the management objectives and the regulatory means of achieving them. The State may not qualify the Federal right of subordinating it to some other State objective or policy. It may use its police powers only to the extent necessary to prevent the exercise of that right in an manner that will imperil the continued existence of the fish resource.

The measure of the legal propriety of a regulation concerning time and manner of exercising the

federal right is therefore distinct from the Federal constitutional standard concerning the scope of police powers of the State.

And I guess, you know, my view on that is that we're continually in conflict with how to maximize subsistence for our people. But when we leave them to stand alone on their individual positions, I think we'll continually be in this litigation, and there's no end of it. So, you know, I think there should be a broader discussion of this issue, whether it's statewide or whatever, that the desperation that people have in the villages is not getting better. And if we can provide access to resources for our people, it would be something positive, something they can take ownership in, something they can have hope for the future for. But if we continually narrow the scope of our ability to exercise our rights, then we're going to continue to struggle for our life.

So, you know, I don't really have any more to add to what we said yesterday, unless there might be some questions, but I encourage you to continue with this discussion and to really look at the needs of our people. Section 805 of ANILCA is very clear on determining the needs of the people, and I don't think that can happen regionally. You know, I think it has to be a local effort to determine that need. And for the native people, I think the tribal organizations are the most suitable organization to make that determination. If we can empower the tribes to take a responsible role in this, I think it would be the best for the State. So I'll leave it at that, and I'll leave it to.....

CHAIRMAN LITTLEFIELD: Are there any questions before we go on from Council.

(No comments)

CHAIRMAN LITTLEFIELD: Comments.

(No comments)

CHAIRMAN LITTLEFIELD: Okay. Please proceed.

MR. BURGESS: Mr. Chairman, I'm Victor Burgess, representing Hydaburg Advisory. I don't want to color this comments by Adrian. I agree 100 percent. So I'll leave it at that. Thank you.

CHAIRMAN LITTLEFIELD: Council. Dr. Garza.

DR. GARZA: Thank you.

CHAIRMAN LITTLEFIELD: If you could please stay with us for Council comments and questions.

Dr. Garza.

DR. GARZA: This is more of a comment, Adrian. I surely agree with everything that you said, and unfortunately the Council is facing a time where we are constantly fighting that slow erosion, and we are frustrated with every meeting that we come to, because there is another attempt to reduce the season, the bag limits, the opportunities, the number of people, the everything. And so we hope that -- and in terms of the big picture, you know, I understand that perhaps things should have been done different, but what we are working with is what we have in front of us. And in terms of big picture answers, this is not the place to go to, and I'm not sure if there is a good forum in the State of Alaska to do that other than AITC who appears to be having difficulty at this time.

In terms of tribal participation, at the Ketchikan meeting last spring, the changes that we have now in the Prince of Wales deer were I think largely supported and brought forward by the Hydaburg testimony, by Anthony Christianson, by Cheralyn Holter, and by Vicki. And so that's the type of tribal participation we hope to continue to have. And I know that Millie is not in town, otherwise I'm sure she would be front and center as the Craig representative here. But we do appreciate when we have that type of testimony, because that's what we can use to take forward and say, this is what they are telling is important, and this is what we will continue to beat at until we get something.

Thank you.

MR. LECORNU: Yeah, thank you, Dolly. Yeah, I sure hope that our people aren't individually picked off in terms of having to litigate these issues. You know, everybody thinks that the natives are getting rich from subsistence and customary trade, but I haven't seen it, and I -- the people who have been successful through their litigation were stripped of any benefit by that litigation, so it's not a real suitable forum for

that. And I imagine Congress is no better, so I just think that as a group of people that the Alaska natives need to push for their needs, push for their communities, and make this subsistence meaningful to them economically, culturally, socially, and I think the only way to do it is to have these discussions, and broaden people's understanding of the issues. So I thank you.

CHAIRMAN LITTLEFIELD: Thank you. I agree with Dr. Garza's comments completely. I support and know where you're coming from, and encourage the tribe to continue, and to always seek out that government-to-government relationship that we don't have, that we can't exercise. You need to go to them and actually demand things on behalf of the tribe that we can't.

I was struck this morning talking to one of the State personnel who said, you guys are just like the Fish Board. You struggle and you go along. And I said, that's because we are bureaucrats. We have a charge, all of us here, to interpret Title VIII as it's written, not as I know how it started, just like you did. And I know where it came from, and I know -- and it pains me to sometimes do that, but our charge is to interpret only what's in Title VIII. And so that's what we have to do. But you rest assured that I agree with you, so -- and continue what you're doing. Other Council. Ms. Phillips.

MS. PHILLIPS: Chairman Littlefield, Mr. Burgess, Mr. LeCornu, everyone sitting here knows that ANILCA gives a priority preference for resources on lands, Federal public lands, and we have a mindset lurking behind us, breathing down our necks, wanting us to put a percentage on our harvest use and it's so against what ANILCA says. And that's the sort of mindset that we have to stand up to and say, hey, back off. But it takes people like you and the rest of us who know ANILCA to stand our ground and not back down.

CHAIRMAN LITTLEFIELD: Other counsel comments. Mr. Adams.

MR. ADAMS: Thank you, Mr. Chairman. As I sat here and listened to Adrian, you know, make his presentation, yesterday and even today, I was reminded about an article I read in the U.S. news and World Report several years ago. And the title of it was, 10 Billion People for Dinner. And it told about how there was enough food in the world to feet everyone in the world today. And with the technology we have today that the world is able to

take care of the needs of all of the people on this planet. With yet more and new technologies, the world would be able to sustain the needs of tens of billions of people by the year 2050.

So why is there a famine in the world today? I was listening -- or watching a program on the Learning Channel, you know, soon after that, and there was a professor from Washington University who was giving a lecture on why the world can take care of the people, or -- and is not really doing so. And you know, he said -- you know what this reason was? He said that the reason is because of government policy.

And there's a man by the name of Felix Cohen, some of you might know him or remember him, who is an expert on Indian law. And in 1949 he wrote an article, and this goes along with the idea, Adrian, that you were advocating for more local control. But this is what he said, he said not often -- and we're talking about self-government here, okay. He said not all who speak of self-government mean the same thing by that term. Self-governance rather than some kind of direction coming from some throne in Washington or in heaven is not the way it should be, but it is from the people who are directly affected by it, and that's you and me and the people in this room. That's where, you know, issues begin. This is where the ideas and concepts, you know, come from.

I want to share with you another concept that comes from a Native American community. When this country was being form, the Founding Fathers of this nation copied from the Iroquois nation the form of government that we essentially have today. And let me explain that if I might. Everything began from the tribal council. Okay. And then if that body was not able to fix the problem, then it went to another level, what is known as the Younger Brothers. And if the Younger Brothers couldn't handle it, then it went to a higher level known as the Elder Brothers. And then there were the Fire Keepers. And that's equivalent, you know, to our local people, and then the House of Representatives and the Senate, and then the Fire Keepers were the administrators.

Well, when the founding fathers became acquainted with this system of government, they copied it. They copied it, and now we have, you know, the form of government that we have today because of that. But we need to remember that things begin from the bottom and works it way up as Chairman Littlefield alluded to, you know, at

the beginning of this meeting. And it is people, you know, who are directed affected with these resources and the environment and the way that we live, who should be in the driver's seat as far as developing policy, and I really admired and am impressed, you know, with the people from Klawock who were here yesterday, and were doing actual things that people go out and get educated for. And I really believe, you know, that's kind of the way that we should go back to it again.

Another thing that I want to remind you of is in the Declaration of Independence. There's a statement there that says we are all created equal in the eyes of the creator, and that among these are the protection of our lives, our liberties and our pursuit of happiness. And it also says that, in a paragraph after that that when Government no longer does these things, that is, it protects our lives, our liberties and guarantees our pursuit of happiness, then it's up to the American people, it's up to you and me, to either alter or abolish that government and start a new one based on those same principles, that is the protection of our lives, our liberties, and our pursuit of happiness. And sometimes, you know, I think that we need to probably go that way. I don't know if we need to abolish our government yet, but I do think that we have a lot of altering to do, and that's what we are here for.

So I really appreciate, you know, your presentation yesterday and today. It's opened my eyes quite a bit, but I just wanted to share these concepts with you as well. Thank you.

MR. BURGESS: Yes, I want to thank you. I think basically what you said, it boils down to something called self-determination.

CHAIRMAN LITTLEFIELD: Other Council. Thank you, gentlemen, for your testimony. We'll take it under advisement. Are there any others that would like to testify on customary trade or halibut. This is the time for either one. Customary trade or halibut. Do we have any people signed up? Please state your name for the record, again, even though you've been up before and.....

MR. DEMMERT: Yeah, my name is Matt Demmert. I have concerns about the customary trade, you know, and when you're starting to allow the customary and traditional use, should that give the group the opportunity to participate in customary trade. Because I feel kind of

the customary trade has been a tribal issue for centuries, and some of the communities that are nontribal are fairly young, and quite frankly don't have a history of customary trade. And so I think it's an issue of how you might want to distinguish between customary trade and customary/traditional use, because I think there is a difference. Maybe you people don't, but I think there is, because some people can use one stream. All right. Well, they're fairly new to the area and where the other communities, like the four major communities who have a long history here, have used their streams for centuries. That is a point.

But also on the halibut issue, I guess we have a -- some modification from it, and we -- sorry. I think there's modifications coming along in 2(C) to establish a 30-hook per vessel limit, set a daily bag limit of 20 halibut per person or 20 halibut per vessel, prohibit stacking. Well, this is just going against everything that was done the first time around. Because you could stack, and you could have -- and you could even do the hydraulics and whatever, you know, for some of these skiffs now. And then the modifications, they want to take everything they gave to us, they want to take it away. and I know that I've talked to Tom Morphet here. I believe he's here yet. And I'm going to get some names, and we'll probably try to get ahold of those guys from the Intertribal Fisheries Commission, and try to get them to fax something up to Anchorage I guess. The meeting starts tomorrow. So if you guys could do something as well, because I think we'd rather keep our rules and regulations as they stand now without these modifications.

Thank you.

CHAIRMAN LITTLEFIELD: Questions from the Council.

(No comments)

CHAIRMAN LITTLEFIELD: I had one -- excuse me. Mr. Kitka.

MR. KITKA: Mr. Chairman, I agree with Matt, and everything he says. And especially about the halibut. And I don't know whether now would be a good time to propose something to send up, or whether we should until later?

CHAIRMAN LITTLEFIELD: Let's listen to the

testimony then, and then we'll do that afterwards. That's how I would do that.

Other Council, comments.

(No comments)

CHAIRMAN LITTLEFIELD: Questions.

(No comments)

CHAIRMAN LITTLEFIELD: I had one comment, or actually it was a question, and that was you're looking at the existing 30 hooks, 20 halibut a day and you're in favor of us saying to continue what's going and are opposed to the modifications. Am I interpreting that correctly?

MR. DEMMERT: Yes, because the modifications are going to change all of our rules and regulations that we have -- they have implemented already. And basically they're just taking them away. So, you know, they gave it to us one time, and I don't know -- you know, when this whole thing went through, I understand there was Alaska Municipal Board or League or something, whatever it was, one person stood up and testified against the halibut subsistence thing, and the regulations changed. So just one individual had the power to convince the people that were making the rules and regulations, so I'm wondering if one person did this here, trying to make these changes. So I know that -- I don't think the communities have been involved. I don't think the tribes have been asked questions about it, so I'm in favor of our regulations as they stand, and not in favor of these modifications.

Thank you.

CHAIRMAN LITTLEFIELD: If I can give you a little background on what happened in Sitka, there was a very intense community involvement on developing the halibut regulations, and there was -- those things are all -- you characterized it correctly, are reductions. But those are what had -- some of the people had to give up to get consensus on getting the halibut subsistence approved initially, to get the first round going through. The amendments that you're looking at now, and maybe we could as Mr. Probasco to explain what the trailing amendments are and when those will be considered, because that's what you're talking about, the trailing amendments. And I've always been opposed to those. But there was a lot of involvement in Sitka. I don't know what happened in other

communities, but we had a board member, a previous board member, Harold Martin who was very involved in this and was very instrumental in getting it where it is today, and also has shark permit number 1 for the State of Alaska. So we've been involved in this, but we're only on the fringes. We can only make a recommendation, which I expect us to do today. So if you're done -- are you done now? I would like to ask Pete if he could explain, just give us a little bit of information on where these modifications came from so that you'll know, and the Council will know as well.

Thank you.

Mr. Douville.

MR. DOUVILLE: Thank you, Mr. Chairman. He's got a piece of paper there that, you know, I'm not familiar with it that must list some of the amendments being proposed or whatever. I'd like to see them, or maybe they could make copies so the rest of the RAC can take a look.

Thank you.

CHAIRMAN LITTLEFIELD: Okay. Is Tom here? Tom, do you have any more of the brochures that we can run some copies off? And maybe Mr. Probasco has those, too, but the Council should look at those. Please come forward.

MR. MORPHET: The piece of paper -- oh, this is Tom Morphet from United Fishermen of Alaska, Subsistence Outreach Program. The piece of paper that Mr. Demmert referred to is a list of the regional modifications, what I think I call the regional modifications to the statewide subsistence rule, and I distributed those at a meeting, public meeting here Thursday, and I left some out on the table. But I think I have one copy left in my car I can go get.

CHAIRMAN LITTLEFIELD: Mr. Kookesh.

MR. KOOKESH: Mr. Morphet. Mr. Morphet.

MR. MORPHET: Um-hum.

MR. KOOKESH: I'd like to ask you, I believe it was mentioned a minute ago that maybe one person was responsible for making changes. Who was the authors for the document that we're talking about?

MR. MORPHET: Mr. Kookesh, through the Chair, it's my understanding that this was a creation of the North Pacific Council, and I personally have not been to a North Pacific Council meeting. This is information that I've gotten from Mr. Ginter at National Marine Fisheries Service, who's responsible for putting together the rule and I believe is the point man for National Marine Fisheries Staff on the subsistence halibut question.

CHAIRMAN LITTLEFIELD: Mr. Probasco, can you answer that?

MR. PROBASCO: Mr. Chair, specifically to the paper that Mr. Morphet handed out, no, I don't have an answer to that. But I can clarify that for this October meeting, the Council is only going to address participation of communities that have petitioned the Council for consideration. If you recall, the Council specifically identified communities and tribes that qualify for halibut subsistence. Through that process some rural communities were omitted for whatever reason. Specifically, the community of Ninilchik and Happy Valley have petitioned the board, and I believe there's one other, that have requested to be considered for halibut subsistence. The Board is going -- or the Council, excuse me, will be looking at that petition and may or may not act on it, but more importantly, they're going to discuss what methods, are they going to use State methods, are they going to use Federal methods to determine if a community or individuals have customary and traditional use of halibut, what criteria are they going to use to establish if a community that was not put on the list would be considered for halibut subsistence. So that's going to be discussed. And there may be direction given to the public as well as the agency as to how they're going to operate from here on out.

Now, as far as these regional modifications that Mr. Morphet brought to my attention, my understanding is that's what's going to be discussed, and they're going to take comments from the public on how the current program has been working. And that may include pros, it may include cons, you know, differences of opinion on the issue. But I'm not aware of any other modifications to the existing halibut subsistence regs being addressed at the Council meeting at this time.

MR. MORPHET: Tom Morphet again. Mr. Littlefield, I spoke with a National Marine Fisheries person, Jane DeCosmo, in Anchorage about a week or so ago, and there will still be a public comment period on those

regional modifications. I believe Jane said it would either be late this year or early in 2004. So there's time for the Council, if it pleases, I believe to get its comments in on those regional modifications.

CHAIRMAN LITTLEFIELD: Thank you. Mr. Douville.

MR. DOUVILLE: Thank you, Mr. Chairman. I have a question for Don. What methods were used to this point to determine who qualified for halibut? Was it State or Federal or both?

MR. PROBASCO: Mr. Chair, Mr. Douville, the process of establishing halibut subsistence was a long process that involved a committee which consisted of various rural individuals representing tribal governments and/or communities. And it was through that process that they identified all the tribal governments, councils if you will, and they went through the process of identifying communities. And my understanding is that they looked at communities statewide that would have coastal proximity to a halibut resource. They also said, how are we going to handle other communities and/or rural residents that may not have been included on that,and that's the discussion that we're currently in. Right now the Council has stated to the public that if you qualify as a halibut subsistence user either under the State regulations or the Federal regulations, they will hear your petition. That's not saying they will grant your petition, but they will hear your petition to be considered.

But as far as these other communities, it was through that process of that halibut subsistence committee that Robin Samuelson chaired that these regulations that have been passed by the North Pacific Council. Mr. Chair.

CHAIRMAN LITTLEFIELD: Other Council.

(No comments)

CHAIRMAN LITTLEFIELD: Okay. Thank you. Thank you very much. Is there any other members of the public who would like to testify on customary trade or halibut subsistence? We have one sheet that was signed by Brandy Prefontaine, but she could not get here until 2:15. She's left a message that she's on her way from Naukati, so we are going to give her an opportunity to address the council before we take action.

Are there any other members that would like to speak on customary trade? Anybody on halibut.

(No comments)

CHAIRMAN LITTLEFIELD: Okay. I'm going to leave this open until we hear from -- Mr. Turek, please come forward.

MR. TUREK: Mr. Chair. I'm Mike Turek, Alaska Department of Fish and Game, Division of Subsistence. I have some information, unfortunately I forgot to bring it with me today, but it's in my hotel room, that I'd like to share with you on halibut, on the upcoming harvest survey that the Department, Division of Subsistence will be working with -- funded by NOAA. It's brief, and I'll be here until the end of the meeting, and I can share that with you later in the meeting, or I could do it today. I'd have to run over to my hotel and get the material. But I'd like to do that before the end of the meeting when you think it's appropriate time.

CHAIRMAN LITTLEFIELD: Mr. Turek, we would hopefully take action on this today. I believe that's the Council's wish, is to take action today with the intent that we were going to sent either a resolution or a letter with Mr. Probasco so that he could present it to the North Pacific Fisheries Management Council tomorrow. So if we could at all get that presentation today. And we'd also like this one other person to testify. And we'd like to wrap this up today if possible.

MR. TUREK: Mr. Chair, okay. I can run over to my hotel and get the folder I have on that.

CHAIRMAN LITTLEFIELD: Thank you. Any others? Okay. We're going to keep this open like I said. We're going to let one more person testify, and then the Regional Council will take action on both of these proposals.

Right now we're on Proposals 28 and 29. And the point we were in the agenda was we were ready for Council deliberations. And the preliminary conclusions are on Page 28 and 29. But before I entertain a motion to accept that, I believe at least one Council person would like to consider these separately, so it may be that someone would want to look at 28 separately which is on Page 157 in your board book, Page 28 separately. 29, the language is on Page 159, is that correct? The way you see

it?

DR. SCHROEDER: Got it, yeah.

CHAIRMAN LITTLEFIELD: Five minutes. Take a quick stretch. We'll come right back. Five minutes.

(Off record)

(On record)

CHAIRMAN LITTLEFIELD: At this point we were at Council deliberations, but prior to that, Council had -- or the Staff had some questions about Kake. And both of these proposals, 28 and 29, have to do with Kake. And I'll turn those over to Dr. Schroeder, if you could address those concerns.

DR. SCHROEDER: Mr. Chair, the preliminary conclusion made a suggestion to find positively for customary and traditional use of fish in the three districts for residents of Meyers Chuck, Petersburg and Wrangell. And then it was looking to the Council to develop a recommendation concerning Kake. The material that was reviewed for these two proposals didn't provide a strong support for customary and traditional use of these areas by Kake.

CHAIRMAN LITTLEFIELD: Any questions on Council on what that means.

(No comments)

CHAIRMAN LITTLEFIELD: Are you ready for Council action on Proposals 28, 29, or the combination? Council wishes. Dr. Garza?

DR. GARZA: Mr. Chairman, I move to support FP04-28 as written on Page 155 of our booklet. This covers Districts 6 and 7, species, salmon, dolly varden, trout, smelt and hooligan for the residents of Petersburg, Kake and Wrangell, understanding that amendments will be made.

MR. STOKES: I second the motion.

CHAIRMAN LITTLEFIELD: We have a motion and a second to adopt FPO4-28 as shown on Page 155 in the Board books. Under discussion, maker of the motion can go first.

DR. GARZA: Mr. Chairman, before we

discuss, I would like to amend it to under species exclude hooligan, determination to delete Kake and add Meyers Chuck.

CHAIRMAN LITTLEFIELD: Is there a second.

MR. STOKES: Second.

CHAIRMAN LITTLEFIELD: Okay. The amendment is under determination, residents of Petersburg, Meyers Chuck, and Wrangell would be the new language. That's to delete Kake and add Meyers Chuck, is that correct?

DR. GARZA: Um-hum. (Affirmative)

CHAIRMAN LITTLEFIELD: Any discussion. The maker of the amendment, Dr. Garza, followed by Mr. Kitka.

DR. GARZA: Mr. Chairman, so this is for Districts 6 and 7. Under species, to eliminate hooligan, this addresses Yunik (ph) River. It basically falls into Unit 7 and there are people from the lower half of the panhandle that use that resource, and I guess I need to get a better feel of how that would affect other users. And so if currently it allows for broad subsistence use of one of the few rivers that has hooligan, I would hate to immediately limit it and by that excluding other people as subsistence users. So I don't think that we have had the chance to look at that. In comparing to salmon species, most of us fish close to home, and so I don't compare salmon to hooligan, where we only have one or two areas where we can get that resource.

Under determination, in excluding Kake and adding Meyers Chuck, that was as a result of the analysis from Staff.

Thank you.

CHAIRMAN LITTLEFIELD: Thank you. I would like to remind the Council that there are four concerns that we've got to address before we can take action. And they are -- the four criteria are, are there any conservation concerns with the action that we take. Number 2, the effect on subsistence users. Number 3 is the effect on other users. And number 4 are the kinds and types of information that was presented to us. Having said that, Mr. Kitka.

MR. KITKA: Thank you, Mr. Chairman. My

only concern is I really don't know of anybody from Wrangell except for -- or from Kake. And if there's anybody here from Kake that would speak on this matter. If I feel eliminating Kake might, and being that they're in that area, we need more determination on that.

CHAIRMAN LITTLEFIELD: I know we're going to have Mr. Stokes respond to that. He's from Wrangell.

MR. STOKES: Yes, Mr. Kitka, in the last many years, Kake has not been to Wrangell on the Stikine.

CHAIRMAN LITTLEFIELD: Other Council. Ms. Phillips.

MS. PHILLIPS: Chairman Littlefield. I don't want to remove Kake from the list. Kake has to go long distances to get sockeye and with Falls Lake, Gut Lake and those other systems over there experiencing low stock numbers, resource numbers, they're having to move to other systems for their sockeye. And there are sockeye in Districts 6 and 7. And the assessments that were done previously may not have been inclusive enough to show Kake having -- Kake's subsistence use areas, but the -- under the justification on Page 179, states the Wrangell Auke, Sumdum, and Kake Tlingit formerly maintained fishing camps, permanent villages and trading routes throughout these districts. So for that reason, I would want to keep Kake in the determination.

Thank you.

CHAIRMAN LITTLEFIELD: Other Council. Mr. Hernandez.

MR. HERNANDEZ: I'd just like to speak to Ms. Phillips' comments there. Living in Point Baker, from what I know from past knowledge, what she said there is correct. In the very early days of settlement in Point Baker as an early commercial fishing village, it kind of evolved from a subsistence camp into a small hand troll camp combination with subsistence fishing. And from what I understand from locals with long-time knowledge, that a lot of those early subsistence hand troll people were originally from Kake. So I think they do have a customary and traditional use in that area.

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Mr. Chairman, I would be glad

to offer a friendly amendment to leave Kake in there.

CHAIRMAN LITTLEFIELD: Does that mean you withdraw the amendment, and just add -- oh, okay, I see what you're doing, you're just deleting the words Kake, but you're adding Meyers Chuck, is that correct?

DR. GARZA: I am leaving Kake there and adding Meyers Chuck, with concurrence of the second.

MR. STOKES: I'll second it.

CHAIRMAN LITTLEFIELD: You are deleting Meyers Chuck and leaving Kake in. The original amendment.....

MR. KOOKESH: Adding.

CHAIRMAN LITTLEFIELD: Okay.

DR. GARZA: Mr. Chair. So then the amendment as has been friendly amended, is Districts 6 and 7, salmon, dolly varden, trout, and smelt, residents of Petersburg, Kake, Wrangell and Meyers Chuck.

CHAIRMAN LITTLEFIELD: There's no such thing as a friendly amendment, but I'll accept that if the second concurs. Okay. Does everybody understand the language in the amendment? The determination will read, residents of Petersburg, Kake, Wrangell, and Meyers Chuck. Are you ready for the question?

Mr. Adams.

MR. ADAMS: Thank you, Mr. Chairman. I don't know. I'm wondering about Meyers Chuck. You've got some 16-year-old data there, and I'm wondering if there's any way that we can update that so we can make a good determination on that. Other than that, I don't have any problem with it. I'm just concerned with the age of the information that we have.

CHAIRMAN LITTLEFIELD: Any other Council comments on the amendment.

(No comments)

CHAIRMAN LITTLEFIELD: Are you ready for the questions? We have a hand up over there for Staff. I'm going to let them ask.

MR. JOHNSON: Mr. Chairman, Council, just for the record, Meyers Chuck does qualify as an eligible community for deer in Unit 2 as a C&T determination, positive C&T.

CHAIRMAN LITTLEFIELD: Thank you, that clar -- Meyers Chuck is already a C&T community for wildlife issues. Are you ready for the question on the amendment?

MR. STOKES: Question.

CHAIRMAN LITTLEFIELD: The question before you is on the amendment to the main motion, and it's to change the language of the determination to read residents of Petersburg, Kake, Wrangell and Meyers Chuck. All in favor say aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: All opposed, same sign.

(No opposing votes.)

CHAIRMAN LITTLEFIELD: The amendment has passed. We're on the main motion, which was Proposal Number 28 as shown on page -- just a second here, 155 as amended. Mr. Hernandez.

MR. HERNANDEZ: Thank you, Mr. Chairman. Clarification. Dr. Garza's amendment, she also mentioned deleting the word hooligan, and you didn't mention that in what we just voted on as an amendment. Is that a separate amendment or was that all the same amendment?

CHAIRMAN LITTLEFIELD: No, that's my error. She did talk about hooligan. Is anybody -- does anybody have any problem with that? hooligan was in the amendment. It's my error for not mentioning it.

MR. HERNANDEZ: Well, I do have a clarification on the hooligan. I think Dr. Garza said that her reason being for the hooligan was that the Yunik River drains into Unit 7, which was under discussion. And that is not so. The Yunik River drains into Unit 2, not Unit 7.

CHAIRMAN LITTLEFIELD: I had already announced that this amendment had passed, and so therefore if you would like to, we can reconsider this, if someone

would like to reconsider it, and we can thrash this out, but the amendment has passed at this time. Is there any motion to reconsider?

MR. HERNANDEZ: I would like to make a motion to reconsider.

CHAIRMAN LITTLEFIELD: We have a motion to reconsider. Is there a second?

MS. PHILLIPS: Second.

CHAIRMAN LITTLEFIELD: It's been moved and seconded to reconsider the action on the amendment. Discussion, Mr. Hernandez?

MR. HERNANDEZ: Well, I would like to clear up the hooligan issue in reconsideration. I would like to point out that if you're talking about the Yunik River, I mean, it's not a factor in Unit 7. I don't know in Unit 7 -- excuse me. Yes.

CHAIRMAN LITTLEFIELD: I think you made that clear that we -- the motion to reconsider is so that he can discuss the hooligan portion of it, not the -- whatever those other word is, the hooligan portion of it. Is there any other discussion on this before we take a vote?

(No comments)

CHAIRMAN LITTLEFIELD: I think we can clear this up. All those in favor of reconsidering, please say aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: Those opposed, same sign. The amendment is before you as if it had not passed. The amendment before you was to strike the word hooligan, and in determinations put in residents of Petersburg, Kake, and Wrangell, and Meyers Chuck. So all of that is before you at this time as if it had not passed. So go ahead, Mr. Hernandez.

MR. HERNANDEZ: I guess I'd just, you know, ask Dr. Garza if she would like to consider -- reconsider the striking of the word hooligan.

CHAIRMAN LITTLEFIELD: Dr. Garza. Mr.

Douville.

MR. DOUVILLE: I need some clarification here, too. The determination for residents of Petersburg, Kake and Wrangell, and Meyers Chuck. I do know that there has been some use of residents of Metlakatla that have gone to the Stikine to catch hooligan in past years. So that would -- in my thinking would want -- would be justification to strike that out.

CHAIRMAN LITTLEFIELD: Just for the record, maybe Staff could correct me, I believe that in the past all residents of Southeast Alaska were allowed to do that no matter where they were from. Mr. Hernandez.

MR. HERNANDEZ: There again, to answer Mr. Douville, for the purpose of this proposal, Stikine River flows into District 8, and we're still discussing District 7. The main river that flows into District 7 is the Bradfield River, which may also have a hooligan run. I'm not sure about that. We'd need some testimony to that effect. I don't know if that's a factor in the discussion or not.

DR. GARZA: Mr. Chairman, can we stand at ease for five minutes while we figure this out?

CHAIRMAN LITTLEFIELD: Five minute at-ease to figure out where the Stikine is.

(Off record)

(On record)

CHAIRMAN LITTLEFIELD: Okay. We're back on the record, and where we stand right now is we have an amendment on the floor, and the amendment was to strike the words hooligan, change the determination to residents of Petersburg, Kake, Wrangell and Meyers Chuck. Anything on the amendment? Dr. Garza.

DR. GARZA: Well, Mr. Chairman, it's quite obvious that I'm an urban Indian and I know how to go down to the dock and buy my five gallons of hooligan, but apparently I don't know where they come from. Mr. Chairman, I would ask to do friendly, friendly amend this and to reinsert hooligan. So the only amendment now to 28 is adding Meyers Chuck.

CHAIRMAN LITTLEFIELD: Does the Council

understand that? We're putting word hooligan back in. So it's exactly what I asked you for to comment on earlier. We are right back to that. Does anybody have any questions of what's before you at this time? Okay. The question before you is the amendment to the main motion and the amendment to the main motion reads under determination, residents of Petersburg, Kake, Wrangell and Meyers Chuck. All in favor, signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: All opposed, same sign.

(No opposing votes.)

CHAIRMAN LITTLEFIELD: The amendment is carried. We're on the main motion. The main motion is on Page 155 as amended. Discussion. Are you ready for the question?

MR. STOKES: Question.

MS. WILSON: Question.

CHAIRMAN LITTLEFIELD: The question before the Council is FP04-28 as shown on Page 155, and as amended by add Meyers Chuck. All those in favor, signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: All those opposed, same sign.

(No opposing votes.)

CHAIRMAN LITTLEFIELD: The motion has carried. FPO4-28 is passed. Before I say that, Mr. Schroeder.

DR. SCHROEDER: Thank you, Mr. Chairman. I just need to clarify something in that I understand the Council's actions very clearly. What we did in our previous customary and traditional use determination for Prince of Wales is we're talking about customary and traditional use of waters draining into certain districts. One of those districts was Unit 6. I anticipated that when we get to this point, and also be talking about C&T for Districts 6 and 7, that this question might come up. What

I believe that the Council intent is, is to recognize customary and traditional use of Districts 6 and 7 by residents of Petersburg, Kake and Wrangell. When we do our next version for the Federal Subsistence Board, this would have the effect of having Petersburg, Kake, and Wrangell having customary and traditional use of 6, which would include the northeast portion of Prince of Wales Island. So I'm not asking you to re-open the previous decision, just to on the record clarify that that is your intent.

CHAIRMAN LITTLEFIELD: The motion is carried on Proposal 28. We're on Proposal 29. Counsel wishes. We're on page I believe 159 in your book. Dr. Garza.

DR. GARZA: Mr. Chairman, I'm not sure about Page 159. I'm looking at Page 156. Are they the same? Yes.

CHAIRMAN LITTLEFIELD: Let's use 156, that's fine.

DR. GARZA: Okay. Whichever. Mr. Chairman, I would move that we support Proposal 29.

MR. STOKES: I'll second the motion. I second it.

CHAIRMAN LITTLEFIELD: It's been moved and seconded to accept FP04-29 as written on Page 156. Stand by one second. Let's go back to the page that I talked about earlier. Page 159. Let's use that as the mark-up vehicle rather than the other one. Page 159. Is that okay with you? Okay. The motion before you is to accept the language shown at the top of Page 159. Counsel action. Dr. Garza.

DR. GARZA: Mr. Chairman, I would move to amend this proposal so that it would be waters flowing into District 8, including the Stikine River and its delta. Under species, that it would be salmon only, so we would strike dolly varden, trout, smelt, and hooligan. Under the who qualifies it would be the residents of Wrangell, we would strike Petersburg and Kake.

MR. STOKES: I'll second that motion.

CHAIRMAN LITTLEFIELD: Okay. We have an amendment before you, and let's see if I can get this right. The language on Page 29, we're looking at -- that

would read the waters flowing into District 8, including the Stikine River and its delta, salmon, residents of Wrangell. Is that correct? Any discussion on the amendment? Dr. Garza.

DR. GARZA: Mr. Chairman, thank you very much. I have much to say about this subject, but when I -- in the last couple years in trying to help Mr. Stokes re-establish a subsistence harvest of salmon on the Stikine, we have faced just walls that we run into one after the other, and the most frustrating process that you can imagine. And last year we were able to meet with the U.S. side of the Transboundary Panel which makes recommendations to the Pacific Salmon Commission regarding use of these transboundary rivers, including the Stikine, the Alsek and the Taku. At that meeting, and this included, was it Mr. Buchles, who is -- is he attorney? He's an employee with U.S. Fish and Wildlife Service that has worked on the Yukon when they worked on the Yukon transboundary portion of the Pacific Salmon Commission.

When we met with the Transboundary Panel, the major concern that they had was that if we were to simply create, and in our opinion recreate the salmon fishery for Wrangell residents, because there was no C&T determination for Wrangell residents, then in effect anybody who was a rural resident could come to the Stikine and fish.

It's my understanding, and I have gone to the Pacific Salmon Commission meetings on my own dime. I have met with Commission members, I have met with transboundary panels members, including the Canadian side. In speaking with the Canadians, they were fed the same spiel and led to believe that thousands of people could come to the Stikine and fish for salmon if we were to have a subsistence fishery. And so they were very reluctant to support it, although in theory they surely support Wrangell and their ability to harvest salmon on the Stikine. They support the native fishery, as they have food fisheries all over Canadian waters. And so in this meeting, which was several hours in Juneau, we came up with what we had to do was to first create the C&T for Wrangell residents for salmon to give the Transboundary Panel so that both the U.S. and the Canadian side understood that there would be regulations, that there would be quotas, that there would be no mass harvesting of salmon. And once we had a picture of what this fishery would look like, then it's likely it would go forward.

So, Mr. Chairman, I am asking that this Proposal 29 be limited to salmon and Wrangell so that it meets the requirements of getting one step closer through the Pacific Salmon Commission process. I do not in any way imply that other communities or other species should not have C&T determination, but that they be taken up in the next cycle and not muddle this process. Because if we don't get this done right this time, it will just be one more year. The Pacific Salmon Commission and the panels are in the process of going through abundance-based management which in effect will have some allocation implications, and if we're not in that process now, we may never be. And so I'm quite concerned that this proposal is very specific to trying to get something forward to the Pacific Salmon Commission that is acceptable to them.

Thank you.

CHAIRMAN LITTLEFIELD: That was very well put. Mr. Stokes.

MR. STOKES: I would like to add that two weeks ago I met with the Tahltan Band fisheries representative, and they said if it was just for the Wrangell area, they would probably go along with it, but they did not want to open it up to all the rural residents in Alaska.

CHAIRMAN LITTLEFIELD: Are there other Council questions on the amendment.

Mr. Hernandez.

MR. HERNANDEZ: Thank you, Mr. Chairman. I understand, Dick, what you and Dolly are saying, but I did hear testimony that gave good reason why Kake should not be included, you know, due to past use, or non-use in the area, but I didn't hear any testimony concerning Petersburg to the same effect. I just wonder -- I understand the concerns about having all rural residents being able to utilize the area, but does that necessarily mean just Wrangell and Petersburg wouldn't also be included.

Thank you.

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Mr. Chairman, that surely is a good question. And I guess my reason for focusing on

Wrangell is because Wrangell is the one who has pushed it. This would not preclude Petersburg from saying, hey, we want the same thing. But they have never raised their hand and said we want to be included in this process. And so if it's Wrangell that has put the five years of energy to stick with this process, to at least get one foot in the door, then I that's what I'd like to stick with, because it wouldn't take much to cause some scare within the Canadian side of this transboundary process. I would think that Petersburg would submit a proposal, but I haven't talked to anybody that they said they would or they would not. In the Transboundary Panel meeting at Juneau, I know that several of those Transboundary Panel members are Petersburg residents, and so they were aware of the process that they could through to submit the same proposal.

CHAIRMAN LITTLEFIELD: Mr. Stokes.

MR. STOKES: I believe that if Petersburg wanted to, they could put in a proposal for this, but talking with them, there were three commercial fishermen on the Transboundary Board that were from Petersburg, so they knew about it. And to my knowledge, I have not seen anyone from Petersburg over there, except during the moose hunting season. And now they're gone to Kake and Toms Bay and all, so they're not even hitting Stikine during the moose season.

CHAIRMAN LITTLEFIELD: Any other Council on the amendment. Mr. Hernandez.

MR. HERNANDEZ: I would just comment that, no, as far as I know, I haven't heard any advocacy for Petersburg, you know, wanting to be included either. It's just good to hear that you had considered that, and, yeah, I'm satisfied with that, thank you.

CHAIRMAN LITTLEFIELD: Any other council questions on the amendment.

(No comments)

CHAIRMAN LITTLEFIELD: Are you ready for the question on the amendment.

(No comments)

CHAIRMAN LITTLEFIELD: The amendment before you is on Page 159, Proposal 29, the amendment would strike the words after salmon. Dolly varden, trout, smelt and

hooligan would be struck, as well as in the determination, Petersburg, Kake and. So it would read salmon, residents of Wrangell. All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: All those opposed, same sign.

(No opposing votes.)

CHAIRMAN LITTLEFIELD: The amendment has carried. Is there any discussion on the main motion as amended. Are you ready for the question?

MR. STOKES: Question.

CHAIRMAN LITTLEFIELD: The question before you, Proposal 29, FP04-29 as shown on Page 159, and as amended to change the words to salmon and residents of Wrangell. All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: All those opposed, same sign.

(No opposing votes.)

CHAIRMAN LITTLEFIELD: The amended motion is carried. We are on Proposal 40. Excuse me, we have Brandy Prefontaine here, and I told you earlier we would leave some time for her, because she was travelling. If you want to come up at this time and testify, please claim your time.

MS. PREFONTAINE: Good afternoon. And I apologize about not being here for -- I'm Brandy Prefontaine from the Naukati Homeowner's Association and I apologize about not being here during the special talk.

We would like to ask the Council to -- in regarding to the four page letter that we wrote this spring about including Naukati in the subsistence halibut because it was not there. And the 135 residents felt rather strongly during the summer months fishing alongside the other 3,000 residents of the island, only being able to sportfish. And I would like to know what I could let the residents of Naukati know about the status of the halibut subsistence fishery for including Naukati if that will in

deed occur for next year.

CHAIRMAN LITTLEFIELD: Mr. Probasco, are you here? Would you like to respond to that question, please, come on up.

MR. PROBASCO: Mr. Chair. As far as a community that was not included on the original list, they can, through either a letter addressed to the Federal Subsistence Board or through the Board of Fisheries request an interpretation of their customary and traditional use of halibut and their status as a rural community and then submit that to the Council, petition the Council requesting that they consider that community for halibut subsistence.

MS. PREFONTAINE: We have already done so, about two months ago.

MR. PROBASCO: Okay, if that has been submitted then that will be discussed at this October meeting and they may or may not act on it but it will be discussed starting tomorrow.

MS. PREFONTAINE: Okay, thank you. We appreciate your time on it and we really do need it for the north side of the island to also be considered for halibut.

Thank you.

CHAIRMAN LITTLEFIELD: Thank you, both of you. Just a second stay with us, please.

Ms. Wilson.

MS. WILSON: Yes, I thought the community of Naukati; is that how you pronounce it?

MS. PREFONTAINE: Naukati.

MS. WILSON: Well, I thought this was already -- they have C&T for salmon or what?

CHAIRMAN LITTLEFIELD: Mr. Probasco.

MR. PROBASCO: Mr. Chair. If your question is what is the status of this community as far as it pertains to halibut subsistence, I would defer to Mr. Schroeder. I don't have the regs in front of me.

Dr. Schroeder.

DR. SCHROEDER: Thank you, Pete. My understanding is that Naukati is considered a rural community by the Federal Subsistence Board. Naukati participates in subsistence hunting. There had been no specific determination on customary and traditional use of fish by residents of Naukati. Our action on proposals earlier today recommended recognition of customary and traditional use of fish species by Naukati. Our customary and traditional determination does not include halibut because the Federal program at this time is not making customary and traditional determinations on halibut.

So does that answer your question, Marilyn?

MS. WILSON: Yes.

CHAIRMAN LITTLEFIELD: Okay. Mr. Probasco, I'd like you to stay with us please. Because I think this is a good time for the Council to go ahead and consider the actions that they'd like to take.

Thank you for your testimony.

Earlier, Mr. Kitka asked to present a motion -- Mr. Pete, could you stay with us.

MR. PROBASCO: Yes.

CHAIRMAN LITTLEFIELD: I think this is probably an appropriate time to discuss what we would do on the halibut subsistence program. So Mr. Kitka, go ahead.

MR. KITKA: Thank you, Mr. Chair. I would like to propose that the Council go on record as stating to the North Pacific Fisheries Management Council that we would like the rules as written to be followed until such time that we've got some good records and have an understanding of what's happening in fisheries.

At this time I believe that most of the communities are quite happy with this.

Thank you.

CHAIRMAN LITTLEFIELD: I think this would be in resolution form. So is that what you're proposing that the resolution would be -- is there any other comments from the Council. We need to second this.

I'll paraphrase it as I see it, his

resolution was that the Council would go on record as stating that we are in favor of the actions that they have taken so far on the subsistence halibut fishery and that they remain as they are until we can gather data to determine whether it's necessary to change them. Is that correct, Mr. Kitka?

MR. KITKA: (Nods affirmatively)

CHAIRMAN LITTLEFIELD: So we need a second for that for the resolution and then we can discuss whether you want to change it or whatever, if we could just get a second for discussion.

MS. WILSON: Mr. Chairman, I second that.

CHAIRMAN LITTLEFIELD: Okay. We have a motion and a second. And the resolution would be basically just as I said. So if there's any changes, add, delete, whatever our resolution would say, please, Council comments.

Mr. Hernandez.

MR. HERNANDEZ: I was just wondering would it be appropriate in that resolution to make a statement in support of Naukati in their request for a subsistence halibut fishery designation?

CHAIRMAN LITTLEFIELD: Personally I think so because it's on the agenda at this time, I think it would be appropriate for Mr. Probasco to say that.

Other Council members.

Dr. Garza.

DR. GARZA: Mr. Chairman, thank you. If we could add to that that we would support creating halibut designated areas close enough to Ketchikan that small boats are able to safely fish in that area. And so right -- like, you have to go all the way across, is it Clarence Straits, to get over to subsistence halibut grounds. You know, if you have a 16 foot skiff that's not possible.

CHAIRMAN LITTLEFIELD: Again, I would support that. Other Council members. These are bullet points that I'm hoping Dr. Schroeder is taking down and we're going to do the same thing that we did on customary trade, we'll have a short draft prepared for you so that

everybody has a chance to look at this.

I'm going to let Mr. Stokes go.

MR. STOKES: No, nothing.

CHAIRMAN LITTLEFIELD: Go ahead.

MR. PROBASCO: Mr. Chair, I just would like to.....

CHAIRMAN LITTLEFIELD: Mr. Kookesh has a question for you.

MR. KOOKESH: I just want a little clarification. I believe we are passing a resolution to maintain the existing regulation as it stands on the books, but we're also -- I was just asking the gentleman here next to me, are we asking for change also in that same resolution because I'm hearing something else. I'm hearing keep it the same and then I'm hearing we got to change it again or add to it.

CHAIRMAN LITTLEFIELD: I believe it was no diminishment of what's on the book and we are asking for additional. Dr. Garza, would you like to comment.

DR. GARZA: Yeah, I think the intent, Floyd, is that we don't want the number of hooks or the stacking or those types of regulations changed to diminish the opportunity of those that currently have the opportunity. However, we are supporting increasing that opportunity to other members by adding Naukati as well as creating grounds that Ketchikan people can actually get to so that they would have an opportunity.

CHAIRMAN LITTLEFIELD: Mr. Kookesh.

MR. KOOKESH: So what we're proposing then is we're proposing a resolution and also offering to submit a proposal for additional regulation?

CHAIRMAN LITTLEFIELD: That's not my understanding but perhaps I could be corrected.

Dr. Garza.

DR. GARZA: Mr. Chairman. I forget your name, the lady from Naukati said they have already sent a letter requesting that they be added. I know that the

Ketchikan Indian Community Subsistence Committee, Elmer Makua, has also started that process. So if we add this to what we send in then we are, in effect, supporting their efforts.

CHAIRMAN LITTLEFIELD: That's the way I look at it. At this meeting, Mr. Probasco just informed us that the only thing on the agenda at this time was -- maybe not the only thing on the agenda, but the primary thing on the agenda was to consider the communities that had petitioned to be on there, which would be like Naukati, Ketchikan and others. But at the same time we could certainly make a statement that we do not want to see any of the subsistence halibut regulations that are in effect be diminished at all. So that's the way I'm reading it. Are there other Council that -- I don't know if that's clear -- other Council.

Mr. Stokes.

MR. STOKES: Yes, Thank you. I know in the 2003 regulation book for the State of Alaska I had a proposal in to set aside an area for Wrangell and it was shot down. So if anything goes, I would like to have Wrangell included.

CHAIRMAN LITTLEFIELD: Mr. Stokes, do you know if Wrangell submitted a request to be included in this round of meetings?

MR. STOKES: No, I don't.

CHAIRMAN LITTLEFIELD: Mr. Probasco, could you answer that question?

MR. PROBASCO: Mr. Chair. Mr. Stokes. Wrangell is already considered a community for halibut subsistence. I think what Mr. Stokes is referring to is a very similar process that some other communities have gone through as far as local area management plans as they pertain to halibut.

Mr. Chair.

CHAIRMAN LITTLEFIELD: Mr. Adams.

MR. ADAMS: Thank you, Mr. Chairman. The gentleman next to me, he and I are kind of confused. We've always been under the impression that a resolution, you know, addresses only one thing and, yet, we're asking for

additional things to consider in that resolution. Perhaps we need to have maybe two different resolutions to address those concerns.

CHAIRMAN LITTLEFIELD: Council wishes. I think you're correct, that's the way we do it. Do you want to make it a letter -- go ahead.

Dr. Garza.

DR. GARZA: Sure we could do that. We could have one resolution that we -- well, that some of you guys like the way things are and then we'll have another resolution that some of us want a little bit more.

CHAIRMAN LITTLEFIELD: I think we could separate that into two resolutions at least.

MR. SCHROEDER: Mr. Chairman.

CHAIRMAN LITTLEFIELD: How many?

MR. SCHROEDER: Two.

CHAIRMAN LITTLEFIELD: Two resolutions. Is there any objection to that?

(No comments)

CHAIRMAN LITTLEFIELD: And we'll have those bullet points presented to us for a final draft to look at again.

Mr. Adams.

MR. ADAMS: I got this information from the gentleman to my left here, we think, you know, that one should be a resolution and the other one should be a proposal.

CHAIRMAN LITTLEFIELD: Mr. Probasco, what would be the North Pacific Fisheries Management Council outlook on if we were to submit a proposal one day ahead of the meeting?

MR. PROBASCO: As far as them acting on it they would not act on it. I mean you could submit a proposal or, you know, concerns any time to the Council. They would have to schedule it and go through that process.

Mr. Chair.

CHAIRMAN LITTLEFIELD: I don't think it's going to come up this time.

Dr. Garza.

DR. GARZA: So maybe we should just go back to the letter. The letter that says we think parts of this is hunky-dory, but we also support the efforts of Naukati and Ketchikan.

CHAIRMAN LITTLEFIELD: I agree. A letter's fine with me, it doesn't have to be called a resolution. A letter.....

MS. PHILLIPS: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Ms. Phillips.

MS. PHILLIPS: I would like to see a resolution stating we support what's on the record now and then a letter saying we support Naukati, Ketchikan Indian Association and who's the third one.

CHAIRMAN LITTLEFIELD: Okay, just for clarity, we had a motion to make the resolution. So we can defeat that, I think, on process if we want to and then just clarify that it's a letter or we can go ahead and accept the resolution. And Council wishes -- Ms. Wilson.

MS. WILSON: Mr. Chairman, Mr. Kitka made a motion to write a resolution in support of the halibut regs as is. So that's all I know that was on that motion, so we should just pass that and then have a letter, separate.

CHAIRMAN LITTLEFIELD: I take you're speaking in favor but others may not so are you ready for the question on the resolution.

(No comments)

CHAIRMAN LITTLEFIELD: The question before you is on the resolution to support the subsistence halibut fishery as written with no diminishment of the existing rules and regulations. All those in favor, signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: All those opposed same sign.

(No opposing votes)

CHAIRMAN LITTLEFIELD: Mr. Schroeder will get the bullet points to us for resolution and we will give that to you, Pete, or fax that.

Dr. Garza.

DR. GARZA: Mr. Chairman, if in submitting this resolution we also submit a letter supporting the efforts of Naukati and Ketchikan for their halibut subsistence opportunities.

Thank you.

CHAIRMAN LITTLEFIELD: Unless I hear any objection from the Council, Staff will be ordered to do so and prepare that also for us to look at. Any problem with that?

MR. SCHROEDER: (Shakes head negatively)

CHAIRMAN LITTLEFIELD: Thank you very much, gentlemen.

Proposal 40. Staff, Proposal 40.

(Pause)

CHAIRMAN LITTLEFIELD: Could you please state the page so we could follow along.

MR. LARSON: Mr. Chairman. Bob Larson from the Forest Service. The analysis of Proposal 40 starts on 261.

CHAIRMAN LITTLEFIELD: Please proceed. Page 261 is the start of Proposal FP04-40, Staff analysis.

MR. LARSON: Mr. Chairman. Proposal FP04-40 addresses two issues. First is that it requests a salmon subsistence fishery for the Stikine River, and secondly it establishes fishing areas, seasons, methods and harvest limits.

As you remember, the Federal Subsistence Board deferred action on a similar proposal, FP01-27, which

was deferred pending review by the TransBoundary River Panel of the Pacific Salmon Commission, and that was done in December of 2000 by the Federal Subsistence Board. Existing Federal regulations closed coho fishing on the Stikine River. There are no restrictions to the harvest of chinook, sockeye, pink and chum salmon on the Stikine River at the present time.

As proposed, the regulation would provide for fishing seasons, methods and harvest limits. There is additional information concerning the original proposal. Mr. Stokes and Dolly Garza are the originators of this proposal. And Mr. Stokes recommends amending the original proposal to allow of or a chinook season earlier in the season and allow the harvest of cohos in tributaries.

As we've seen on the map, the Stikine River is a large TransBoundary River that enters into marine waters near Wrangell and flows from Canada approximately 25 miles upstream. The major community on the Stikine River is the village of Telegraph Creek, it's a town, it's approximately 165 miles upstream. Federally-qualified users include all rural residents of the State at the present time. Board action on Proposal 29 may change that to include only residents of Wrangell.

Fisheries management on the Stikine River, because it's a TransBoundary River is controlled by the Pacific Salmon Commission. The TransBoundary River Panel is the group that approves an annual joint management plan for the enhancement and the harvest of chinook sockeye and coho salmon populations. There is a sockeye harvest sharing plan in place but abundance based management plans are in development with a target date of May 1st of 2004. Abundance based management plans will likely be extended due to technical issues that are not being resolved, you know, prior to May 1st.

Currently the Stikine River management plan allows for the United States fishermen to harvest 50 percent of the total allowable catch of sockeyes. There is also provisions that there would be no new directed chinook fisheries without Canadian agreement and the United States fisheries will allow Canadian fisheries to harvest 4,000 cohos.

The Canadian section of the TransBoundary River Panel provided a formal response to Proposal FP01-27 in the spring of 2002. In there there were four major areas that they were concerned with and it's addressing

specifically Proposal 01-27. First is that Canada does not consent to a US subsistence fishery on the Stikine on chinook salmon until such time as an abundance based management regime has been developed and a harvest sharing agreement's been reached. They do not want a new Stikine coho salmon fisheries initiated without appropriate abundance based management. Canada is not in favor of subsistence fishery on sockeye due to conservation and management concerns. The context of that is that during this time the Tahltan River, the major sockeye producing system was at -- was unable to meet its escapement goals. Canada also has additional concerns about harvest rates, timely in-season catch monitoring and reporting. They wanted sampling for stock identification. There's a tagging and test fishing program on the border that they didn't want a new subsistence fishery to interfere with.

And the Forest Service was asked to look at the scope of a potential fishery based on this proposal. Proposal FP-27. And what we determined was that in all likelihood that if this was to pass that the fishery would not take more than 125 chinooks, 600 sockeyes and 400 coho salmon.

January 20 of 2003 the Alaska Board of Fisheries deliberated a similar proposal but ADF&G did not support this proposal because of their interpretation that Canada must consent to any new chinook fishery. And a subsistence fishery could be interpreted as a new State subsistence fishery.

Although the Board of Fish voted unanimously against that proposal they expressed support for the concept and they directed the Alaska Department of Fish and Game to negotiate appropriate agreements with Canada that will allow Alaska subsistence fisheries on the Stikine River to be implemented. The Board of Fish also indicated that they would be willing to hear a subsequent proposal, out of cycle, to address this issue in a timely manner.

Right now it's unknown what actions the Alaska Department of Fish and Game has to implement a subsistence fishery -- State subsistence fishery on the Stikine River.

The Stikine River supports a significant number of salmon. Total returns for sockeyes for the last 10 year period, from 1991 to 2001 was approximately 200,000 sockeyes. We don't have total return estimates for

sockeyes or chinook, but we do have an escapement estimate in 2001 of 66,500 chinooks and in the same year, for cohos, 42,000 cohos escaping the region fisheries.

Generally speaking the last three years, including this year, we've had harvestable escapements -- or harvestable surpluses of cohos and king salmon and just recently this year we've had a fairly high return of sockeyes. This appears that the production concerns we've had Tahltan River are over, at least, for the short term.

The Stikine River has a long history of harvest. There's marine, sportfishing, and commercial fishing that intercepts those stocks. There's been subsistence and personal use fisheries both in marine waters and up the river. The only determination that is made that breaks out by species for the Stikine River origin is for sockeyes and it's done for the marine fishery -- the marine gillnet fishery that happens in District 6 and District 8 near the mouth of the river. So the average Stikine River component in the catch for the time period '92 to 2001, 75,500 sockeyes.

The effect of this proposal would be to provide a regulatory framework to conduct a subsistence fishery for salmon on the Stikine River. The current proposal that you see before you builds on concerns addressed for Proposal FP01-27 that was deferred by the Federal Subsistence Board.

The original proposal has been amended, it's FP27 [sic] now, it's been amended to address the concerns of the gear groups and the TransBoundary River Panel so it changes the season dates, fishing gear and limits the open area of the Stikine River. There's also some other changes that the Staff feels is necessary to implement a fishery on the Stikine River. And we've incorporated those into the suggested language that you're going to see at the end of this presentation.

The lack of abundance based management plans should not be considered an issue with the TransBoundary River Panel due to the small size of the proposed fishery. The subsistence fishery, as proposed, will harvest considerably less than one percent of the total return of the stocks referring to the Stikine River and they should not cause a disruption of existing US or Canadian fisheries nor should they cause a conservation concern.

Our preliminary conclusion then is to support with modification pending coordination with the panel and the Pacific Salmon Commission. We feel it's necessary that the Regional Advisory Council communicate and coordinate with the Pacific Salmon Commission and we have a proposed regulation.

The proposed regulation would state that you can take chinook, sockeye and coho salmon under the authority of a Federal subsistence fishing permits issued by USDA Forest -- pardon me?

DR. GARZA: Page 270?

MR. LARSON: I believe that that is 270, yes. And I can read that or you can just see it for yourself but that is our -- we feel, as a Staff that the changes as proposed to Dick and Dolly's original proposal will address the concerns of the Pacific Salmon Commission.

Justifications include that this proposal, as amended, would provide a vehicle for coordinated fisheries management on the Stikine River. It provides a model for anticipated State subsistence fishery on the Stikine River. The amendments to the original proposal define the scope for the subsistence, provide a plan to document harvests and they include a guideline harvest by species. Modifications to the original proposal are designed to allow the proposal to be adopted without waiting for abundance based management plans or complicating present US/Canada harvest sharing arrangements.

Thank you, Mr. Chairman.

CHAIRMAN LITTLEFIELD: Thank you, for your presentation. Council, questions or comments on Staff presentation. First, Mr. Stokes.

MR. STOKES: Yes, Mr. Larson, you said that the Stikine has had a season there, both in the salt water and the freshwater, but I disagree with you. The area from in the salt water, all the way from Point Pabler to Grey (ph) Pass has been closed for over 40 years and there's been no fishing at all, no subsistence fishing, no commercial fishing at all unless someone went in and poached something.

And they said that they could use spears and hook and line, rod and reel and beach seine, well, this

is not practical. That river runs 12 knots. And you can't -- and it's muddy, you can't see a thing in there. So the only way you could get a salmon is by running a net on the main river, and this is where we wanted to go. But what you do is you'd run upstream and set your net and let it drift on down to wherever you want to lift it again. This is the only way that you're going to get a fish. So -- but I disagree with that report saying that there was a season established there. And when they did have one, one year, I think it was two years ago where they had a personal fishing, but they never let anyone know. All of Wrangell, they didn't know until it was all over with.

Thank you.

MR. LARSON: Mr. Chairman. Mr. Stokes. You know, you are exactly correct, in that, the terminal area as you described is not part of either the personal use or the subsistence fishery that may be intercepting Stikine River bound fish. The subsistence fishery I was referencing was the fishery near the community of Point Baker, they intercept some sockeyes, probably some of those are bound to the Stikine River. The other is the personal use fishery that you mentioned that for several years was open up the river but there's been very little participation in that, and I think you hit the nail on the head, it was primarily due to a lack of communication with the communities that, you know, it was possible to do that. Yeah, you're exactly correct. Is the area that has been -- you know, as you described it, is the closest part of the river to marine waters has not been opened.

MR. STOKES: Yes. It may have been opened but it was never printed in the regulations. There was only one year that it was printed.

And you were talking about the sockeye this year, they were not Tahltan sockeye, I mean a bulk of them were, but the major run was Lituya sockeye which normally runs quite a bit larger than the Tahltans. So this is where they got their run this year. And I lost my train of thought, I was going to say something else, but thank you.

CHAIRMAN LITTLEFIELD: Any other comments from Council.

Ms. Phillips.

MS. PHILLIPS: Thank you, Chairman Littlefield. Bob, do you have 2002 escapement levels for

chinook and coho?

MR. LARSON: I do not.

CHAIRMAN LITTLEFIELD: Other Council.

MR. LARSON: We have some weir counts for Tahltan River of 2002 and 2003, but the -- as I understand it, the last I checked with the Salmon Commission is that the total run and escapements for chinook and cohos, you know, this year and last are still in a draft form.

CHAIRMAN LITTLEFIELD: Mr. Stokes.

MR. STOKES: I might add that I went exploring when I was up there. I spent three weeks up there just last month and my friend took me in to where they had flatbed trucks up there with large freezer vans on them and they were commercial fishing right in Lituya and another area on the Tahltan. So after these fish go all this way, they're still taking them. And I have personal friends that -- there are four gillnets in the family, four licenses, and they -- the one individual, the one boy took over 500 sockeye in one day and this was just a few weeks ago. And his mother and dad and his brother took almost the same. And then the Great Glacier Cold Storage up there, they really had a banner year. We went up in the middle of June and they already had a slug of king salmon and the sockeye were early this year so they were supposed to have been studying or just taking test fisheries but they had their freezers full with fish. So I don't think the Alaskans are getting a fair shake on the Stikine River.

Thank you.

CHAIRMAN LITTLEFIELD: Ms. Phillips.

MS. PHILLIPS: Thank you, Chairman Littlefield. Do you have an estimate of the number of households that might be utilizing this 125 chinook salmon, 600 sockeye salmon and 400 coho salmon?

MR. LARSON: Mr. Chairman. Patty, there is a white paper that we developed internally that has a discussion of exactly how we came up with those numbers. And it -- and I don't remember exactly how many households there were that -- there wasn't -- you know, it wasn't a great number.

CHAIRMAN LITTLEFIELD: Wasn't this the

community, because of the action we took on the previous proposal, this would be the communities only in Wrangell; is that correct?

MR. LARSON: White paper included Wrangells -- included participation by residents of Petersburg as well.

CHAIRMAN LITTLEFIELD: So Mr. Stokes, would you care to answer that question on how many users there are in Wrangell?

MR. STOKES: I don't believe there'd be more than 12 or 15 that would request a permit to fish there.

CHAIRMAN LITTLEFIELD: Other questions. Dr. Garza.

DR. GARZA: Just as a point, I mean look at these numbers under B, of the 125, 600 and 400, they don't necessarily seem high, but I personally don't care because the point is to get something that is legal and something that is on the paper.

We may find that if Petersburg does not go through this process and it's only Wrangell, maybe only a 100 fish will be taken, that's fine. If the demand is more then we may have to look at whether or not we change the number of just tell people that we can't provide for anymore. But the intent here is to have something that is handable by the TransBoundary River Panel which includes Canadian and the US and something that can go forward and be sanctioned by the Pacific Salmon Commission so I have no problem with any of the recommendations from Staff.

CHAIRMAN LITTLEFIELD: Other Council comments. Mr. Hernandez.

MR. HERNANDEZ: Thank you, Mr. Chairman. Bob, I know there's probably a lot of concern about the amount of fish that would be taken in a subsistence fishery and a couple factors there, in the wording of this proposal, is it correct that the fishing is limited to the main stream, I believe the wording is and that means that you intend to restrict fishing in the tributaries and sloughs as well, of the river?

MR. LARSON: Yeah, that's correct.

MR. HERNANDEZ: Follow up on that.

CHAIRMAN LITTLEFIELD: Mr. Hernandez.

MR. HERNANDEZ: I know there's probably few people, maybe Dick may know of a few elders that may have fished the main stream of the river, but I believe you, with the Department of Fish and Game and fisheries monitoring program's fished in the main stream of the river, and maybe you can describe what it would be like fishing the 10, 12 knot current of the Stikine River with a gillnet being limited to fishing in the main stream and how effective that would be and maybe give us an idea of just how many people would really be successful at going to the Stikine River and catching salmon for subsistence.

MR. LARSON: Mr. Chairman. I think that probably Dick and I are the only two people in this room that have ever fished gillnets in the Stikine River and there maybe others.....

MR. STOKES: I think Nancy has.

MR. LARSON: .....in the back -- but, you know, I used to run a test fishing program up the river and we used set gillnets and we were targeting sockeyes. The new addition to that test fishing program now is to work with king salmon, chinooks, and they use a drift net technique as you were describing. But fishing on the Stikine River is, you know, it's not for the faint of heart and it requires a commitment both in time and equipment. That is why when we went through our scoping process for determining what would be the maximum amount that would be allowed under the previous proposal, then we came up with these numbers. And that's much less than the numbers that the Canadian Panel were envisioning. They were discussing much larger numbers than that and it's just not realistic to think that there's many people that are going to participate.

CHAIRMAN LITTLEFIELD: I want to try to focus us again, remember we're supposed to be asking questions on the Staff report. And let's try to keep it there so we can -- we've got a lot of business to go. Any questions on the Staff report.

(No comments)

CHAIRMAN LITTLEFIELD: Okay, thank you very much. ADF&G, are you ready to present okay, please come

forward.

MR. MCGREGOR: Good afternoon. My name is Andy McGregor. I work for Alaska Department of Fish and Game. I am the regional supervisor for Commercial Fisheries Division in Southeast Alaska. I'm also the Alaska Co-Chair of the TransBoundary Panel, and I've been involved in that Pacific Salmon Commission process for almost 20 years now.

Written comments that the State has are found in your briefing materials under Tab D on Pages 273 and 274. I'll give you a brief overview of those comments. We'd like to also provide some additional information on the treaty process and updated plans for pursuit of Stikine subsistence fisheries within that process.

Firstly, a little background on the treaty, some historical perspective. Negotiations with Canada have been going since the 1970s on a suite of highly contentious issues regarding salmon that swim in each others waters. And after years of intense negotiations, the Pacific Salmon Treaty was signed in 1985. Since then provisions of the treaty have expired, a number of portions of the provision have expired and there have been negotiations to continue those. Those negotiations frequently have been very contentious as well. An example for you the complexities of those negotiations, the initial treaty had a two year harvest sharing agreement on the TransBoundary Rivers, and that winter trying to extend those harvest sharing arrangements for a third year and into the future, the US and Canada had differences in harvest sharing percentages of several percent and that proved insurmountable to the two countries. And in 1987 the fisheries on the TransBoundary Rivers went without an agreement. So it has been a very difficult and contentious process.

In 1999 there was a landmark update of the treaty that was signed and it specified abundance based management of the fisheries. Most treaty agreements prior to 1999 were based on harvest quotas, basically without respect to salmon abundance. So basing salmon management and agreements on an abundance based approach was a definite major improvement and operation of these fisheries. With respect to the TransBoundary Rivers, it was realized when the agreement was signed that there needed to be a lot of work in assessing these stocks in order to be able to develop abundance based approaches on the Alsek, the Taku and the Stikine, with the notable exceptions of sockeye in the Taku and the Stikine, which we

do have abundance based management capabilities.

So the TBR agreement called for development of such programs and negotiation of sharing arrangements by May of 2004. During the last five years Alaska and Canada have been working very hard to develop stock assessment programs in support of abundance based management, and we have developed these capabilities now for Taku chinook, for Taku coho and we've been negotiating with Canada for several years to develop new fisheries on Taku chinook. New assessment programs are also very close to being able to support abundance based management of Stikine chinook. However assessment programs for Stikine coho are being worked on but are not fully developed and won't be for several more years.

To specifically address the Stikine fishery issue, the proposal you're considering today, as Robert mentioned, is a modification of a proposal that the Federal Subsistence Board had in front of them in 2000 and the FSB deferred action of that proposal in December of 2000 pending coordination under the Salmon Treaty process.

The 2000 proposal for a US Stikine River fishery was discussed with the Canadians at a TransBoundary River Panel meeting in February of 2002. And Canada objected to the fishery, provided a written response, the important aspects of which are included in your packet on Page 265.

In January of 2003, the Alaska Board of Fisheries considered a proposal to establish State subsistence fisheries on the Stikine. The Board did not pass the proposal but they did direct the Department to negotiate agreements with Canada to allow subsistence fisheries on the rivers.

With respect to the Federal proposal under consideration today, the State does not support the proposal at this time do to our international commitments under the treaty. Until such time as we can negotiate with Canada successfully through the PSC process the State will oppose Federal fisheries on the Stikine.

Although there are a number of concerns Canada had with the 2000 proposal that remain, some of them no longer apply and we believe that some have been effectively dealt with with this revised proposal. The proposal now incorporates modifications to season length by species and fishing locations that address concerns that

the State had with the original Federal proposal, and we believe those fishing dates and locations are appropriate. We believe that Canada's objections to establishing a sockeye subsistence fishery for conservation and management reasons are now reduced. Returns of the Tahltan Lake stock which had not met escapement goal in six years were much improved this year. The escapement goal was reached. And in Canada's response in 2002 they indicated a willingness to reconsider the proposal for a sockeye fishery once stock recovery had occurred and management success has improved. And I think there's a case to be made that that is the present situation.

So at this time I'd like to give you an update of where I think we are in the PSC process on this issue. The USTBR panel last year developed a prioritized list for negotiating new agreements and that was developed primarily on our abilities to put into place abundance based management programs. And the panel identified Taku and Stikine chinook and Taku coho to be the first species to be negotiated and set a target date for those negotiations to be completed by May of 2004. The panel also realistically concluded that agreements for species in the other rivers would not be able to be negotiated until a later date because additional technical work needed to be completed.

I anticipate that some issues related to the Stikine subsistence fishery will be discussed this winter in bilateral session with the Canadians. But as with all treaty processes, the panels and the delegation will make the decision on what package of issues and strategies are pursued. Due to a lack of funding this year in the Salmon Commission process there have been no technical committee meetings or panel meetings since last winter. However, there have been some recent moves in Washington D.C., to provide some additional monies and there are funds to support some sort of a meeting schedule this winter. I expect it will include bilateral meetings with Canada. In the past these have been held in January and February. The process usually followed is the Alaskan panels will meet in Juneau to develop negotiating strategies for bilateral sessions with Canada and that meeting has not been scheduled yet but I would expect it to occur in December or early January, and I'd like to extend an invitation to a member of the RAC and an appropriate Staff member to attend that meeting where those issues are discussed.

CHAIRMAN LITTLEFIELD: Is that the end of

your presentation Mr. McGregor?

MR. MCGREGOR: (Nods affirmatively)

CHAIRMAN LITTLEFIELD: Thank you very much. Mr. Stokes first, and remember these are comments on -- basically where there stand is on Page 273, so just try to keep it to what their comments are hopefully, and do you have any new information you said you were going to share with us at this -- do you have any new information on the Council?

MR. MCGREGOR: The information that I have on the commission I just presented.

CHAIRMAN LITTLEFIELD: Mr. Stokes.

MR. STOKES: Thank you. I appreciate your comments. There is a tendency to be more lenient. Because I have before me a permit that allows me to take chinook salmon, sockeye salmon and coho salmon and it'd be a maximum of 30 fish in a 24 hour period and this is issued by the Tahltan and Isgoot Band. So hopefully this will help, I think, get us an established season there.

CHAIRMAN LITTLEFIELD: Questions or comments for Mr. McGregor.

MR. DOUVILLE: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Mr. Douville.

MR. DOUVILLE: Certainly there's some commercial interception of the fish that go into the Stikine, and do you have any of those numbers on these three species that we're discussing here?

MR. MCGREGOR: Mr. Chair. Mr. Douville. That information is in the Federal Staff report, I believe. Yes, there's significant harvest of these fish in other fisheries.

MR. DOUVILLE: So the State does have an allocation of the Stikine River run that is commercially fished. Is it not possible for the State to make an adjustment of 1,125 fish to accommodate this fishery? It would not be a new fishery, it would just be a matter of allocating this small amount of fish so Wrangell residents could subsistence fish.

MR. MCGREGOR: That's a good question, and the response that I have for you is the response that the Canadians made to us in the Salmon Treaty process, that they objected to a new fishery on the rivers.

CHAIRMAN LITTLEFIELD: Mr. Stokes -- or did you want to follow up, Mike, please go ahead, and then Mr. Stokes.

MR. DOUVILLE: In my opinion this would not be a new fishery since there was subsistence fishing going on in this river long before there was ever a commercial one.

CHAIRMAN LITTLEFIELD: Mr. Stokes.

MR. STOKES: I might add that as of last week there was no commercial fishery for coho on the Stikine River, the Canadians have not fished. And then I agree with Nancy and them, they did use short nets that were anchored up and they were anchored in the back eddies. But I was thinking of the main river where you run the net out and you drift down with it.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: Yes, you invited one of the Council members to attend a meeting. Which meeting is it and when and where?

MR. MCGREGOR: This would be a meeting of the US TransBoundary River Panel so it'd be US delegates to the panel. It would occur December very probably it has in the past. I'm assuming that funding that has come through is sufficient for a normal cycle of meetings, that's what I'm assuming. That would be the meeting that we would extend an invitation to you.

CHAIRMAN LITTLEFIELD: Mr. Hernandez.

MR. HERNANDEZ: Thank you. I was wondering if you could give us a brief description of how an abundance based fishery works, as it's presently being applied to the commercial fishery and how you foresee that abundance based fishery being applied towards subsistence fisheries?

MR. MCGREGOR: A good example of an abundance based fishery is the fisheries that are operated on Stikine River sockeyes. We have a program to estimate

-- to forecast what abundance is, preseason, that guides fishing plans for several weeks early in the season, then we have in-season updates to provide estimates of what the abundance of salmon is during the season to guide further fishing. That program is in place for Stikine sockeye and it's a reasonably good one. We're close with chinook salmon, we're not quite there yet but we're close. For cohos we have a substantial amount of work yet to do.

CHAIRMAN LITTLEFIELD: Any other Council.

MR. HERNANDEZ: Just a follow up.

CHAIRMAN LITTLEFIELD: Mr. Hernandez.

MR. HERNANDEZ: How would that abundance based management work with the subsistence fisheries?

MR. MCGREGOR: The subsistence fishery, as long as there was a total allowable catch, in other words the run size was higher than the escapement goal for the system but there was a harvestable surplus available, a subsistence -- you know, would have openings, presumably just like other fisheries would.

MR. HERNANDEZ: Okay. I guess my question was I know the commercial fishery because, I mean that's my fishery, that's where I fish, and it's commercially, that's -- the in-season portion of the management, you gage what the eventual escapement will be up river by the success of the ongoing commercial fisheries that are happening. You've got enough time in there that you can judge the run strength by the amount of fish that are being caught week by week in the course of the fishery. Would you use that same information coming from the commercial fisheries to be able to forecast how much fishing effort would be allowed in the subsistence fishery? Is that a necessary component for the abundance based fishery that you'd need to rely on, information coming from the commercial fishery out in front of the river?

MR. MCGREGOR: No, it's actually not necessary. The models are operated primarily off in-season in-river test fisheries that the Canadians operate. There's also information from the marine fisheries that's utilized. In recent years, for instance, 2002, and I believe 2001, the Tahltan run was low enough that we preempted the commercial fishery during the period when the Tahltan run was coming back and didn't open the first six weeks of the season.

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Thank you, Mr. Chair. So sort of following up on that, has there ever been a year in the last five years when there was not a commercial fishery on one of those species?

MR. MCGREGOR: Each of those species has been taken in a commercial fishery somewhere in some amount in Southeast Alaska. There have been closures in the terminal area where Stikine River salmon represent the majority of the catch.

CHAIRMAN LITTLEFIELD: Other Council.

(No comments)

CHAIRMAN LITTLEFIELD: I had one question. On your last page of your comments, and this one kind of concerned me, it was your last paragraph on Page 274 and that's where you brought out the boogyman. It says the Department recommends that an amount necessary for subsistence use be determined. Well, as you well know this program doesn't have an amount necessary for subsistence it's simply given a priority. And given the fact that I've seen this boogyman come up quite a bit lately in the last couple of months, I want to make sure that you -- is the Department going to be using this amounts necessary for subsistence use as a shield to stop anymore subsistence activities from taking place until that is determined? Because it's something we haven't had to do before, the amount necessary and we know that the 1,100 fish is minuscule compared to the amount of fish that goes up the Stikine, so I'm questioning why we need an amount necessary on this particular -- just this particular stream when it seems so insignificant to me?

MR. MCGREGOR: My opinion is that that particular paragraph is trying to get an idea of what the scope of the fishery would be. What residents would be able to fish in the fishery and how much fish they'd be looking at.

CHAIRMAN LITTLEFIELD: Okay. So the amount necessary is not what was on the proposal that is on Page 270, if you add up -- if you add up all those fish it isn't possible for the amount necessary at this time to exceed what that is if everybody -- if they caught every single fish; is that correct?

MR. MCGREGOR: Could you repeat that, I'm not sure I understood what you said?

CHAIRMAN LITTLEFIELD: Well, on Page 270, when you look through this proposal that we're considering at the present time and that you've commented on, take number B, it says the total annual guideline harvest level for the Stikine River is 125 chinook salmon, 600 sockeye salmon, and 400 coho salmon. If you could assume that that is the total amount necessary, I consider that a minuscule amount of fish as to what goes up the Stikine, and well within the limits of the State's ability to accommodate. That's why I'm saying that I think it's -- I don't know what that is, whether it's a red herring or why it was brought up. But I think that maybe it's insignificant on this stream, that amount, that 700 or 1,100 or whatever it is.

MR. MCGREGOR: Whether it's significant or insignificant, it's not a large amount relative to the total run size, there's no question about that. The issue that we have to deal with is the Canadian response to this fishery which is what we need to find out.

CHAIRMAN LITTLEFIELD: Dr. Garza, and then Mr. Stokes.

DR. GARZA: Mr. Chairman, thank you. I have attended the Pacific Salmon Commission meetings when they're ongoing. Understanding if you've never been to these meetings, they are absolutely closed, I don't know how they get away with it, but you can't go into those meetings unless you're invited. The majority of the Pacific Salmon Commission is held behind closed door and even Mr. McGregor cannot go in there. So it's kind of spooky. So you have to ask people when they come out, and grab them on the side and have them for breakfast or whatever. It's my understanding that initially the Canadian side of the Pacific Salmon Commission didn't care, they said it's an allocation issue and you guys deal with it. And then they just -- it was brought back to them and the Canadians, in their response from 2000 was based on the fact that they were told that thousands of people could go there and fish, and so the response to that, once it became clear was to create a C&T where it's clear that it's Wrangell residents, that the catch is small, that it's not going to be a fishery that takes over or displaces the US commercial fishermen or has an impact on Canadian First Nation use or commercial fisheries. And so I don't think -- and when I explained that to the Canadian side of the

TransBoundary River Panel, who I have had the opportunity to meet and have breakfast and lunch with, when they understood that they didn't have a problem.

And so it concerns me that ADF&G is speaking against this proposal. Because this is exactly what we have to show them to say, here, it's not big, it's not significant relative to the total take, it's insignificant, it's nothing. It sounds compared to like what Dick was saying, it's what one or two families may take up in Telegraph and we're allocating this to a whole community. And so without these types of proposals and C&T determinations, we can continue to scare the Canadians and say, look, it's a big bad boogyman and he's coming to get you, and so I think that we need this.

In terms of abundance based management, if it's 50/50 and that stock goes up and down, the 1,100 fish is still nothing compared to what is taken in the commercial fishery and so I'm not sure why we need to continue to say, oh, we can't address subsistence until abundance based is taken care of, it should be part of that process so that we know that there's going to be all of 125 king salmon that may be taken, and they can say, okay, we can live with that.

But my concern is if we add it to the end, then we will have commercial fishermen, be it trollers, seiners, gillnetters that are going to say, hey, you're taking away from our pot, we don't want you to. If we're not there as part of this process then it's going to be much, much harder to get in there in the end. And I'm not sure that that isn't being done deliberately and that scares me to think that someone would think of a process of trying to figure out how to knock us so far back that it will never happen.

CHAIRMAN LITTLEFIELD: Mr. Stokes. We have 20 minutes before we have a special order, so hopefully we can get the rest of this concluded by then.

Mr. Stokes.

MR. STOKES: I would like to ask if you get the total amount of figures for the commercial fisheries. Now, just two weeks ago I was up in the Tahltan area and up in the Lituya area where my friend showed me where the helicopters would come in and they were fishing right on the river. You know, this is over 200 miles up the Stikine and on Lituya and they had a commercial fishery and they

were just not more than 100 yards from the river and they would harvest the fish, take them up and put them in their big boxes they had and they would shove them into the van and the helicopter would fly them out. And I witnessed this just two weeks ago.

MR. MCGREGOR: I'm certainly not going to advocate not trying to work with Canada to get this fishery accepted. I think that there are substantial arguments to be made. I think the case for sockeye is better than we've seen since this proposal first came to light. I'm not able to provide you with assurances other than I'm optimistic about it and it will be considered in the panel process.

A couple other points. You asked for numbers, there were over 50,000 sockeyes that escaped into Tahltan Lake. I'm not exactly sure what the Canadians harvest is. But the Stikine sockeye run was probably in excess, easily of 100,000 fish last year.

And one other comment, I just want to make sure that the Southeast RAC is aware of, when this issue was discussed with Canada back in February of 2002 there were Federal Staff at the meeting in the meeting when this was discussed and they were available to answer any questions that Canada had on this proposal.

CHAIRMAN LITTLEFIELD: Mr. Stokes.

MR. STOKES: I know Cal was invited to attend the meetings and he was only allowed about five minutes, so it's hard to -- Cal, could you comment on that.

CHAIRMAN LITTLEFIELD: Mr. Casipit.

MR. CASIPIT: Thank you. Casipit, through the Chair. Mr. Stokes. Yes, you are right I did attend panel meetings in the 2001 cycle, January 2001 and November 2000 is when, I believe, you accompanied me to Whitehorse. However, the 2002 meetings were attended by Larry Buklis, you and Dr. Garza. I haven't been at the meetings since you three were at them.

CHAIRMAN LITTLEFIELD: In any case, Mr. McGregor doesn't assign us that time to testify so that's a little outside of his -- is there any other questions on his testimony so we can move along here.

(No comments)

CHAIRMAN LITTLEFIELD: Thank you very much for your presentation. Are there any other State or Federal agencies that wish to comment on this? Any other State and Federal agencies.

(No comments)

CHAIRMAN LITTLEFIELD: Are there any tribes in attendance that would like to testify. Any tribes.

(No comments)

CHAIRMAN LITTLEFIELD: ADF&G Advisory Committee. Any members present that would like to testify.

(No comments)

CHAIRMAN LITTLEFIELD: Dr. Schroeder, could you provide us a summary of written comments.

MR. SCHROEDER: Mr. Chair, we don't have any written public comments on this proposal.

CHAIRMAN LITTLEFIELD: Thank you. Are there any members of the public that wish to testify on this proposal, Proposal 40.

(No comments)

CHAIRMAN LITTLEFIELD: Do we have any public testimony forms?

MR. SCHROEDER: No, Mr. Chair, we haven't received any public testimony forms.

CHAIRMAN LITTLEFIELD: Okay. At this time we're going to take a break because I know we don't have time to deliberate this. We'll come back into -- when we come back from doing this special order at 4:00 p.m., which is a presentation on FIS program, and we'll try to wrap that up, too, so this may be tomorrow before we get back into this, so we'll come back into business on Regional Advisory Council deliberation on Proposal 40. So now we'll take a break and we're going to come back and get up at 4:00 o'clock, and we've got several presentations, I see them going up along the board and they'll be open to anybody that has FIS proposals to make a presentation to the Council.

We're on break.

(Off record)

(On record)

CHAIRMAN LITTLEFIELD: Make your way back to your seats please.

(Pause)

CHAIRMAN LITTLEFIELD: Okay, the order of business now is we have a special order, 4:00 p.m., agenda and we're going to take care of the Fisheries Information Service Program, additional presentations by participants, principal investigators as well as final comments from Doug McBride.

Hello, people, please come to order.

(Pause)

CHAIRMAN LITTLEFIELD: And we are going to take a Council decision on the Fisheries Information Service program projects. We'll probably pick those tonight.

There's a couple of other things I'd like to take care of this evening, I don't believe it's going to take an inordinate amount of time to take care of the Regional Advisory Council deliberations on Proposal 40. So we're going to try to take care of those immediately following this portion, as well as setting the time and place of the next meeting while we have a full Council because we are losing some Council tomorrow and we're going to have elections. So those are the things I have on the agenda for this evening. And right now I guess there'll be no arm wrestling, we'll just let the Sitka Tribe start off with their presentation on their particular projects, go ahead.

The meeting will please come to order. Please come to order and take your seats.

(Pause)

MR. DOBYNS: Mr. Chair. My name is Doug Dobyns. I'm the interim tribal biologist for the Sitka Tribe and I am replacing Jack Lorrigan who's come and addressed you before on numerous occasions. I came on board with the Sitka Tribe in June after the field crews were already in place and in the field on the weirs so I've only

be working for a little over three months and my agreement with Sitka Tribe is that I'll be here for one year and expect for Jack to come back from his furlough to the EPA and be replacing me again by next June.

So I have a very brief report. I know that there's a lot of information that the Sitka Tribe has prepared for you. And what I want to do is just give you a little bit of information on how the summer has gone, an update, and I have some photos for you. I've given each of you a package at your place there with some color photos and a very brief report on some numbers.

What I'd like to say is that the weir projects have been going very well for the summer. We have had a fairly strong year of sockeye returns and we've pulled the Red Fish Bay weir effective on the 17th of September, we counted through 42,241 fish and when we pulled the weir we estimated there were about 500 sockeye remaining below the weir and moving up so we could say probably around 42,750. That is a late run with fish that come in in October and November, so we would expect that that run is probably going to hit about 45,000 fish into the lake before the escapement is complete, and we will be beginning mark recapture down there to evaluate the spawning ground strength and validate our weir starting in a week.

The Klag Bay weir has been pulled and the season is complete. We finished our mark recapture and did a validation, the numbers came in very good. We marked 20.3 percent of the fish going over the weir and we caught over 1,500 fish and got a mark return rate of 19.5 percent, so the weir was fish tight and we probably came in with a very close mark recapture estimate with pretty close confidence intervals. For those of you that want that it's 21,600 as a low to 26,300 for the high on the escapement range.

Salmon Lake is the one disappointment, we haven't seen a lot of fish. As of last Friday there were 821 sockeye, 862 coho, three mark recapture events have been -- have taken place and although the marking rate at the weir is 100 percent, the recapture only recorded 70 percent marked fish so we're having a little bit of a problem there with the weir leaking fish.

I'd just like to show you the photos, the first, the one with the bears, there is a mother with three cubs, we only caught two in that pictures. The photo next

to that is working the Red Fish weir at a high water condition. We have people that are very dedicated and they do a good job, but sometimes the conditions are fairly difficult. On the two pictures above, that's Aaron and Zack Penny on the left, they're both Nexpearce (ph), Zack has been working for three years for the Sitka Tribe and is a fourth year student at SJ, and Shana Knight is releasing a fish. I'd just like to say that I've been very impressed with how high quality people we've got working in the field. They're very respectful of the fish, they handle them very well, and they're very conscientious in carrying out all tasks. I couldn't have been happier to be working with them.

The next picture shows above and below the Klag Bay weir, and measuring and doing scale samples on sockeye. The third picture shows high water and very low water conditions at the Salmon Lake weir. The white pipe is a plastic, it's a PVC that's been deteriorating. We've replaced that this summer at considerable expense with polyethylene black pipe that's ultraviolet light resistant, and the weir is in good shape to last for many more years now.

The next picture shows the Red Fish Bay weir. And you can see the way the trap operates. It's got the doors open and some people standing around and sometimes we get a lot of fish, so when you're counting 15,000 fish through in one day there's no way you can do them all in the trap so we have to pull some pickets and have people counting with clickers and we also have to go to a lot of effort to keep the weirs clear from mortalities.

The last picture, one of our duties is also to do krill census. This is at Klag Bay. Al Duncan's family is doing a subsistence catch, and they caught 750 sockeye that day. We interview everybody that we can find, pretty much over 90 percent of the boats are intercepted and interviewed and we have pretty good cooperation. About 3,000 fish were taken in subsistence fishery in Klag Bay.

And the last picture, next to me is -- that's Lisa Gasman, who's the general manager for the Sitka Tribe, and then Zack who is the crew leader and Shana who, again, is his Tech II, so there's four of us there showing the chain of command, and I think that we did a pretty good job.

So I'll end there and if there's any

questions I'll try and answer them for you.

CHAIRMAN LITTLEFIELD: All right. Are there any questions for Mr. Dobyns at this time.

MR. KOOKESH: I have a question.

CHAIRMAN LITTLEFIELD: Mr. Kookesh.

MR. KOOKESH: (Didn't turn microphone on)

MR. DOBYNS: That's mortalities and we have to clean the weir. Sometimes there's 300 fish. In the morning when you go out and open the trap, there's 300 dead fish that have drifted down. We were doing them by hand but we made a pew so we could not have to bend over every time. By the time you do a thousand fish in a day it gets to.....

MR. KOOKESH: Yeah.

CHAIRMAN LITTLEFIELD: Any other Council.

(No comments)

CHAIRMAN LITTLEFIELD: Mr. Dobyns, I have only one facetious comment, did you check the licenses on those bears to make sure they weren't getting more than the amount necessary.

(Laughter)

MR. DOBYNS: Well, I just want to say that another thing that I've been impressed by is how respectful the people are of the bears. And we have bears in close proximity. I think I was around 15 different individuals this summer and they get their share all right, and they also give away pretty well to us when we have to work.

CHAIRMAN LITTLEFIELD: Other questions for Mr. Dobyns.

(No comments)

CHAIRMAN LITTLEFIELD: Do you have more additional data?

MR. DOBYNS: No, I'll hold that and let what's written be sufficient for now.

CHAIRMAN LITTLEFIELD: Okay. Helen.

MS. DANGEL: Good afternoon. I'm Helen Dangel, the cultural resources coordinator for Sitka Tribe of Alaska. And I'm here to present the final report on the Traditional Ecological Knowledge Traditional Territories Project for Sitka. So this project is now basically completed other than perhaps copying reports and that sort of thing.

The maps in the back are ones that were produced for this project and I gave you all a copy of this report. So there was basically three outcomes. The final report, the maps on the back wall, which are also in the back of the report, and an annotated bibliography which is just -- yes, Bob Schroeder has a copy and there's a couple of copies over to the side but I didn't feel like making a big copy because it's pretty technical information about books.

So let's see, I forgot to introduce myself. I'm Kaagwaataan, and Kiksadi Takdeintann. And I'd just like to apologize in advance in case I make any mistakes, if I do they're my own and I've tried to get the elders and tribal citizens who interviewed for this project to check the document but if there's any mistakes, they're still my own.

Just a minute.

(Pause)

So of course this was about traditional territories. This is sort of an update to the Haa Aani that Goldschmidt and Haas did back in 1946. And in terms of what they found and what I found or we found about clan territories, it's not greatly different. The Kiksadi, the frog clan of Sitka are the primarily recognized as the main clan who owns most of the territory around Sitka although there are others. But a lot of what was found was about how use of traditional territories has changed in Sitka, not that they're any less important but there's many reasons things have changed.

For example, I want to read some quotes from elders because I think they're really at the heart of this project and that's their words. One of the findings was that couldn't necessarily just say that it's clan territories, some people got upset by that saying that the territories were more owned by houses. And another thing

we looked at kwaan territory in general, the Sheet'ka Kwaan. If the traditional territory we had been using was still accurate and up to date and to kind of -- we also asked people where they had gathered subsistence over their lifetime, to compare that to see where they actually subsisted, and compared that kwaan territory to maybe update it a little, so that Sitka Tribe can work to protect areas that people subsist in still, even if it's kind of outside of the traditional territory.

I'll just read you a quote about asking if people still use traditional territories or if it changed.

One elder, Duck Didrickson said, well no, we don't still use traditional territories, the reason being Western Culture has forced us into a pocket where we have to share what little we have left. You can't go against some other family, you ask permission, but now it's to the point where you help yourself, you take it for granted that we're all brothers and sisters. It's no longer a Kiksadi and Kaagwaantaan, it's the people. What we have left, where we do the harvest regardless of clan because we're being pushed into a small pocket for our subsistence.

Another reason for change was school. A lot of people came to Sitka to go to Sheldon Jackson school or college, and Mt. Edgcumbe, from other clans and from all over Alaska, and though they subsisted, they didn't necessarily know -- have clans or have clan territory within the area or know the area but they still used it. And education itself, although, a lot of Tlingit people willingly got educated and take great pride in it, inhibited cultural knowledge from being passed on. And they didn't necessarily always understand the time factor. Isabella who is Kiks.adi said, about school; I think it's a time factor. The kind of food processing that they did took a lot of time. I think that the teachers and missionaries didn't understand the importance of how important it was for us to be putting up fish because that happened in September and that's when school was supposed to start. So I think that they thought they thought it was terrible that we didn't go to school when we were supposed to. When you dry fish the traditional way then it takes forever and a day to dry the fish and when the fish are in you have to work with them, you can't select the time or how much time you're going to spend doing that.

Another time factor was kind of modern life for Tlingits, effects things like people now have jobs, day

jobs, Monday through Friday, a lot of people do and they don't have as much time to subsist. Other things that affected it were loss of lands. A lot of people talked about how losing their traditional territories, having their smokehouses bulldozed over, loggers coming in, that really affected that they didn't get to use their traditional territories anymore because they basically were kicked off the land. Some of them applied for allotments but a lot of them didn't know that they should or could. They didn't have any idea about Western law. Also there's a loss of resources from a lot of population moving in. And let's see, I lost my quote about that, but people moved in and a lot of non-Native people moved to the area and created additional pressure on the resources so it was a lot harder. People now end up going a lot further away from the center of town to get resources so the traditional areas that they used close to town have been depleted of resources and they have to go pretty far away to get anything.

So I think one of the purposes of this report was to use traditional ecological knowledge in management, and this is what this Council is about. There's just a lot of Fisheries Information Service traditional ecological knowledge in passing that was given in this project about resources and I think it's important that it should be recognized that these people have inherently have this wisdom about just from observing the land that they know what's going there and it should be given as much value as scientific data, that's numbers.

Traditional territories should still have some -- be used to guide management that the traditional territories that are important and close to town should be given priority. The commercial and charter fleets can travel far distances a lot easier than local people who are trying to harvest. And -- but all the local areas are wiped out so it would be better if management could be focused to that.

And also another thing that came up was permits. If possible limiting permits and having a system where surveys are used instead or other means to monitor harvest or limit harvest. An elder said, before we used to be able to harvest anything we wanted, last time I went to harvest clams I was told I needed a license, a Tlingit Indian needing a license. When I was growing up at the Indian school they said a day was coming when you were going to need a license for everything. They offered all the students a lifetime hunting license for 25 cents, and

everyone laughed, why would we need a license, this is our country. That was said by Duck Didrickson.

It is still important for cultural -- it's so culturally important. Robert Sam said clan territories are very very important to families and survival of the community as a culture and as a heritage of our people. We can only survive. It's crucial to have access to our food and our way of life. It's critical. It's as critical as retaining our language, the same, meaning access to our resources for survival. Because I'm sure we can survive as Americans, but as a people, meaning access to our food and resources.

And in closing, Herman Davis said about the feeling of the land, he said, it's good to know, you know, to -- you get that feeling that once you were in this clan territory, I mean I don't know how to explain the feeling that once our people were here, here, here, that's about all I can say, I think it gives them a good feeling.

Any questions.

CHAIRMAN LITTLEFIELD: Thank you, that was great. Council, you want to know where your money went, this is where it went. Questions. Comments.

(No comments)

CHAIRMAN LITTLEFIELD: Hearing none, thank you very much.....

MR. SCHROEDER: I have a comment.....

CHAIRMAN LITTLEFIELD: Excuse me.

MR. SCHROEDER: .....but I'm not on the Council though.

CHAIRMAN LITTLEFIELD: Okay, we'll let our -- okay, go ahead, you could have some time.

MR. SCHROEDER: Well, Helen, just thanks very much for your great work on this project. And I'd just remind the Council that this is an outgrowth of efforts you put in at the Douglas meeting probably four years ago when you strongly supported FIS work on traditional territory projects. And this is the first report that's coming before you out of that project. Judy Ramos is also finishing her report. I believe we'll here

from Angoon as well. So this has been a long time coming and it's really excellent and useful work.

I did have a question, if you could sum up on how much clan territory and traditional territory still figures in as being important for people you interviewed?

MS. DANGEL: Well, a lot of them said that, no, they didn't use it anymore. A few elders, in particular, who had Native allotments that were related to the traditional territories did use that, less than five I would say. So actual usage, very little. But it's still very culturally important.

MR. SCHROEDER: And finally, just as being someone who is associated with getting these projects going, I'd like to really compliment the Sitka Tribe at it's really excellent work and taking on projects and bringing them to a successful conclusion. And I'd also be thanking the Yakutat Tribe if Judy Ramos was here for her great work on a similar project up there.

CHAIRMAN LITTLEFIELD: Mr. Douville.

MR. DOUVILLE: Mr. Schroeder said it well. I'm looking forward to going through this, you did an excellent job from what I can see and appreciate your efforts.

MS. DANGEL: Gunalcheesh.

CHAIRMAN LITTLEFIELD: Any other Council.

MS. WILSON: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: I just want to say what a fantastic piece of work this is and it will be really great going through it, it's a lot of information and a lot of work went into it and I thank you.

MS. DANGEL: Thanks, again. And actually I should really thank all the elders and tribal citizens that I interviewed because it is their words and wisdom and not my own.

CHAIRMAN LITTLEFIELD: Other Council. Mr. Adams.

MR. ADAMS: I want you to know how much I appreciate, you know, the effort and work that has been put into this. I'm the president of our tribal council and I watched Judy put ours together and I know it's tedious work and I'm sure it took a lot of patience, you know, to interview the elders and put this information together for a very purpose.

The purpose I kept reminding my council and myself and even Judy was that we needed this traditional knowledge documented. We needed to find out how our people a long time ago managed their resources. Because we had ways and means of managing our resources and they provided us, you know, with the things that we needed to sustain our lives. And it was our purpose, you know, to get that documented so that when we begin to develop manage schemes for certain areas, this traditional knowledge will be there and then we can bridge that with Western science and as a result of that, you know, we can come up with some real good management schemes to sustain our areas.

So I want you to know how much I appreciate your efforts and I know what kind of work it took.

Thank you.

CHAIRMAN LITTLEFIELD: Other Council.

(No comments)

CHAIRMAN LITTLEFIELD: In closing, I would like to say this work was very good, excellent. And I believe that this type of work is going to prove invaluable to the communities when they have to prove where they've harvested food in the future because I think the attacks are already on. You're going to see more of this in the future and this type of work just proves where you've been in the past and where your customs and traditions took you. If Craig and Klawock had something like this today we probably wouldn't have struggled with who had the traditional rights to Naukati, we would have known.

So these are important, and I really commend all of you. And it is the priority for this Council, at least it has been in the past, the priority use of their funds and that's why I'm really glad to see a very good project.

So thank you very much.

MS. DANGEL: Thanks again.

CHAIRMAN LITTLEFIELD: Next. Robi, are you up next?

(Pause)

CHAIRMAN LITTLEFIELD: Can we hit the lights for them and see if this shows up a little bit better.

MS. CRAIG: Good afternoon, my name is Robi Craig and I work for the Sitka Tribe of Alaska, but I was allowed to do some work with the Angoon Community Association. And in doing that work I was very privileged to work with Mr. Donald Frank, and I'd like him to introduce himself now.

MR. FRANK: Mr. Chairman. Council. My name is Donald Frank. I was hired by US Forest Service and also Angoon Tribe to work on this TEK project.

MS. CRAIG: And as you know we haven't yet completed the report. There's nothing before you, it's actually before the Council in Angoon. So we have sort of a movie trailer instead of a nice presentation -- or the nice report you got from Helen.

There were four primary objectives for these TEK projects and these are the TEK projects that several Council members were asking about earlier in the meeting. Originally the proposal was written by Bob Schroeder, and then you all decided to fund it and the Federal Subsistence Board did make that funding available. And as you saw from Sitka they finished their report and Angoon is just a little bit away from being able to mail you all a report also.

The four project objectives, the first was an annotated bibliography. The second were taped interviews. The third were a succession of different maps that would show the clan territories as well as the uses of those territories. And the fourth and final was a report.

As Helen told you these bibliographies are sort of technical. They're going to be very useful for folks who do future research like Mr. Littlefield was saying, Chairman Littlefield. When folks need to go and find sources that will support their proposals and things you'll have these annotated bibliographies and you'll be

able to see which books will show what sorts of uses of different territories.

We just extracted one from the bibliography for Angoon and it was one that was talking about oral history and how long that actually does continue, that some researchers think it's about 150 years but in areas like Southeast Alaska and in this instance, Angoon, there's a Tlingit name for a fort sight that's been actually occupied for over a thousand years, so we thought that was pretty interesting.

MR. FRANK: We chose 20 people that interviewed for this project, and there were several questions that we asked their biographical information, their clan house, place of origin, description of their clan houses in Angoon, traditional Kwaan house territory areas that were used and are continued to be used today, and where did they learn their knowledge that was passed on to them; who taught them. How were the traditional territories used during their lifetime. How did the interviewee recall being asked permission. Should customary foods for a potlatch be harvested in their traditional territories. Does house clan territories continue to be important to them.

These 20 people that were picked, some of them are clan leaders, some of them are being brought up to be clan leaders in each house. And some harvesters, people that harvest today. And I chose people as Goldschmidt and Haas did his report, people out of each -- who represent out of each house who used in the past, each land that was important to them and is still important because each interviewee, that a question shows that the land that was used, say, I don't know how far back in history it goes, this land is still continued to be used by our people. That is a very important part. It's our history, our culture, it's our way of life.

MS. CRAIG: So like Donald was telling you he did a number of interviews with elders and culture bearers and one of the questions that was asked are what specific areas does your clan continue to claim, what areas have been important to your clan, what areas are you still using. And from each one of those transcribed interviews we went ahead and plotted down where each participant had said, we use Basket Bay, we use whatever, we made a series of six maps according to the six clans that were covered in Goldschmidt and Haas, and they're the names of the interviewees.

And I'm just going to move kind of quickly through these maps. They are before the Angoon Community Association to review and to make sure that no mistakes have been made. As Helen was saying, if there are mistakes, they're ours and they're before folks who can correct them. But you'll see that on the top is the product that came out of the interviews, and then below you'll see some of those outlines around the maps and it's probably real far away from there, but those outlines represent either Goldschmidt and Haas' 1946 findings or else the findings for the areas that folks are presently using to harvest to date. As well as there's also a dotted line that shows place names, the extent of place names.

MR. FRANK: When we were doing the mapping, we were using the Chambers up at the city office and the man on top is one of my relatives Kevin Frank, he's a commercial guide who works as a guide for one of the outfits there. But he's also a hunter, and he hunts -- he's pretty active in hunting so we chose him to be interviewed, and the other man down below is originally from Kake but he's got ties for Wookeetwaan to Angoon also, and he's also pretty active as far as fishing as far south as Red Bluff up throughout Chatham Straits and also a hunter that -- pretty active there also.

MS. WILSON: What are the dotted lines on the maps? Is that Goldschmidt and Haas or what?

MS. CRAIG: Yes.

MR. FRANK: One of the elders we have here in the pictures is Jenny Jims, she's a Takweedee, she's the mother of brown bear clan, she's the eldest of the clan right now. She's harvesting -- well, she's putting up some coho salmon that she recently -- was given to her by one of our fishermen, who had given her salmon to put up for her family.

MS. CRAIG: These are probably a little bit far away for you all to see but basically we just pulled out a couple of the sections which are before the Council today and one was the customary trade and barter and just a number of folks talked about that. An elder talked about how folks say you're selling fish when you just exchange some money to compensate younger folks for taking the gas and being able to go out and get those fish for you. And another one was talking about the regional -- that folks there would trade things for soap berries, from other communities, one of those things that we know. And then

another, too, was talking about how they traded just throughout the state. That people up in the Yukon would send down foods for exchange for things that you could get in Angoon.

MR. FRANK: Also on the barter and trade, I talked to a man that was Ducktatwaan, and he talks about when people used to come up from Hoonah and they would come into Angoon and trade seagull eggs for a preferred food that they wanted from Angoon. So they'd come in with a boat load loaded down with barrels of seagull eggs and it was passed out to the people in the community.

In fact Kanalku, people were asked to join in and try to keep from harvesting sockeye out of Kanalku Creek area, and they were asked to help out and a lot of people were able to get to Sitkoh Bay and Basket Bay to harvest their sockeye and try to help out to bring the numbers up in Kanalku. We went out on several trips with the Fisheries Monitoring crew in July -- the month of July I was up there each week out of the month of July working for the Forest Service also monitoring activities and noticed that the numbers were up but for the whole month of July the fish weren't getting up inside, they weren't getting above the falls. And working alongside with them, each time they report, the numbers were down for a whole month they saw one fish get above the falls. So they feel like there needs to be a little bit more work in that area.

These are the fishermen that I spoke of before that went to Sitkoh Bay, all those skiffs on the shorelines, those are boats from Angoon, they went to Sitkoh Bay to get their sockeye.

Most of the families volunteered to help to bring the numbers up by going to other areas.

MS. CRAIG: And then this is just a summary of what the final report contains, that it has an extensive number of interview quotes that we pretty much just tried to string together, the quotes of the folks who were interested in this project and really just had it be their words about their observations.

We did also do biological sketches from some of the questions that we'd asked in the interviews so that when the reader goes to read the report they'll get a sense of what clan the interviewee is from and some of their past experiences and what they bring to the project. And then in keeping with the interview questions again we

just took what folks wanted to offer about their clan histories and their clan migration and tried to be respectful of just what they wanted to include in their report.

We generated 19 maps. Clan territory maps, those comparison maps like Ms. Wilson was asking about. And then also the harvest area maps. And then sort of mashed them all together to just show the different sort of kind of nestings of uses of areas.

And then I was just speaking about just the final analysis of what is the extent and range of place names for the location, what is the extent and range of harvest areas, what was the extent and range in 1946 and what is that today.

And finally, we just wanted to say thank you. That we realize that this is a project that you all supported. We realize that it's a project that's taken awhile to come to fruition and I know I, myself, was just real honored to be able to work with Donald and other people at ACA. So thank you.

MR. FRANK: I, too, would like to thank you for being able to work on this project. In going back in each one of our -- each one of the houses in Angoon where they originated from, I came to realize that, and it's mentioned by many of our elders that we started out as one people, no matter how we try to say we're from this tribe or this tribe, or this kwaan or whatever, we all started out as one. We all knew this way of life.

A lot of old names that were brought out in this document, I never realized how old and how long our people have been here, where we originated from. My mother is Simseon, she originated from Prince Rupert but they came down from the main land, she comes from the Eden family, my grandmother is -- she had two other sisters that married into the Eltasih (ph) and the Edenshaw family. On my father's side, my grandfather's Dasheetwaan, the original builders of the house, build the house in Angoon. My grandmother's Kaagwaantaan, she comes from the Takdeihee, she's Kaagwaantaan from that house. And so my family stretches all throughout Southeast, it was our way of life, this gathering of food and my grandmother said you need to work with the people to try to help protect what we have. Our people were -- our leaders were very knowledgeable in saying that each area wasn't overfished, wasn't over hunted, we took care of the land. Our leaders did.

And I'd like to thank you for this opportunity to work on this project. And another thing my grandfather, I listened to his tape, he's passed on now, but he mentioned one thing -- one of the questions was, is there a certain area where you prefer to get food for a potlatch, he stated that his father was Whoshkeetaan, he said in that interview, he left the tape as a -- so we could learn our family tree, when his father passed on he said I'm going to my father's land to get food for that potlatch, and there's several other elders that stated that. And to get permission to go to other lands is no longer there because they're inter-married to each other, inter-marriages there to each tribe. But there are still some people say that they go to their father's land to get their food for their potlatch, to provide that food, and they can say this is from your land. This is from your traditional use area.

Again, I'd like to thank you for the opportunity to work on this.

CHAIRMAN LITTLEFIELD: Any Council comments. Mr. Kookesh first.

MR. KOOKESH: I notice on the map over there by the door, I know we don't have maps available on this project yet, but as I was kind of glancing through the document here from the Sitka Tribes, I notice there was kind of like a grey area as to what areas they owned in Peril Straits, is there overlapping jurisdictions occurring in.....

(Laughter)

MR. KOOKESH: Well, you know our oral history is real strong so everything you probably learned is probably accurate because that's the way our history worked.

MR. FRANK: You know, all the people that were interviewed, there was only one place that it becomes common knowledge between the tribes where is your boundary line, the (In Native), and the Takdee, where is there boundary line, so they kind of have an idea of where the areas were, they draw the boundary and there doesn't seem to be any talk from the elders that they're overlapping each other.

MS. DANGEL: You know the Sitka side of it, it did seem that there was overlap. People wouldn't say

that they actually claimed Hoonah Sound, Perils Straits or Sitkoh Bay -- well, some people did, very few, but most of them just said that they used it a lot. So I wouldn't say that they traditionally claimed it.

MS. CRAIG: And there was one instance of perhaps some clan territory at Deadman's Reach in the Angoon area so there's a lot overlap, I guess from Sitkoh Bay to Deadman's Reach.

CHAIRMAN LITTLEFIELD: Other questions, comments.

MS. WILSON: I have one.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: Is this all going to be put in book form like the Sitka book?

MS. CRAIG: Yes, provided it gets review. And also a question to Mr. Schroeder which Helen and Donald and I have had, is whether or not there would be funding to publish these nicely or how we should go about that.

MR. SCHROEDER: We should talk.

(Laughter)

MR. SCHROEDER: Helen, if you have a copy of your report, if you could submit it to our court reporter so that it's part of the record, please.

MS. DANGEL: Okay.

MR. SCHROEDER: But the answer is I'm sure we'll be reproducing these. We have to figure out how to do it.

CHAIRMAN LITTLEFIELD: Other Council.

(No comments)

CHAIRMAN LITTLEFIELD: We funded the Yakutat Tribe similar to that at a meeting like this, where we were able to allocate, I believe it was $25,000 to them, so that would take a request from you and we would also have to know the amount and it would be appropriate during the fishery FIS projects, but it's probably not something we could act on now.

MS. CRAIG: Thank you.

CHAIRMAN LITTLEFIELD: Any other Council.

MS. PHILLIPS: Chairman Littlefield.

CHAIRMAN LITTLEFIELD: Ms. Phillips.

MS. PHILLIPS: Chairman Littlefield, thank you. Were there management concerns that came about as a result of you putting your study together?

MS. CRAIG: There was one interesting thing that came out was that a number of folks in Angoon thought that they weren't allowed to use gaff hooks and it would be interesting to know why they didn't think that they were because we went to the Division of Subsistence and they actually are able to. So it would just be interesting to -- like elders seemed to allude to the fact that they were dissuaded from using that means of getting fish. So that was one that comes to mind.

CHAIRMAN LITTLEFIELD: We can use gaff hooks. Again, I'd like to commend all of you for this. I really think these projects are right on, and when you talk about the overlap, I think if you take all Southeast, and if you do this for everybody, you're going to find that the overlap completely covers Southeast, and we're not going to have any problem providing our case to people that want to come and take away your subsistence rights. I think these are extremely important and a wonderful job and I'm glad you could get the elders to participate.

So congratulations. Gunalcheesh.

Any others. Dr. Schroeder.

DR. SCHROEDER: I did have one comment and I note that the Sitka Tribe has been particularly good at working with other tribes in the region because they've been able to do a number of projects. They've helped in some coordination roles in that respect as well. I think we also should mention that we received a good deal of help from Ecotrust in producing the maps for this project. I'm not sure whether Ecotrust has ever come before the Council, but they've been very interested in working in subsistence communities in helping to document through GIS maps, subsistence use areas.

CHAIRMAN LITTLEFIELD: Mr. Kookesh.

MR. KOOKESH: My brother Matt always talked about the mapping system where the names were placed on certain points for the areas around the countries that say like for the area that you're working in, which is Angoon, is that going to go in there in the document also, that kind of material?

MS. CRAIG: The place names?

MR. KOOKESH: Yes.

MR. FRANK: As far as I know, yeah. We're going to add that into the document, and the traditional land use areas, I believe will be for each clan will be in there.

MR. KOOKESH: Thank you.

CHAIRMAN LITTLEFIELD: Any other comments. Ms. Phillips.

MS. PHILLIPS: Helen, Donald and Robi, I want to thank you for your commitment to this project and following it through from beginning to end, I admire that commitment.

CHAIRMAN LITTLEFIELD: Any others. Mr. Kitka.

MR. KITKA: Thank you, Mr. Chairman. I have a question for you. I know there was some question on property lines and overlapping and things, in any of the talks did you find any mention of how they documented their property lines? I know the stories I've gotten was that they marked it on the bluffs of the bays, who owned that land, and you'll find that up on the bluffs you'll find the crest of their families, so this was how they marked the properties.

MR. FRANK: There was some people that I interviewed and there's some things that they want to reveal but some that they want to keep for their clans, like you say they marked their areas on a painting on a rock on a shoreline on a cliff. And the reason why they don't want to reveal it because things that were revealed before are no longer there. We went out on monitoring with -- on a Sitka Ranger trying to redocument these cultural sites and these things are no longer there because they were revealed. And so some of our people don't want to do that now. They are documented, they are marked on the

shorelines like you say.

CHAIRMAN LITTLEFIELD: Any others. Dr. Garza.

DR. GARZA: Thank you very much for your work, it's quite heartening to see this kind of documentation because we get so tired of looking at what we have to do, it's a pleasure to see that some good work is coming that we can use in the future.

In following up on Bob Schroeder's comment that Sitka Tribe has been much involved with this process, I'm quite grateful because your work is excellent. I would suggest to you that you try and work with Wrangell and do something on documenting the Stikine use of salmon and the eulachon use in the Unicaria, because those are issues that this Council will be looking at and I think that Sitka Tribe could help facilitate that type of research.

Thank you.

CHAIRMAN LITTLEFIELD: Any others.

(No comments)

CHAIRMAN LITTLEFIELD: Again, thank you -- Mr. Douville.

MR. DOUVILLE: I'm looking forward to seeing your work when it's done. My grandmother was born in Angoon so it will be interesting to see what becomes of it.

Thank you.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: Okay, now, I have to brag. My dad is from Angoon and my name comes from Angoon, from Mrs. Johnson, Minnie Johnson gave me her name so I'm looking forward to seeing this report also.

CHAIRMAN LITTLEFIELD: Okay. Not to be out -- I won't be outdone on that either.....

(Laughter)

CHAIRMAN LITTLEFIELD: My grandfather's name was kaalKawu Tlein. His name was Sir George Basket

Bay, my grandfather's from Desheetwaan, too, so I'm going to be looking for this report.

Mike.

MR. DOUVILLE: And I want to see where those marks are.

(Laughter)

CHAIRMAN LITTLEFIELD: Thanks a lot, we really appreciate it. Good work, keep it up. For the public, if there's any left, I know we have at least one. We're going to continue going unless I'm overruled by the Council I still need to take the elections, time and place of the next meeting, Proposal 40 and we have one public testimony which I'd like to take next as well as continue this FIS until it's done.

We'll keep right on going.

Next, Mr. Skan, would you please come forward.

MR. SKAN: Thank you, Mr. Chairman. My name is Dewey Skan, I'm from the Klawock Cooperative. I'm from the Dog Salmon Clan, Raven. I represent the Klawock IRA. My father, people come to Klawock about, around at least 8,000 years ago and my mother comes from an island about 20 miles north of here called Hekita, and one of our old Indian villages called Scquam.

My first comment is it seems to me like there's too many people from Angoon on this Board.

(Laughter)

But in 1989, 18 people from the villages in Southeast gathered in Juneau to create what is called the Southeast Native Subsistence Commission and that's probably why you guys are sitting here today. You know, we gathered, we were concerned about the battle we were having with the State, you know, on all facets of our daily intake along with deer, and halibut and sometimes even we hear the Japanese are looking at our black seaweed, the overharvesting of herring, you know, in all the areas so we met in April of 1989. And I think we don't have any people from Klawock on this Board and, you know, I think to get back to my first opening remarks, you know, there should be one from every village on this board. And that's my

comment.

We're also concerned about how the Advisory Council selections are made. You know, we don't know who does the selections. We haven't had a friend, so to speak, since Hank Newhouse left, I guess that was his name, in our opinion. And I make that comment because Bill Thomas who was your Chairman for several years got shoved aside, why do we shove all that experience aside, you know, in my opinion it's because he's a strong voice. You know, we don't want to keep deleting all our strong voices until we have a rubber-stamp advisory council. I don't think that's healthy for the Tlingit-Haida people of Southeast.

For a long time our people, the indigenous people of Alaska have been fighting with the State government once they were organized in 1959. And what is a concern to a few of us that are plugged into the State that a lot of them are jumping the State ship and they're going over to the Federal because of the higher retirement, and that's a concern to us. We're afraid they're going to bring their State philosophy over to the Federal and we'll have to fight with them all over again. To some of us that have been watching, we've been watching this for a couple years, we're worried about it.

Another thing, my father and my grandfather, James, who was the great last killer whale chief born up at the Klawock Creek, they worry about the overharvesting of one side of the resource, you know. It's like going into a community and there's no men, you can't perpetuate and advance your people because there's only one side of the resource, there's too much overharvesting of probably the bucks on this island. I don't live here hardly much but talking to the hunters around here, you know, those running over there, you can punch them in the nose and I don't think that's healthy.

I testified before on behalf of the Athabascan people to harvest moose for their ceremonial purposes and one of the Chairmans in Anchorage asked me, what's your concern, we know you're from Southeast and I said they shouldn't -- he said the Athabascan people shouldn't harvest their moose out of season and I said our people don't die in season.

Another, me and my buddy, you know, like I said we watch a lot of stuff, there's three, four, five us of that run together all the time and we heard that they were taking testimony at the Egan Convention Center on

walrus so we signed up and we went up there, me and my buddy and I testified on walrus and I said, don't ask me any questions about it because I've never ever tasted it and the guy, and the Chairman said what is your concern, and I said my concern is you're shafting our northern brothers and I'm here to back them up.

The Greenpeace, you know, about eight or nine years ago, they helped us, you know the Forest Service was going to harvest 186 million board feet from Control Lake all the way down to Shores, 11 mile, all the way to Nausk, you know, a lot of our totems are there, our ancient villages are along there and we had several meetings with the Forest Services and, you know, we'd like to thank them, you know, for stopping that sale. Because, you know, a lot of times they don't listen to you they just harvesting because somebody's kids in these urban centers have to buy gym shoes. But, you know, we thank the Forest Service for listening to us, along with Greenpeace and the Southeast Conservation Council. This happened, I think in '92, and I was the one that was moderating all the meetings in Klawock, we had about four or five meetings and we had almost all the communities on the island represented along with loggers, you know, and we stopped it because our hunting grounds are there, there's two or three creeks down that shore, there's our seaweed rocks, gumboots, so I thank the Forest Service, you know, for standing by our side on that.

And my last comment I'll make is in '95 when I was the president of Klawock Kena (ph), we keep hearing all these adverse things about the Forest Service stopping all the sales on Southeast but that wasn't true. My brother Norman worked for Ketchikan Pulp for about 22 years and he said the last year Ketchikan Pulp was in operation they last $226 million, you know, and you're not going to run your grocery store if you're losing that much in my opinion. So that was a battle I had with the Chamber of Commerce, there were three people that were calling me and they think that the Prince of Wales is the Tongass National Forest and I just want to let people from this island know that that is not true, you know.

So that concludes my comments and I'd like to thank you for listening to me.

CHAIRMAN LITTLEFIELD: Thank you very much for your comments. First, I'd like to ask Dr. Schroeder to respond to the Regional Advisory Council comments you had, those are also our concerns and maybe he could explain how

that process takes place.

DR. SCHROEDER: Mr. Chairman. Dewey, good to see you here. Just the selection process for people to the Regional Advisory Council proceeds in a reasonably straightforward fashion. Anyone can nominate themselves or someone else for the Regional Advisory Council. The open nomination period is usually the first couple months of the year. Notices are sent out really quite widely and then there is also ads appear in the newspapers and on radio. We really encourage identifying good applicants for the Council. Applicants are then reviewed by a panel made up of members of the different Federal agencies. That panel produces a report which is then -- which ranks and evaluates candidates and then those candidates work through the Federal process and are recommended by the Federal Subsistence Board and then that goes to the Secretaries, as you may know.

Our problem with Bill Thomas last year was that his name was pulled at the Secretarial level. And this was done on Interior side and it was basically not much that anyone here could do about it.

But we do encourage applicants. In this coming round I think we'll have four people, four seats open this coming year, if I'm not mistaken.

MR. SKAN: I understand the process, I'm just here to object to a few of our strong voices being shut out, you know. And if that was the case, and I was trying to find out who should I write to, you know, and that's my point. Bill's a strong voice so you're going to shut him off at the Secretary's level, you know, that's not healthy for our people.

And I put in my name a couple of times at the behest of some of these guys that are sitting here because they know that I'm not going to be bending to anyone, so I think it's kind of a waste of time when you go out throughout the whole region instead of going community by community and getting a representative, and that's the point I'm making about 1989 and the reason why you're probably sitting here.

CHAIRMAN LITTLEFIELD: Any comments or questions for Mr. Skan.

Ms. Phillips.

MS. PHILLIPS: Thank you, Chairman Littlefield. Mr. Skan, what is your opinion -- I mean how did the deer hunt go -- what is your opinion of how it went on POW with the early July hunt and the subsistence hunt?

MR. SKAN: In my opinion it went well because in 1992, I believe, the State was trying to create seven non-subsistence use areas, you know, and one of them was Ketchikan and another one was Juneau, and Don Marvin from Klawock and Rudy Smith and I just happen to be there listening while they were beating up about 100 people from Kenai because they tried to create Kenai as a playman's paradise -- a sportsman paradise, so, you know, it took two days to find out who was the instigator of that because our concern as citizens of Prince of Wales Island, we have no problem with it but with our brothers coming home to go hunting, but then everybody in Ketchikan would have been eligible because their area was shut out. So I think the hunt went well. I'm at the age where I can't hardly go to the post office or go to the store and get spam, so the young guys bring me deer.

(Laughter)

CHAIRMAN LITTLEFIELD: Follow up, Patty.

MS. PHILLIPS: Thank you, Chairman Littlefield. Do you think the deer numbers are -- is it harder to get a deer or are the deer numbers diminishing in your opinion?

MR. SKAN: That gets back to my comment about overharvesting one side of any resource. There's a lot of does that you can see even along the highway or out by the store in Klawock and even in the village up there, you know, so I don't think it's healthy if you keep knocking the heck out of one side and it's an open island, you know, this is a Democracy, but a lot of those people from Ketchikan come in here and I think one time they caught one guy leaving this island with 11 does in his van, you know, and the blood was running out and he got caught.

CHAIRMAN LITTLEFIELD: Other questions, comments for Mr. Skan.

(No comments)

CHAIRMAN LITTLEFIELD: Thank you very much, we appreciate it, and we agree with most everything you say, I'm pretty sure you'll find there's agreement here.

MR. SKAN: Thank you, Mr. Chairman, members of the Board. Where you been, Floyd, I've been waiting for him to come home for two days.

(Laughter)

CHAIRMAN LITTLEFIELD: Okay, we're back to the TEK projects, we did not finish those TEK FIS projects. If you have more, please, we want to finish these up.

Mr. Turek.

MR. TUREK: Good afternoon, again. I'm Mike Turek with the Alaska Department of Fish and Game, Division of Subsistence.

We have a number of FIS projects so I'll briefly go over them and Nancy Ratner is also here and available if you'd like her to discuss in more detail a couple of the projects she's been working on and also we'll be here all up until Friday morning. So if you don't want to take the time this afternoon to discuss some of these projects in more detail we're available throughout your whole meeting. So I'll give you a brief overview of the FIS projects we are currently working on.

Right now we're nearing completion of the report that we've been working on for several years on the Klawock and Sarcar River fisheries. Nancy spoke with you a bit on the field trip about that. And we are right now in the process of printing up draft final reports which we're going to distribute this week while we're here to the tribes that we cooperated with. And to the people that we interviewed. So part of the agreement was that the reports would not be distributed to anybody until our cooperators got the first review. So that's what will be occurring this week. We're making the copies right now and we'll be distributing them in Craig and Klawock and meeting with the Craig and Klawock Community Associations.

As I said Nancy Ratner is the primary researcher on this project. She's done an excellent job and she's available if you would like to speak with her, either this afternoon or some other time for more details about the project. She could come up and speak about that.

Nancy has also been working on a project this summer in Hoonah, and this is a project that we're cooperating with Hoonah Indian Association and also Tlingit-Haida Central Council and Dr. Steve Langdon. It's

a larger project titled, Hoonah and Klawock Salmon Survey, that Dr. Langdon is the lead researcher on, and we have a small part of that project. What we're doing is we're writing up the -- doing research and writing up the contemporary fishery, subsistence in Hoonah and Nancy has been working on that and primarily the Haktaheen (ph) and Excursion Inlet subsistence fisheries and she's also done some really good research on traditional gaffs and spears and the making of the traditional barbless hooks in Hoonah. So she's got that to share with you.

This information that she's gathered in Hoonah on the gaffs and spears and particularly the barbless hooks pertains to the Hoonah use of the -- these gaffs with salmon, but this equipment is also used in some places on steelhead. I just spoke with Dr. Langdon Friday, late Friday afternoon and he confirmed that from his research he's been working with the people in Klawock since the early '70s. From his research that he has seen people in Klawock and knows that they have used these barbless gaffs and spears on steelhead so we can share what information we have on that with you during the steelhead proposals if you'd like. And I also spoke with Dr. Langdon, what we're discussing with him is perhaps putting -- working on a paper, a Tlingit-Haida spears and gaffs, northern and southern Tlingit-Haida traditional use of spears and gaffs for salmon and steelhead, and that may be a separate piece that we produce coming out of these projects.

Let's see also last summer we began working on a project split up over two years of funding in Wrangell in the Stikine River. Last summer we started working with the Wrangell Cooperative Association and with the funding last year -- we had limited funding last year, we took a field trip on the Stikine River with Mr. Stokes and a number of the Federal Staff and Nancy Ratner worked with Dick to begin documenting the traditional use areas on the Stikine River and the traditional fisheries. This summer another of our Staff, Amy Paige is working in Wrangell with the Wrangell Cooperative Association and Sandy Churchill, a local Tlingit woman who we've worked with for probably approaching close to -- well, at least 15 years on different projects, and Sandy and Amy are doing interviews with people about the contemporary and traditional subsistence sockeye fisheries in the Wrangell area. And so that project is progressing.

We've also just received funding through the Regional Advisory Council on the steelhead project for

Prince of Wales Island, and started doing some preliminary work on that in preparation for this meeting. And we're going to be contacting the Craig and Klawock IRAs and also the Hydaburg IRAs on this trip, hopefully, for sure Hydaburg, and Klawock it looks like this time, and we're still trying to set up appointments with Craig, I believe, and discussing this project with them. We have about $10,000 in the project for the tribes, and so we're hoping that we can perhaps get some more funding for the tribes on this project, but we'll start with that amount and we'll be working with those tribes on Prince of Wales Island to document the traditional and contemporary and harvest steelhead. We'll also be including some interviews in Coffman Cove. Coffman Cove, according to our data is, I think, the fourth highest -- reported the fourth highest amount of steelhead taken for home use during our harvest surveys here. And so we're going to include Coffman Cove. We'd like to be able to interview the people there that are harvesting steelhead for home use.

So that project is just underway and we'll be setting up some of the work for that this week and then coming back later this winter, early spring when the spring fishery occurs and hopefully be able to document some of that.

Also while we're in Hydaburg, I'll be talking with the Hydaburg Indian Association about working with them on a project, a subsistence salmon TEK project. We have funding right now from the Southeast Sustainable Salmon Fund that we're beginning a traditional knowledge -- salmon traditional knowledge database project, and that funding will be -- we're using that also as a matching fund for a proposal that we've submitted with the Sitka Tribe into the FIS program for a traditional knowledge database for salmon and other Federal finfish. And what I'm going to do is I'm going to talk with Hydaburg to see, and I've spoken with their staff briefly about this over the phone and see if, perhaps we can include them in that project in this next round -- the next round of proposals, work with them on a proposal to include them in this project.

What we'd like to be able to do and we've discussed this at some length with Robi Craig and the Sitka Tribe and Tom Thornton, is to use the material that Sitka Tribe has collected on traditional knowledge of these species to include into this larger database. And so we're hoping that the material also collected on the two projects that were shown today could also be included in the database. So what we're trying to do with these database

projects is trying to accumulate as much information that's already been collected and put it in one electronically accessible database. And so that's the idea, that's the goal. So we'll be working with the Sitka Tribe and hopefully we'll be able to bring Hydaburg into this, too. So that is beginning -- it's already begun with some funding and the week of the 20th we're having a training session in Juneau with the Department's -- the Division's software database expert that we develop these -- that we make these databases with and she'll be down in Juneau for a week helping train us and then start kicking this database off. So that project is underway with Sustainable Salmon Fund money, and so we're quite excited about that.

One other thing that came up just before I left the office for this meeting, I spoke with a representative of Tlingit-Haida, their contractor, Peter Metcalf and also Dr. Langdon, on the Hoonah/Klawock project that I mentioned earlier. But I also spoke with Peter Metcalf about what they're referring to as their Southeast Alaska Resource Atlas, Southeast Alaska Native Resource Atlas, this is a project that grew out of project that one of our Staff, Brian Davis began with the GIS harvest database which essentially is you can go into your computer, you can bring up a picture of maps of Southeast Alaska, click on the river and then you can get the Department's harvest data. This project has evolved into a larger project, Tlingit-Haida has been doing a lot of work with Dave Albert of Ecotrust and they've developed this resource atlas with many layers of information besides the harvest data, the mapping data, they've also included place names data that's been collected and a number of other things. I haven't seen the database yet. I've requested through Mr. Metcalf and I've left phone messages for Mr. Albert, that he -- that Mr. Albert would come to our training session the week of the 20th and demonstrate the database to us. I also was clearly -- I spoke with Mr. Metcalf and it's quite clear that this database will not be released to the public until there's further review by both our Staff, the tribes, representatives of the tribes, each village that's included in this database and so it sounds like it's a very powerful database. I'm looking forward to seeing it.

But one thing I wanted to make clear and I did clear this up with Mr. Metcalf is that it won't be released to the public until more people review it for any kind of a sensitive or private information. So I'll be real interested in seeing this database.

That's all I have. If you would like to have Nancy Ratner have come up and speak briefly at this time about the Klawock/Sarcar Lake project and the Hoonah project she'd be more than happy to do that.

CHAIRMAN LITTLEFIELD: Ms. Ratner, could you please come up and join him, and Mike if you'll stay there for questions when we're done.

MS. RATNER: Greetings, Mr. Chairman and Council. I wasn't prepared to do a presentation, but I can answer questions or if you'd like me to summarize what we've been working on I can do that, too.

CHAIRMAN LITTLEFIELD: Okay, fair enough. Council, do you have any questions on Klawock or any of the projects that Mr. Turek brought up.

Council comments or questions.

(No comments)

CHAIRMAN LITTLEFIELD: You guys got off pretty easy, it must be getting late. Okay, it sounds pretty exciting what you're doing anyway, there's a lot of stuff going on and I'm really pleased to see it.

MS. WILSON: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: I have one quick question about the database computer, the layered information. Who's going to use that or who has access, will have access to it?

MR. TUREK: Chair. Ms. Wilson. That's a good question. That's something I spoke briefly with Mr. Metcalf about. And that's where the review by the tribes is real critical. Because they want to release it as a public, access -- the public having access. One idea is to -- so school children will have access to it.

One thing we're discussing working with them on is developing a powerpoint presentation illustrating this atlas. One of the drawbacks of this resource atlas is that it's in a software system that requires a certain amount of skills to operate. So that's one thing I have to find out from them. When it is released to the public, how -- you know, will you have to

be a technician to be able to operate it because at this point that's the way I understand it. You have to have the software and you have to have the background to operate the software. But the plan eventually actually is to get it, if not all of it, a lot of it on to the internet. So it's real important that the information that is available to the general public is closely reviewed and there is nothing of sensitive nature in it. So that was my main concern and that's why I've really stressed that we need to have people start reviewing this and they agreed to that.

So I'm sure the RAC will be involved with the review of this.

CHAIRMAN LITTLEFIELD: Other Council. Questions. Comments.

(No comments)

CHAIRMAN LITTLEFIELD: Thank you very much, both of you. Are there any others.

MR. TUREK: Excuse me, I'll just remind you once again we'll be around to the end so if you have more questions we're available.

CHAIRMAN LITTLEFIELD: It's our intent to take care of these FIS projects right now. Are there any other people in the audience who have FIS projects, investigators or would like to comment. Dr. Chen.

DR. CHEN: Thank you, Mr. Chair. For the record my name is Glenn Chen. I'm a fisheries biologist for the Bureau of Indian Affairs. And a number of the Council members yesterday seemed to have some questions about our steelhead study proposal that I would like to address in a short presentation to the Council.

I appreciate the opportunity to discuss our research proposal. You'll find an executive summary of this project on Page 65 of your book, 04-601. As Mr. McBride indicated yesterday, I serve as the BIA's representative on the Technical Review Committee for the FIS program, and I'm kind of an unusual position of having recommended to not fund this proposal, but coming up to you now to advocate for the proposal. So I'm switching hats here now and serving as the principal investigator here.

As the Council is well aware of the lack of data on steelhead populations had made it difficult to

determine the current status of steelhead stocks on Prince of Wales and will make it extremely difficult to assess any potential effects from the new Federal Subsistence fishery. However, obtaining population information for steelhead on Prince of Wales Island will present some significant challenges. Compared to other anadgormous species steelhead trout have particular life history, behavior and other ecological characteristics that create some unique difficulties for fisheries researchers. These factors were carefully considered when we developed our study design and the methods that we would like to employ to ensure that useful data is obtained.

I wanted the opportunity to perhaps clarify and address some of the items that were identified in the presentation given to you by Mr. McBride yesterday, and they're also described on Page 60 and 61 in your Council book regarding the FIS and Technical Review Committee's review of our project. Specifically these pertained to discussions related to methodologies that we were proposing to use that affected the total cost of the projects.

As the Council well knows, we're proposing to use three weirs, weirs on three systems to enumerate the number of adult steelhead that return to these Prince of Wales Island streams, and these streams support a substantial proportion of the subsistence harvest and they also support fishing activity on the island.

Some of the FIS Staff as well as members of the Technical Review Committee recommend that we employ mark recapture to estimate the numbers of steelhead as a way to reduce project costs and thereby allow us to perhaps sample more streams. We did give much consideration to the recommendations, we have a number of concerns about substituting the proven technology of something like a weir with mark recapture methods that are probably, at best, experimental for steelhead, especially on Prince of Wales streams. And we also are concerned about being able to meet a number of the assumptions that come with mark recapture studies to make sure that the mark recapture studies actually succeed.

One thing I'd like to point out is it's important for any type of sampling to be able to evaluate the accuracy of the information that you obtain. and for types of streams that are found on Prince of Wales Island, a weir is really the most effective and efficient way to validate any sort of steelhead mark recapture estimates. And to do such a validation you would have to conduct a

mark recapture study at the same time you're doing a weir study simultaneously. Unfortunately we don't have any other studies on Prince of Wales Island or in Southeast Alaska where this has been done that we can rely upon, and so this would mean it would be necessary to install a weir for at least one system and operate that weir for more than one year to get this validation conducted.

And so therefore, any study to look at steelhead populations on Prince of Wales will need to include a weir as part of the proposal.

Just to give you some idea of some cost figures. Our proposal talked -- Option B, in particular, talked about putting in a weir on Harris River and we estimated the cost to be about $140,000 for the first year. Part of that includes the cost of purchasing materials for the weir and so forth. And then the second year of the cost, we could go down to $106,000. The Technical Review Committee asked us to consider in a resubmission of the proposal to move the weir to the Klawock River because of Prince of Wales Island hatchery already has a weir in place there. This could result in reducing some of the cost and saving about 15 to $20,000 but it must be noted that the Klawock River needs to be modified to make it efficient in terms of catching steelhead and that would probably result in an investment of about 15 to $20,000. So that could reduce project costs probably down to about $120,000 for the first year.

One of the considerations that we were asked to incorporate in redesigning our study was the level -- consideration of the level of data precision that we would need to manage Prince of Wales Island steelhead stocks. And as the Council may recall subsistence steelhead management is based upon whether or not a stream has a small versus a large population of steelhead and the threshold number is about 150 fish. So if the managers only wanted to determine whether or not a stream has a small or large population of steelhead and then assign a regulation to that stream then perhaps a method that produces estimates with lower accuracy could work. However, questions that are being asked of the Federal program are what of the impacts of the use of subsistence fishery on steelhead stocks and to fully evaluate this you would need to determine what the populations are, what levels the populations are and this would require that the managers have good estimates of the number of fish.

A couple other considerations before I

conclude my presentation. On Page 57 of your Council book, you will note that our project has a second highest dollar contribution for local hire. We're proposing to offer about $80,000 to Hydaburg Cooperative Association to hire technicians and biologists. And only two projects on this list of Southeast proposals offer to provide any matching funds, and the three Federal agencies involved, BIA, US Geological Survey and the Forest Service are willing to contribute at least $115,000 a year to steelhead projects.

And with that I'll conclude my presentation and take any questions the Council may have.

CHAIRMAN LITTLEFIELD: Could you go over the numbers. You mentioned that you were actually looking for 120 or 140, could you clarify that?

DR. CHEN: If we were to use the Harris River weir as we originally proposed, the cost would be about $140,000 for that first year. And then that would go to about $106,000 after that, after we've invested in the purchasing of the materials for the weir, getting materials out to the site and so forth.

If we follow the Technical Review Committee's recommendation to use the Klawock and use the Klawock River weir instead, we would still have to invest about 15 to $20,000 to make the Klawock River suitable for catching steelhead. So that would bring the total to about $120,000 for 2004 instead of 140.

CHAIRMAN LITTLEFIELD: Questions. Any questions from the Council. Comments.

Mr. Adams.

MR. ADAMS: Thank you, Dr. Chen. I see that you're one of the principal investigator and then you have three other co-investigators. With the job that you're doing now, you know, with the Bureau of Indian Affairs Regional Office, just how much involvement will you have in this project, yeah, and -- yeah, I guess that's my question.

Thank you.

DR. CHEN: Myself, along with Dr. Zimmerman are actually the main scientist project and so we would be involved in developing the study design, training the folks from HCA, coming down and selecting the locations for the

weir. We're planning on spending about anywhere from 10 to 15 percent of our time during the year to get this project underway and see that it operates.

CHAIRMAN LITTLEFIELD: Other Councils, questions for Dr. Chen.

(No comments)

CHAIRMAN LITTLEFIELD: Any questions.

(No comments)

CHAIRMAN LITTLEFIELD: Thank you very much, Doctor.

DR. CHEN: Thank you.

CHAIRMAN LITTLEFIELD: Stay with us for a minute. Ms. Phillips.

MS. PHILLIPS: Chairman Littlefield. Is the matching funds available for each successive year, $115,000?

DR. CHEN: Yes. We're proposing to offer that during each of the three years of the study.

CHAIRMAN LITTLEFIELD: Any other questions.

(No comments)

CHAIRMAN LITTLEFIELD: Thank you, sir. Are there any others that have FIS presentations. Meg, did you have anything that you wanted to add?

MS. CARTWRIGHT: (Shakes head negatively)

CHAIRMAN LITTLEFIELD: Okay. Mr. Van Alen.

MR. VAN ALEN: Thank you. I'm Ben Van Alen, biologist -- fisheries biologist for the Forest Service in Juneau. And I had handed out just a quick progress report on the activities of the Hoonah project that we're now on our second of three years of the FIS project and I think from the write up you'll see that things are going basically pretty well.

We're actually -- the folks we're working with in Hoonah are doing a great job. They really enjoy

the work they're doing. This year was the second year for a couple of them, and I think the experience they're getting on doing this kind of work in the field, plain old living in the field and learning how to, I guess, be safe in our field operations as well as the work we do with fish, lineology and that kind of stuff is really good, and I certainly enjoy working with them. Their names are probably familiar, the last names probably are, Fred Gallant, Jerome Abbott, Lyle James, Elijah Shakley, Bill Dalton and I think I just want to point out that it's been real pleasure working with them. I mean just an hour ago I got a call from one of them saying when do I get to go out again, and, you know, it's kind of neat to get that response because they had just spent the month of September out at Hakteheen camp, you know, staying in a tent and doing the routine and I think it's really neat that they're anxious to keep going.

The basic project findings are interesting. At Neva Lake, it's a very small lake, last year we counted 5,000 sockeye in there and this year there's over 11,000 in there. So it's this little lake that we had no idea this would be the first estimates, you know, quantified estimate of escapement in there, so we're seeing that that run is in deed quite healthy. The effort commercial, sport or subsistence is quite light, but we do see that it's probably a very healthy run in there.

Also we've got first time ever estimates of sockeye into Pavlof Lake and that run is quite small sockeye, 1,300 last year, 1,500 this year; a good run of coho in there as we probably already knew. But we're still -- you know, those are the first quantified estimates we've ever had. I'd say that this is the third year that these FIS projects have gone into Kouk Lake, that's Basket Bay, trying to get our hands on fish and to-date we never really -- we haven't really been able to catch very many fish in there. Frankly, I don't know if that means there's not many in there or just the characteristics of the lake and where the fish are spawning, a lot of lake spawners in there. We just can't get our hands on them, can't see them.

Anyway, this year there was a cooperative effort between the Angoon crew and our Hoonah crew to go in there and we did a good mark recapture in the main inlet stream for the first time, and so I just wanted to comment on that.

And then the last thing is the Forest

Service initiated a project up on the Ahrnklin River, that's an important contributed to the Situk/Ahrnklin fishery and in that location we've gotten our first estimates of the escapement of sockeye up the Ahrnklin drainage and that's important because it's a mixed stock fishery there. And we never knew really what the contribution was from the Ahrnklin. We've had an operation -- we -- meaning Fish and Game has operated a weir at the Situk River for a bunch of years and we know what that is.

Anyway, so this year, through fairly simply mark recapture work, like marking 900 fish down low in the drainage, examining fish for marks up high in the drainage, we were able to come up with estimate of escapement and in this case about 19,000. In 2001, it was 24,000 and so I say that that kind of worked pretty good.

Thanks.

CHAIRMAN LITTLEFIELD: Thank you very much. There wasn't anybody that got stuck in the river this year, was there?

MR. VAN ALEN: Nope. We learned quick.

CHAIRMAN LITTLEFIELD: Good. Council questions. Mr. Adams.

MR. ADAMS: Thank you, Ben, for that report. You know, for many, many years we've been wondering how we would be able to get some accurate counts from the Ahrnklin River, and in talking with you yesterday and you brought me up to date on what's been happening over there and I'm really happy that you were able to develop a system that gives some pretty accurate counts about the escapement of the sockeye salmon in the Ahrnklin River, because it's so muddy, you know, you can't see the fish going through and there's no place for a weir. And it'd be, previously, as I understood it, you know, they used to take estimated counts, you know, from those clear streams that would run into it and you know I don't think that was very reliable at all. But I'm really happy that something is happening up there that is much more reliable than the past.

So I just wanted to express that appreciation to you. Thank you.

CHAIRMAN LITTLEFIELD: Any other Council.

(No comments)

CHAIRMAN LITTLEFIELD: Please let the -- yes, Ms. Wilson.

MS. WILSON: Thank you, for your report Ben. But I was just wondering how long you spent in each area, you did so many areas?

MR. VAN ALEN: Yeah, actually worked out from what we learned last year, a little bit of a sequential project. This is a cooperative project with Fish and Game, Hoonah Indian Association and Forest Service. Fish and Game employed one person, Wayne Lon, who operated the Neva Creek weir, so all of us went in there and put this weir in in a day and then he stayed there, he lives in the area, and he operated the weir, so that checked that off the to do list basically for the summer.

And then the crew went and lived at Pavlof and operated, I have the dates in here, from, you know, June into August, June 12th to August 23rd, which is basically an entire run of sockeye, they counted from no sockeye all the way to no sockeye again. So that's where they worked there.

And then after a little bit of work at Neva with mark recapture we went out to Hakteheen, so it actually worked kind of good in that way.

MS. WILSON: Thank you.

CHAIRMAN LITTLEFIELD: Any other Council.

(No comments)

CHAIRMAN LITTLEFIELD: Sounds like you got a good crew out there, keep it up.

MR. VAN ALEN: Thank you.

CHAIRMAN LITTLEFIELD: Are there any other FIS projects. Mr. McBride, would you join us, please.

By my records I have us on Page 61 and maybe Mr. McBride could correct me, but I believe we're on Page 61 and those are the projects that we are going to have to make a choice among those for available funding.

Mr. McBride, if you could summarize for the

Council where we are.

MR. MCBRIDE: Thank you, Mr. Chairman. I think what my recommendation would be to focus on Tables 3, which is on Page 58 and Table 4, which is on Page 62. Table 3 are the SST projects, that's all the projects. You can see the TRC recommendation and the actual dollar amounts for each of the three years. And then Table 4 is the same information for the harvest monitoring, TEK. Then in addition to that, if you remember the hand out that we discussed yesterday, on the first page of that hand out, the update to the 2004 draft Fisheries Resource Monitoring Plan for Southeast, the two bulleted items at the end of that are the recommendations that we would give you for how to spend the additional 91,000 that just recently became available. And I won't repeat those but I would go through it that way, I would look at Table 3, Table 4 and then the recommendations for how to spend the additional money.

Mr. Chairman.

CHAIRMAN LITTLEFIELD: Okay. Does everybody understand where we are?

(Council nods affirmatively)

CHAIRMAN LITTLEFIELD: I would recommend that we consider these separately. The Table 4 separately and also Table 3, I think that makes sense. Is there any objection to that?

(No objection)

CHAIRMAN LITTLEFIELD: And perhaps we should take care of Table 4 before we do three, working backwards, because we prioritized them that way and if the Council would like to change that priority that's well within your prerogative. Is there any discussion on that or do you want to just proceed to Table 4?

(No comments)

CHAIRMAN LITTLEFIELD: Okay. I don't hear anybody objecting. So what I would like to do is entertain a motion of some type on the Council's wishes on Table 4.

MR. STOKES: I move that we take care of Table 4, for funding.....

CHAIRMAN LITTLEFIELD: To fund Table 4. Is

there a second.

MR. ADAMS: Second.

MS. PHILLIPS: Second.

CHAIRMAN LITTLEFIELD: Okay. It's been moved and seconded that we fund the projects on Table 4. And under discussion is there any Council comments, the projects are 04-651 and 04-652, and I suppose we could do this by paragraph if some Council member would like to separate those, we could consider those individually, but for right now the motion is to fund those two projects.

Discussion.

Dr. Garza.

DR. GARZA: I'm assuming the motion would be recommending that we fund.

CHAIRMAN LITTLEFIELD: Yes. We are only recommending, we don't have the funds but we're recommending.

DR. GARZA: Call for the question.

CHAIRMAN LITTLEFIELD: The question's been called for to recommend funding for the two projects on Table 4 as shown on Page 62 of your Board book. The projects are 04-651 and 04-652, and the total amount of funding that we are recommending is in the three columns 2004, 2005, and 2006, the total is 162,194 for 2004; 234,434 for 2005; 186,744 for 2006. All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: Those opposed same sign.

(No opposing votes)

CHAIRMAN LITTLEFIELD: So Mr. McBride, we are recommending that Table 4 projects be funded in the amount stated in your table.

MR. MCBRIDE: Thank you, Mr. Chairman.

CHAIRMAN LITTLEFIELD: Okay. We have

projects in Table 3, and my suggestion to the Council would be that we consider these separately because there may be some discussion but I'll take any motion that anyone wants to make. But I would consider them separately and we could probably dispose of them fairly quickly.

I suppose the motion would be to fund -- to recommend funding for the projects in Table 3 and that we consider them line by line so that we start at the top and then we just say yea or nay as we come down the list. That would be my recommendation.

Ms. Wilson.

MS. WILSON: I move that we recommend to fund 04-601.

CHAIRMAN LITTLEFIELD: Okay, that's fine, too. We have a recommendation to fund 04-601 as shown on Page 58 and the amounts would be, and I'll just read them in order, 140,140, 264,060, 204,060, so it would be for all three years, 2004, 2005, 2006, is there a second. Did we get a second on that?

(No comments)

CHAIRMAN LITTLEFIELD: Is there a second?

MR. HERNANDEZ: I'll second it.

CHAIRMAN LITTLEFIELD: Okay. That's the motion that's before you, to fund Project 04-601 and the amounts stated and shown on Page 58. Discussion.

Is there any discussion.

(No comments)

CHAIRMAN LITTLEFIELD: Are you ready for the question.

MS. WILSON: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: TRC recommendation is no, so the Technical Review Committee, so I know we had this report earlier but I don't remember why they recommended no.

CHAIRMAN LITTLEFIELD: Mr. McBride, would you respond to that?

MR. MCBRIDE: Mr. Chairman. Ms. Wilson. To summarize, when the Technical Review Committee looked at these projects, it was their assessment that sockeye salmon projects were, in general, the highest priority. And so we looked at all the sockeye projects and then tried to prioritize those.

Then you also need to -- what's in question here is a steelhead project. And the way the TRC looked at steelhead is that they very much recognized that getting steelhead information is going to be a very important thing to do, we're going to need some abundance data on steelhead, I don't think there's any question about that. However, we just had the first year of a fishery. The Board instituted the steelhead fishery on Prince of Wales Island just last December, changed those regulations and those regulations are governed by several things, not the least of which is a 600 fish harvest cap, and that 600 fish harvest cap came from community baseline survey type information that was collected by Subsistence Division back in the late '90s and is very similar to the kinds of programs that Mike Turek just spoke to you about just a little bit ago. When we had the fishery this year, though, a lot of work was put into it by the Forest Service management Staff to implement the permit system, you know, to get an estimate of harvest as we were going through the fishery and then immediately after the fishery ended. And the estimated harvest was 26 steelhead, which is a huge world of difference between 26 and something that looks more like 600.

So in the TRCs assessment, they think we're better off investing the money now in as many sockeye programs as we can. Because we know that's -- I mean when we look at subsistence harvest data you only have to look at it for a minute to come to the conclusion that sockeye are the primary species of interest for fisheries for subsistence fishers in Southeast, to invest as much of the money now in as many sockeye programs as possible. Invite the investigators to come back with an updated proposal that we consider next year for steelhead abundance.

Dr. Chen just spoke to you about some of those concerns. And it may end up being the same proposal. Personally, I don't think so. I guess I think there are some alternative ways to go through a tagging study where we can bring the costs down and look at a variety of

systems as opposed to sinking all our money into weirs, basically at the cost of about $150,000 per weir. But I mean that's a debatable question. And I think everybody on the TRC understands that.

But then in addition to that, it's not like we're ignoring collecting information for steelhead. The other project that Mike Turek just spoke to you about is in last years monitoring plan, we approved a project to update our harvest assessment on steelhead, and that was the project that he just talked to you about that is just now getting going. And I think it would be really important before we start investing a lot of money into steelhead to get a much better idea of what the harvest is. And my own personal opinion, if the harvest looks more like 600, then that's going to speed up and increase the need for abundance information. If, on the other hand, the harvest really looks more like 26 or some much, much, much lower number, then the need for the assessment data is less.

And so we think, on the TRC, again, invest the money now in as many sockeye projects as possible, continue the harvest assessment and see where that leads us on steelhead.

Mr. Chairman.

CHAIRMAN LITTLEFIELD: I'm going to make another stab at this. I originally proposed using Page 61 as the mark up vehicle for this as opposed to 58 because on that page all of the projects were listed that are shown in Table 3, but the priority from the Technical Review Committee was shown, so that we could address them in order. When we get to the line we have available funding to that. And then we need to decide what to do with the 91,500. So I think we're going to get really confused if we go through these one at a time, and we may not prioritize them correctly by considering 04-601 first. So that's why I think we should go to Page 61 -- what's your comments?

MR. MCBRIDE: I would bow to the wisdom of the Chairman on this, I think that's an excellent idea.

CHAIRMAN LITTLEFIELD: Dr. Garza, did you want to add something here?

DR. GARZA: Mr. Chairman, that was also going to be my recommendation, is, is discussion by this Council as to why we should not accept the recommendation

of the TRC as outlined on Page 61. I think if we started there and we had no objections to that that's what we would do.

CHAIRMAN LITTLEFIELD: That would be my recommendation, that the maker of the motion as well as the second withdraw their motion on 04-601, and that we proceed to debate the merits of the Technical Review Committee recommendations on Page 61 and then work our way down from that. Is there any problem with that, maker of the motion?

MS. WILSON: I withdraw my motion.

CHAIRMAN LITTLEFIELD: Okay. So what we'll do is we'll go to Page 61. And then again -- second.

MR. HERNANDEZ: I agree, withdraw.

CHAIRMAN LITTLEFIELD: All of these projects are listed on 61 that are also on Table 3, and the difference you need to know with one exception is that 04-604 was the TRC recommendation was yes with modification. So even though that amount of 204,600 is right at the top of your page on 61, that is a one year funding request -- excuse, that is a one year funding recommendation from the Technical Review Committee, so that's all we're voting on would be one year on that particular project. You may decide to change that but that's the way I interpret it right now.

So I would entertain a motion on what's on Page 61 from the Council.

Dr. Garza.

DR. GARZA: Mr. Chairman, I would move that we accept the recommendation of the Technical Review Committee to fund 04-604, 607, 609, 606, 605, given that 604 is for one year and provided that if we have excess money that it go to the next one down 608.

MR. STOKES: I'll second the motion.

CHAIRMAN LITTLEFIELD: It's been moved and seconded to accept the recommendations of the Technical Review Committee which would be to accept the language on Page 61, everything above the line would be funded, with the understanding that the $204,600 is for one year funding and the motion was to fund the next project in line for 91,500 because that's my understanding of the amount of

money left over, recognizing that that project is not funded and under discussion, and we'll talk about that.

Was there a second to that?

REPORTER: Yes, Mr. Stokes.

CHAIRMAN LITTLEFIELD: Okay. Discussion.

MS. PHILLIPS: Chairman Littlefield.

CHAIRMAN LITTLEFIELD: Ms. Phillips.

MS. PHILLIPS: What is the modified dollar amount now for 604?

CHAIRMAN LITTLEFIELD: I'll let Mr. McBride answer that.

MR. MCBRIDE: Mr. Chairman. Ms. Phillips. Yeah, in that packet I gave you yesterday, the final table in there is Table 3 and that modifies the amounts. But to make this easy, that 204 actually would be 171,600, and then for 607 it would be 130,600. And I would note that that's how we get the 91,000 left over. This is the money that the State has agreed to utilize out of the Sustainable Salmon Fund, they're putting that amount of money, that $91,000 basically towards those two projects in 2004, so that's how we end up with 91,000 extra. If that hadn't have happened, then there would be no discussion of additional money below that line. If you accepted our recommendation we would simply fund down all those projects above that line.

So to recap, Projects 604, the dollar amount would be 171,600, that's cost to this program. The total cost is 204,600 but the remainder is made up out of Sustainable Salmon Fund money. And then the cost to this program of Project 607 is 130,600.

Mr. Chairman.

CHAIRMAN LITTLEFIELD: What was the number on 607?

MR. MCBRIDE: 130,600,

CHAIRMAN LITTLEFIELD: Does everyone have those numbers 171,600 that actually comes from our program for 604 and then 130,600.

Dr. Garza.

DR. GARZA: Mr. Chairman, just as a point of clarification, the other modification to 604 was that the intent was that it is funded for only one year and that they make changes to their plan in order to be funded in subsequent years. But it is my understanding that if we fund the other one, two, three, four projects there that they are funded on a three year basis, so the numbers go back to that Table 3, and those number are continued for three years; not exact but as listed on that table.

CHAIRMAN LITTLEFIELD: Mr. McGregor, would you care to add anything to this on the possibilities of funding or maybe you could clarify some of this for us?

DR. SCHROEDER: Particularly 608.

CHAIRMAN LITTLEFIELD: And in particular, I guess would be 608, maybe the Department has some ideas there for us.

MR. MCGREGOR: We were successful in getting some appropriations from the Southeast Sustainable Salmon Fund for Klawock and Falls. There's still money available in that fund and it's possible that additional monies could be secured for another project. If Salmon Lake is the project that the RAC has suggested for their next priority there may be a proposal submitted to the Southeast Sustainable Salmon Fund could provide some matched funding there.

CHAIRMAN LITTLEFIELD: Mr. Brookhover, did you have anything to add to that because we're not going to be able to -- the problem is we're not funding this fully and we want to make sure that, hopefully, it has some chance of success and we want to make sure that it can get some funds from other places.

MR. BROOKHOVER: Mr. Chairman, yes, we've submitted a proposal through the Sustainable Salmon Fund to fund a portion of the Salmon Lake project. So it's possible that there will be some additional funding for the project and I heard this was under some discussion yesterday, how likely that is, I think we'll know a little bit more of once the science panel meets later this month. Right now I can't tell you how likely that funding is. But we put in a proposal for, I believe 58,000, give or take maybe a thousand or so for the next two years. And what that would gain us would be a continuation of the weir that

would already be in place for sockeye, is my understanding, to estimate coho escapement as well as estimate the mark fraction of coho for the coho that have been tagged to date. So it would complete the coho tagged recovery portion of that project.

Again, how likely that funding will be, I think we'll know a little bit more about that later this month. And I would suspect by the time the Federal Subsistence Board meets in December, we would have a fair idea of the likelihood.

CHAIRMAN LITTLEFIELD: Okay, thank you. The reason I'm asking this and clarifying this is perhaps the Board may want to consider a fall back position. If something came up where we were unable to fund this fully and we were only able to apply $91,500 to 608, is that our best use of our money or something like that, maybe we might want to consider a secondary proposal here.

Thanks for the information -- do you have any other information you want to share with us?

MR. BROOKHOVER: (Shakes head negatively)

MR. MCBRIDE: Mr. Chairman, I would just note that in the recommendation that I gave you in this packet from yesterday then there is a fall back position, that's what that second bullet is. If additional money is not available for Salmon Lake, then put the 91,000 basically towards the next project, which would be Project 603, the Thoms, Salmon Bay and Luck Lake sockeye assessment. And I understand that 91,000 does not equal 131,000 but in our world that's close enough we can make that work across the money we have across the state.

Mr. Chairman.

CHAIRMAN LITTLEFIELD: Okay. My understanding of the motion was not to include that, perhaps we should include that as -- any problem with the maker of the motion and the second, that if we cannot fully fund 608, if the funds are not available by the time that the Federal Subsistence Board meets to consider this, that we would then go to 603 and fund that; any comments, Dr. Garza?

DR. GARZA: No, that would be fine as a fall back position. In regards to the Salmon Lake, it may not be that we fully fund but adequately fund and so the

project people may say, you know, we'll take 180,000 we can do it.

CHAIRMAN LITTLEFIELD: I concur, adequately fund is a better word, because if we're missing a dollar that means we couldn't do it and that doesn't make any sense, so adequately fund the project so that it could meet its objectives; would be my suggestion.

Mr. Douville.

MR. DOUVILLE: Just to make things clearer, we are recommending for funding 604 for one year and 607, 609, 606 and 605 for three years?

CHAIRMAN LITTLEFIELD: That's correct. Are there any other questions.

(No comments)

CHAIRMAN LITTLEFIELD: Any other questions from Council. Are you ready for.....

MS. WILSON: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: I'm going to continue on, let's see, and if that money be left over that 608 be funded, and what is the rest of the motion that you wanted to add?

CHAIRMAN LITTLEFIELD: Dr. Garza, will you restate your motion as clarified.

DR. GARZA: The motion was to accept the recommendation of the Technical Review Committee to fund 604 for one year, 607, 609, 606 and 605 for three years; if excess funds are found to fund 608, if it can be adequately funded and further, that if not, 603 be funded with the leftover money.

CHAIRMAN LITTLEFIELD: That's my understanding, too. Is that correct on the record?

REPORTER: Yes.

CHAIRMAN LITTLEFIELD: Okay, that's the way we stand on the record.

Ms. Phillips.

MS. PHILLIPS: Has every effort been made to reduce the costs in the recommended projects so we, you know, have the least amount of money we need to get the information that we want so that we could fund some of these other projects?

CHAIRMAN LITTLEFIELD: Mr. McBride.

MR. MCBRIDE: Mr. Chairman. Ms. Phillips. I'd say the short answer to that is yes. We tried to work with all the investigators to basically reduce, either less important areas to be sampled or less important objectives. Almost every one of these projects has been pared down from certainly what was proposed initially last winter and in most cases what is going on right now -- for instance, a lot of these projects included lineology work, like trying to estimate fry abundance and there's been a lot of problems with doing that so a lot of these projects don't have that anymore.

On some of these projects, for instance, like on the Hetta Lake project, 606, we sampled Eek Lake this year, but one of the things we asked the investigators to do is say, okay, let's focus in on the most important system to assess in that area and it was Hetta Lake, not Eek Lake. So I feel very confident in saying that these projects are as lean as they're going to get. I think the investigators did a good job addressing the TRC comments. There's a couple, like Klawock that we'd like to have those comments addressed further, that's why the one year recommendation. But I don't think that these budgets are going to come down anymore than what they are, at least, right now.

MS. PHILLIPS: Thank you. With the utmost respect to the project coordinators, it's been suggested to me that with three years of mark recapture data that perhaps the weir counts would be adequate for some of these ongoing projects. Do you have a response to that?

CHAIRMAN LITTLEFIELD: Mr. McBride.

MR. MCBRIDE: Ms. Phillips. I assume what you're talking about are some of the back up mark recapture estimates with the weirs. I think it's -- I think in most cases, the mark recapture part of the project on a weir project is necessary. I mean we're in the middle of rain country here and a lot of these projects, we've had

problems because the weirs have been compromised because of floods basically and so doing a back up mark recapture is pretty much SOP for how weirs are run in Southeast.

As I look at these projects probably the one notable exception is Klag Lake. We've never had a problem there. You've got a whole series of lakes and they just basically don't have a big flooding event, and so the Klag Lake project has been pared down quite a bit. It used to address coho, it doesn't anymore, it's only addressing sockeye, and the investigators are here and they can correct me if I'm wrong, but I think whatever mark recapture back up is going on there is a very minor component of the cost of that project.

So I'd say in places where we could cut that back we have and in other places continuing to do it is probably necessary.

MS. PHILLIPS: Thank you.

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Mr. Chairman, I intend to vote for the motion. I do want to make it clear, however, that I strongly support the Klawock Lake project, and while it's being recommended to be funded only for one year it's my hope that it will be funded for the other two years.

In terms of the remaining three at the bottom, it is quite difficult because these are all great projects and, you know, we might think, oh, let's just shave 50,000 off and we'll add it down there, well, that 50,000 is probably going to be money that would go to tribal members to do this work, so, I, for one will not try and whittle down any of the budgets because it does represent work to these communities.

CHAIRMAN LITTLEFIELD: Ms. Wilson.

MS. WILSON: I have a quick question. You say may get additional funding from this Sustainable Salmon Fund will that go to the next one down like 608, the Salmon -- you know, below the line or to the other projects?

MR. MCGREGOR: That will depend on the proposals that are submitted to the Southeast Sustainable Salmon Fund, however, I think if there were contributing funds through this source that that would weigh into the decision, the science would recommend.

CHAIRMAN LITTLEFIELD: Go ahead, Mr. McBride.

MR. MCBRIDE: Yes, and just to reiterate what Mr. Brookhover said, ADF&G has a proposal into the Sustainable Salmon Fund for the coho Project 608, so they are making application to the Sustainable Salmon Fund right now to get funding for that project. That's in large part why, you know, we're recommending the recommendation be to fund 608 if we can find other matching funds to adequately fund this project because there is an effort being made right now to secure those funds.

CHAIRMAN LITTLEFIELD: I'm going to be voting for this motion. And I want to echo Dr. Garza's comments, were not for lack of money all of these would be funded. I believe they are good projects. And I know that I feel confident taking the TRC recommendations. I know you've been responsive to the Council in the past and I'm not going to debate -- or I will accept what I think your recommendations are to the principal investigators as being in the best interest of saving money.

So that's why I'm going to vote for this. I believe you've done your work, we need to do our work.

Is there other Council.

MS. PHILLIPS: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Ms. Phillips.

MS. PHILLIPS: I don't have any difficulty funding 605 up, 606, 609, 607, 604, and I really don't like being in the position of having to choose one of the others. Like you folks I will go with the Technical Review Committee recommendations but, you know, I really want some steelhead information myself but I have to wait for that information I will.

CHAIRMAN LITTLEFIELD: Are you ready for the question.

Mr. Douville.

MR. DOUVILLE: I will support the motion. I believe that it's important that we follow through with the sockeye. There isn't any single species that isn't important, however, I strongly believe that we need to follow through with this, we're halfway there and I think

it's a good recommendation.

CHAIRMAN LITTLEFIELD: Other Council.

(No comments)

MR. ADAMS: Question.

CHAIRMAN LITTLEFIELD: Are you ready for the question -- question's been called for. The motion before you is on Page 61, and it's to adopt through the line 604, 607, 609, 606 and 605, and that is the line there, that is the available funds. Those amounts are 171,600; 130,600, 114,000, 91,600, 85,200 and we're going to roll over the additional $91,500 to the next project and with adequate funding that project would be next in line, if not we will go to 603. Does everybody agree to that, that's the motion before you.

(Council nods affirmatively)

CHAIRMAN LITTLEFIELD: All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LITTLEFIELD: All those opposed, same sign.

(No opposing votes)

CHAIRMAN LITTLEFIELD: You have our recommendation, Mr. McBride. Thank you, gentlemen.

We have a couple things I think won't take much time. Let's go first to the time and place of the.....

MR. STOKES: I.....

CHAIRMAN LITTLEFIELD: .....okay, go ahead, time and place of the next meeting, it won't be Wrangell then.

(Laughter)

CHAIRMAN LITTLEFIELD: I should clarify that the next meeting is in Sitka, we've already chosen that, Sitka and I believe it's March 18th or something like that, could you clarify that for me?

DR. SCHROEDER: Mr. Chairman, we're blocked out, the book under Tab G, just after Tab G has a couple of calendars in it, we're scheduled for the week of March 15th. I think this is incorrect in the book here, I think we were talking about meeting March 17th, 18th and 19th in Sitka.

The following calendar is the next years meeting in fall 2004, we have a couple things to do. There's a meeting window which runs from September 5th or 6th, which is Labor Day through October 19. And so we need a time and we need a place for that meeting. I suggest we allow three days for our fall meeting.

CHAIRMAN LITTLEFIELD: Let's do the place first, any recommendations on the place, and in past practice has been that we've gone to a large airport in the March meetings, or larger airport and then the smaller ones in October, but that's totally up to the Council.

Mr. Kookesh.

MR. KOOKESH: Mr. Chairman, I'd like to recommend Juneau for our next fall meeting.

CHAIRMAN LITTLEFIELD: Juneau, are there any other recommendations. Hurry up before Wrangell gets back.

(Laughter)

CHAIRMAN LITTLEFIELD: Any.

(Laughter)

CHAIRMAN LITTLEFIELD: Is everybody happy with Juneau?

(Council nods affirmatively)

CHAIRMAN LITTLEFIELD: Then Juneau it is. We'll set the meeting place as Juneau. Next would be the date, any recommendations on the date from anybody.

What time is AFN, does that interfere with any of this?

DR. SCHROEDER: I think AFN, at least, in our calendar here it says that perhaps it starts on October 20th and runs through October 23rd.

CHAIRMAN LITTLEFIELD: Okay.

DR. SCHROEDER: So I don't think there's a block out there. No doubt, Alaska Native Brotherhood Grand Camp is somewhere in there, I don't know that we have the dates for it.

MS. WILSON; Mr. Chair, ANB, I think next year would be November, right, because it's not an election year.

CHAIRMAN LITTLEFIELD: It was in September this year, but I don't know or haven't heard. Dr. Garza, did you hear?

DR. GARZA: Mr. Chairman, it was in September only because I couldn't get the hall later. I understand that this year it will be in Sitka and probably back to that November window. And Mr. Hernandez has been trying to waive you down for a couple minutes.

CHAIRMAN LITTLEFIELD: Mr. Hernandez.

MR. HERNANDEZ: I was just going to -- if it's available, I was just going to recommend the first week in October again.

CHAIRMAN LITTLEFIELD: Okay, the first week in October, the fishing is over by then and I assume is what we're looking at, okay, the first week in October. Anybody else.

(No comments)

CHAIRMAN LITTLEFIELD: What day?

MR. HERNANDEZ: Starting October 5th on a Monday would be fine.

CHAIRMAN LITTLEFIELD: October 5th is a Monday and it would be three days, October 5th, 6th and 7th, is that we have, a three day block out, is that what we're looking for?

DR. SCHROEDER: Let me check my calendar here, I think the calendar in the book is misprinted. I think Monday is the 4th.

CHAIRMAN LITTLEFIELD: Anybody have a calendar -- Monday is the 4th.

DR. SCHROEDER: So my understanding week of the 4th, is there any Council preference, I'd suggest the 5th, 6th and 7th if people wanted to avoid traveling on weekends if possible.

CHAIRMAN LITTLEFIELD: 5th, 6th and 7th, does that meet with everybody in Juneau, any objections to that.

(No objections)

CHAIRMAN LITTLEFIELD: Okay. That's the time and place of the next meeting. Juneau on the 5th, 6th and 7th of October.

The next item of business is elections. I'd like to take care of this while Dr. Garza is here. We have three seats. I'll turn this over to Dr. Schroeder to go through past practices and what's happened in the past.

Mr. Adams first.

MR. ADAMS: Mr. Chairman, were we supposed to pick the spring meeting, too, or are we going to do that at the next meeting? I thought we were supposed to pick.....

CHAIRMAN LITTLEFIELD: We have already selected Sitka and I believe it's on the 17th, 18th, and 19th and that's going to be clarified by Dr. Schroeder to us.

MR. ADAMS: I realize that, Mr. Chairman, but I'm wondering about the next year.

(Laughter)

CHAIRMAN LITTLEFIELD: I don't think we can think that far ahead. I think we were only asked to provide this by Mr. Boyd when he was here in Ketchikan, I think he asked for the two in a row and I think that's all we have to provide at this time.

DR. SCHROEDER: However, Bert, if you need additional time to prepare to welcome us, we can make a special arrangement, I'm sure.

(Laughter)

DR. SCHROEDER: Election procedures. This

is only my second time through this. We'll be electing three officers, our Chair, our Vice Chair and our Secretary for the coming year. Past practice has been to elect each office separately, I believe starting with the office of Chair.

At this time I would entertain nominations for the position of Chair of the Southeast Regional Advisory Council.

Ms. Garza.

DR. GARZA: Thank you, Dr. Schroeder. I nominate John Littlefield.

DR. SCHROEDER: John Littlefield has been nominated, is that seconded.

MS. WILSON: Second. Move to close nominations.

DR. SCHROEDER: Are there any objections to closing nominations or are there any other nominations for the position of Chair?

(No comments)

DR. SCHROEDER: Well, we should -- Mr. Adams.

MR. ADAMS: Yeah, I don't have any problem with having Mr. Littlefield serve as our Chairman, I think he's been doing a good job and we'll keep him there until the Secretary of Interior kicks him out, okay.

(Laughter)

MR. STOKES: Schroeder.

DR. SCHROEDER: Mr. Stokes.

MR. STOKES: I move that we cast a unanimous ballot for Mr. Littlefield as Chair.

DR. SCHROEDER: Council, do we have a unanimous approval for Mr. Littlefield as Chair.

MS. WILSON: Mr. Chairman.

DR. SCHROEDER: Marilyn.

MS. WILSON: Mr. Chairman, I hereby as Secretary of this Council, Marilyn Wilson, cast a unanimous ballot for our Chairman, John Littlefield, for the Council.

(Applause)

CHAIRMAN LITTLEFIELD: Thank you very much. I should be singing, I hear that train a coming.

(Laughter)

DR. SCHROEDER: Thank you, Marilyn, for -- since I didn't grow up as a Tlingit, I am deficient in Roberts Rules of Order, I think. We'd open the nominations at this time for Vice Chair of the Southeast Regional Advisory Council, and I'll turn the meeting over to our Chair.

CHAIRMAN LITTLEFIELD: Thank you very much. Nominations are now open for Vice Chair.

Ms. Phillips.

MR. STOKES: Mr. Chairman.

MS. PHILLIPS: I move to nominate for Vice President, or Vice Chair.

CHAIRMAN LITTLEFIELD: Mike Douville has been nominated for Vice Chair.

MR. DOUVILLE: I decline. Mr. Chairman, I respectfully decline.

CHAIRMAN LITTLEFIELD: Mr. Douville has been nominated but he has declined. Are there any other nominations.

MR. ADAMS: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Mr. Adams.

MR. ADAMS: I nominate Dolly Glacier.

(Laughter)

CHAIRMAN LITTLEFIELD: I believe she's from Northway.

(Laughter)

MR. STOKES: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Dolly Garza has been nominated for Vice Chair. Mr. Stokes.

MR. STOKES: I move that we cast a unanimous ballot for Dolly Garza for Vice Chair.

CHAIRMAN LITTLEFIELD: It's your turn to start singing the train keeps a coming.

DR. SCHROEDER: Is that Dolly Glacier or Dolly Garza?

CHAIRMAN LITTLEFIELD: For the record it's Dolly Garza, I believe the Glaciers are in Northway. If the Secretary would cast a unanimous ballot for the Vice Chair.

MS. WILSON: We did not close nominations but I will cast a unanimous ballot. I, Marilyn Wilson, Secretary for this Council cast a unanimous ballot for Dolly Garza as Vice Chairman.

(Applause)

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Of course you have to consider that if neither one of us are reappointed you guys will not have a Chair or a Vice Chair.

CHAIRMAN LITTLEFIELD: And that's why the Secretary's position is going to be very important, and that's where we are now. Secretary. And first I need to let you know that if you don't know already, Ms. Wilson has declined to resubmit her name, and so we will be losing our secretary. I don't know how many years she's served but she's served since I've been here and maybe since this has began and we're going to miss you because you've done a great job. And thank you very much, if you wanted to respond you could, but we're going to miss you. If you wanted to say a few comments, now is probably the time.

MS. WILSON: Thank you, Mr. Chairman. It's been a joy and a headache and all of the things above and below.....

(Laughter)

MS. WILSON: .....serving on this Council and working with everybody and working with my fellow Council members. I was on here since the beginning and before that I was on the State Fish and Game Council. And so it was kind of hard to transfer to this Council because we all felt kind of militant, or -- anyway, it was a big change. And I would like to now put a nomination in for Patty to be secretary.

CHAIRMAN LITTLEFIELD: Ms. Phillips has been nominated for Secretary and first I would like to give a hand to Ms. Wilson for her service, thank you.

(Applause)

CHAIRMAN LITTLEFIELD: Patty Phillips has been nominated for secretary are there any other nominations or do we hear the train coming again.

MS. PHILLIPS: Chairman Littlefield, I respectfully decline for the position of secretary. I thank you for nominating me, you've been a mentor and a role model for me over all these years, and it's an end of an era if we're losing our incumbents from the very beginning.

MR. STOKES: Mr. Chairman.

CHAIRMAN LITTLEFIELD: Mr. Stokes.

MR. STOKES: I nominate Bert Adams for secretary.

DR. GARZA: Mr. Chairman, I move that nominations be closed.

MR. STOKES: Mr. Chairman.

CHAIRMAN LITTLEFIELD: I hear that -- you're going to make me sing this sooner or later, I hear that train a coming.

MR. STOKES: I move that we cast a unanimous ballot for Bert Adams as secretary.

CHAIRMAN LITTLEFIELD: Will the Secretary cast her last unanimous ballot for Mr. Bert Adams.

MS. WILSON: Mr. Chairman. I, Secretary of the Council, Marilyn Wilson, hereby cast a unanimous ballot

for Bert Adams as the Council Secretary.

(Applause)

CHAIRMAN LITTLEFIELD: I need to talk about what Dolly brought up and there's a very distinct possibility that Dolly Glacier, I mean Garza -- Dr. Garza and I may not be appointed. We're up for reappointment this year, as well as Ms. Wilson was and she chose not to submit her name, we did, there's no guarantee that we will be on, so the secretary was important. There is a possibility that the secretary will be your new Chairman at this time, so we don't know that. So anyway, it was a good choice.

Mr. Kookesh.

MR. KOOKESH: Mr. Chairman, I believe that Mr. Adams would have liked to have said a few words before you cut him off.

(Laughter)

CHAIRMAN LITTLEFIELD: Did he want to sing the tune. Mr. Adams, please, go ahead.

MR. ADAMS: Thank you, Mr. Chairman. Everything went so fast that I didn't have time to respectfully decline so I guess I'm stuck here.

(Laughter)

CHAIRMAN LITTLEFIELD: I think that's why we were hurrying that through there.

Mr. Douville.

MR. DOUVILLE: Thanks, Mr. Chairman. I would just like to point out that I appreciate Marilyn's questions because they're always quick.

CHAIRMAN LITTLEFIELD: Any others want to make any comments, snide or otherwise.

(No comments)

CHAIRMAN LITTLEFIELD: Okay, we had Proposal 40, what do you say we take it up first thing in the morning, guys, any objections, Proposal 40, Council deliberations.

(No objection)

CHAIRMAN LITTLEFIELD: Okay, that's it. We're in recess until tomorrow morning.

(PROCEEDINGS TO BE CONTINUED)

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 145 through 317 contain a full, true and correct Transcript of the VOLUME II, SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by Salena Hile on the 7th day of October 2003, beginning at the hour of 9:00 o'clock a.m. in Craig, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 22nd day of October 2003.

_____
Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 4/17/04