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**SOUTHEAST SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING**

October 7, 1994  
Centennial Hall  
Juneau, Alaska

**VOLUME III**

**COUNCIL MEMBERS PRESENT:**

William C. Thomas, Sr., Chairman  
Gabriel D. George, Vice Chairman  
Vicki LeCornu, Secretary  
Lonnie Anderson, Member  
Richard Dalton, Sr., Member  
John P. Feller, Member  
Patricia A. Phillips, Member  
Tom Robinson, Member  
John F. Vale, Member  
Carol Jorgensen, Coordinator

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PROCEEDINGS

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(On Record)

CHAIRMAN THOMAS: Good morning, everybody. It's good to have all of you back this morning. On our last day we have some new faces that walked in and I'm going to ask them to do like we have everyone else as they came in, to introduce themselves and give us an idea of who you are and what you do and so I'd like Mr. Williams and Mr. Capp to introduce yourself, if you would, please?

MR. WILLIAMS: My name is Bob Williams, I Deputy Regional Forester for U.S. Forest Service and I serve on the Subsistence Board in lieu of the Regional Forest (indiscernible lower voice).

CHAIRMAN THOMAS: Thank you. Jack.

MR. CAPP: Jack Capp, Director of Wildlife Fisheries, I work for Bob, so I have a staff responsibility for Subsistence (ph).

CHAIRMAN THOMAS: Thank you. Jeff.

MR. BRYDON: Jeff Brydon, I'm law enforcement officer for the United State Forest Service.

CHAIRMAN THOMAS: Thank you very much. So we ask people to that because it's difficult for us to remember everybody's background on such a short introduction. We're happy that you're here and thank you for obliging our request.

I thought I'd call the meeting to order because I saw a lot of business going on back there and you're going to have to repeat it anyway when we get into our agenda, I didn't want you to finish our agenda without the Chairman. To try to put our agenda into some kind of an order this morning I'm going to try to take off from where we left .....

Oh, Dewey -- Dewey Skan just came in. He came in last night, he was kind of iffy on whether he could come in, a combination between the weather and his other commitments in town, so Dewey maybe you could .....

MS. JORGENSEN: Mr. Chairman, correction, I think we have Skan Dewey

CHAIRMAN THOMAS: Skan Dewey, yeah.

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1  
2 MR. SKAN: You'll hear from my attorney.

3  
4 CHAIRMAN THOMAS: Tell us who you are.

5  
6 MR. SKAN: My fellow Americans. Mr. Chairman, my name  
7s Dewey Skan, I'm from Klawock. I'm the fisheries chairman  
8or on of the Klawock Corporations and I had previous  
9ommitments otherwise I would have been here from day one.  
10ooking at your agenda, trying to figure out how the heck can  
11ou stretch this out for three days, but I'm glad it stretched  
12ut for three days so, at least, I could come in here and, you  
13now, and be part of the process as we struggle to resolve some  
14f the subsistence issues and the commercial issues that affect  
15r people in Southeastern Alaska, so I'm happy to be here,  
16hank you.

17  
18 CHAIRMAN THOMAS: Thank you, Dewey, we're glad you're  
19ere. I better ask to make sure I didn't overlook anybody. I  
20on't see any frantic motions back there, so I guess we're  
21okay. And thanks for the reminders that I get because I do  
22verlook, at times.

23  
24 Trying to continue on from where we left off last  
25ight. We discussed some of the processes of how proposals  
26ere designed; what the process was for them being submitted;  
27hat happened to them at different stages of their move towards  
28eing acted on. Last night we had a couple of proposals before  
29 that has suggested language as more of a hint than  
30ggestion and so it was suggested that perhaps we develop a  
31ommittee last night to consider nothing but those proposals.  
32hich case I wasn't part of that, but I'm going to ask Bill,  
33didn't warn him ahead of time, but I'm going to ask him -- I  
34asked him to facilitate last night, he was part of the staff in  
35his process as a combination of the Council and staff and  
36her members that were here. So, Bill, if you could help me  
37ut on that, please?

38  
39 MR. KNAUER: Thank you, Mr. Chairman. The subgroup met  
40ast night. There were approximately 10 people there, it went  
41b about 6:00 o'clock, it was an extremely productive  
42discussion period and you have in front of you a four page  
43heet, looks very similar, but the proposed regulation is  
44hited out on it, it's blanked out and there are what the  
45ubgroup developed on the last two pages.

46  
47 The intent of the group would be to submit two  
48oposals, one for deer and one for moose. And because I  
49dn't have enough logistical capability nor time to copy for  
50

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the audience, let me read what the subgroup came up with for the two proposals.

3

4 The first proposal was related to deer and the proposed  
5 regulation was: A qualified subsistence user of Unit 1 through  
6 may designate another qualified subsistence user of Unit 1 to  
7 to take deer on his or her behalf unless the recipient is a  
8 member of a community identified as having a community harvest  
9 system. The designated hunter must return all salvaged meat to  
10 the recipient. The designated hunter must complete and return  
11 the harvest report for the recipient. The designated hunter  
12 may hunt for any number of recipients but may have no more than  
13 two harvest limits in his/her possession at any time.

14

15 The subgroup came up with this wording because of a  
16 number of discussions. First off, they felt that it would be  
17 too restrictive to just say that you could only hunt for a  
18 person in your unit because there is significant amount of  
19 community and familial ties in communities that lie in  
20 different units here in Southeast. But they felt that it was  
21 appropriate to restrict who the designated hunter or harvester  
22 would be to within the Southeast region.

23

24 The felt, also, that because of the harvest limits that  
25 order to avoid wasting meat or improperly caring for meat  
26 that it would be appropriate to have an individual have two  
27 harvest limits, but be able to hunt for any number of a people.  
28 That might be himself and another person or that might be two  
29 other persons or they might be hunting for three or four other  
30 people, but not having any more than the total harvest limit  
31 that would be for two people.

32

33 There was some discussion that was reiterated from the  
34 task force group concerning the species that would be involved  
35 and the concern for some species that are either extremely  
36 susceptible to overharvest, because they are very small  
37 populations, such as goats. Or species that have fairly low  
38 reproductive rates, such as bears. And the task force that had  
39 met, the large task force, had recommended that initially any  
40 designated hunter proposals deal only with caribou, deer or  
41 moose. And the subgroup that met last night agreed that that  
42 was probably wise to start out to see how it would work.

43

44 The second proposal was dealing with moose and there's  
45 little different situation here in Southeast with moose.  
46 First off, it's not some of the extremely productive habitat as  
47 you might have in other parts of the state. And there are some  
48 but there are still some areas that have moose and the  
49 subgroup that met last night felt that the only place that

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would be appropriate for a designated hunter type of situation would be in Unit 5. And so the proposed regulation for moose is essentially the same, but it's specific to Unit 5.

4

5 The aspect on deer of having an exception for a community that's identified as having a community harvest system takes into account the situation that might develop where a community submits a proposal or the Council submits a proposal to establish a community harvest system for an individual community. For example, such as might be appropriate for Angoon. But it's a situation where the community needs to make a commitment that that is what they want, they also would have to make a commitment that they are willing to report their harvest to someone in the community that would then be willing to make the commitment to report the harvest on a community level to the Federal Subsistence Board. So that aspect is built into that proposal to provide that opportunity.

19

20 CHAIRMAN THOMAS: Yeah, that was a productive session you had. And I appreciate the work that went into it.

22

23 I understand we have some updated information regarding deer harvest in the area. Marty, do you have that material?

25

26 MS: BETTS: Well, what I have .....

27

28 CHAIRMAN THOMAS: Thank you, Bill.

29

30 MR. VALE: Mr. Chairman.

31

32 CHAIRMAN THOMAS: John.

33

34 MR. VALE: Quick statement here before Marty gives some information. Just for clarification purposes, since Bill just gave his report here, I want to point out a couple of things that we had agreement on or what. One of them was the term qualified subsistence users means subsistence users who have customary and traditional use of a species and I just wanted to make that clear that that's what we're referring to when we say qualified subsistence users.

42

43 And the other item was on the community harvest system. We had a consensus that we would recommend the Council draft a letter and send that letter out to the various communities around Southeast Alaska, Native corporations, city governments and so forth, Tribal entities, explaining to them about the community harvest system is something that they could consider and if so to submit a proposal before the proposal deadline,

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Which is November 11th, and then that's something that we could look at as a Council if they chose to do so at some point in the future here, whenever we meet next. So I just wanted to inform you of that as well, thank you.

5

6 CHAIRMAN THOMAS: It's a good point, John. That brings to me another consideration. When we submit a proposal perhaps it would aid the Board in their deliberations if we would offer what our intent of specific language would represent, send a glossary of definition of terms. So that, you know, they'll say they could mean this, they could mean that, and if we have specifically what we do mean that might be of some assistance in coming to a more effective conclusion. We'll probably do that before this is over with.

15

16 Thank you, John. Marty, go ahead, please.

17

18 MS: BETTS: Okay. What I have is on a table -- two tables, actually. One that shows our 1987 deer harvest data for each community in the TRUCS Study, so for 30 communities it's just a total of number of deer harvested.

22

23 CHAIRMAN THOMAS: Can you move the mic a little closer to you. Thank you.

25

26 MS: BETTS: And that may be useful if you're considering a community bag limit, that's what we thought. If you're interested I have copies of them I can pass out. Also, another table which is a little more recent data, three years, 1990, '91 and '92 of a comparison between surveys we did in Angoon, Hoonah and Tenakee, sort of face to face, asking people how many deer they harvested that year. So for those communities we have that number and that's compared with the mailout survey our Wildlife Conservation Division does on the licensed hunters. And so there's that information on the table, too. And this could be used in the same way.

37

38 CHAIRMAN THOMAS: Okay. Those numbers you have, do they represent, at least, a healthy stock, an almost healthy stock or better than a good average?

41

42 MS: BETTS: Well, these represent only the harvest level of the hunters.

44

45 CHAIRMAN THOMAS: Oh, harvest level.

46

47 MS: BETTS: These don't refer to the population of the deer, if that's what you're asking.

49

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1 CHAIRMAN THOMAS: Yeah, I don't know if that will  
2 impact our submitting a regulation around that, unless the  
3 Council had some comments.

4

5 MR. ANDERSON: Well, Mr. Chairman, I have a question.  
6 Marty, does it show an increase in the harvest, say, '91, '92,  
7 '93 over '87, was there an increase or decrease or a variance?

8

9 MS: BETTS: I don't think significantly. Say for  
10 Angoon in 1987, 474 deer is the total number and in '90, 509,  
11 '91, 537, '92, 505. So it fluctuated somewhat in any  
12 community, but -- and probably populations are growing so  
13 hunters are probably .....

14

15 CHAIRMAN THOMAS: What was '93 again, please?

16

17 MS: BETTS: I'm sorry, we don't have '93, '92, 505 deer  
18 were reported for Angoon.

19

20 CHAIRMAN THOMAS: So you have 505 and 537.

21

22 MS: BETTS: Five thirty-seven was 1991 and 509 was in  
23 1990. It was all Angoon.

24

25 CHAIRMAN THOMAS: So your greatest fluctuation was 29  
26 deer?

27

28 MS: BETTS: Yeah, 474 in 1987.

29

30 CHAIRMAN THOMAS: Oh, '87, okay.

31

32 MS: BETTS: Hoonah, larger population, slightly more,  
33 you know, fluctuation, but approximately the same.

34

35 CHAIRMAN THOMAS: Gabe.

36

37 MR. GEORGE: Yeah, Mr. Chairman, in terms of the deer  
38 harvest, those are a deer harvests reported on a face to face  
39 interview, so I assume that that is -- what, how would you  
40 consider it; a minimum harvest amount reported? Because  
41 certainly there would be more than that harvested, right?

42

43 MS: BETTS: We usually consider interview, even  
44 expanded data, as minimum because you're always going to miss  
45 some hunters and so, yeah, probably.

46

47 MR. GEORGE: My second question is, how does the  
48 interview data compare to the mailout data?

49

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1 MS: BETTS: For the three years, '90, '91 and '92 it's  
 2 very different. In '90 the mailout survey showed 279 deer  
 3 compared to 509 in face to fact survey; 31 and 91 compared to  
 4 437; and 251 in '92 compared to 50 on a face to face.

5  
 6 MR. GEORGE: Is that similar to other communities, like  
 7 Hoonah, Kake?

8  
 9 MS: BETTS: We only did this in Angoon, Hoonah and  
 10 Tenakee, we'll White Stone Camp as well as Hoonah. But in  
 11 Hoonah, yeah, the mailout in 1990 was, these columns are hard  
 12 to read, I'm sorry, 892, the face to face was 946. Actually  
 13 that's not very different. In 1991 the mailout was 317 and the  
 14 face to face was 847 and in '92 the mailout was 632 and the  
 15 face to face was 839. Tenakee was -- they were comparable, in  
 16 fact, the mailout was slightly higher in 1992, 68 compared to  
 17 67 and 32 in '91 compared to 63 in the face to face. And '87  
 18 is again higher in Tenakee, slightly, in 1990, 87 in the mailout  
 19 and 71 in the face to face.

20  
 21 CHAIRMAN THOMAS: Richard.

22  
 23 MR. DALTON: Mr. Chairman, I have two questions. When  
 24 you talk about face to face tally on what you're reporting, was  
 25 that done in Hoonah by some official capacity to have a face to  
 26 face count on that?

27  
 28 MS: BETTS: That was done in Hoonah by our staff, Matt  
 29 Koukesh and a couple of others. In 1990, I think it was just  
 30 Matt, in '92 -- for the year '92 Bob Schroeder and a couple of  
 31 our other staff were also over there doing the seal harvest  
 32 surveys and combined the deer survey, so it was (indiscernible-  
 33 interrupted).

34  
 35 MR. DALTON: Yes, I remember Bob Schroeder and Matthew  
 36 Koukesh being in Hoonah and at the time I reported in 1990, '91  
 37 and '92, that's the time we were having trouble with State  
 38 office workers and Federal office workers taking abundance of  
 39 deer from our habitat area, so we put a block in there by local  
 40 Hoonah Traditional Tribal Council in order to protect the  
 41 habitat in that area. I don't hear any report on such -- I  
 42 recalled 18 deer on one truck with two men on it and that's a  
 43 lot of deer.

44  
 45 CHAIRMAN THOMAS: Richard, would you move the  
 46 microphone closer, please? Thank you.

47  
 48 MR. DALTON: And then I went out hunting with my  
 49 nephews, two of them, and we saw a truck coming out of the  
 50

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Forest Service roads, the logging roads, and there I counted 11 deer, I did not identify the truck nor could I identify the people in the truck, but I counted 11 deer, just the hind quarters taken and which we have a picture of. And by that token we approached the Forest Service when they were in Hoonah in order to protect and consequently we were hurting people from Juneau, Sitka, Ketchikan or wherever they came from in bigger cities, but we road blocked most of the area that we think is productive. So I think it eliminated some quantity of deer hunting in that area.

11

12 And the same thing was true for Tenakee because I was on the ferry boat when they were bringing in a lot of deer. So it seems to me like a lot of deer is taken from outside people than local area. I don't hear any report on that, if there has been I'd like to see it.

17

18 MS: BETTS: Yeah, this survey was done just with Hoonah residents, I believe. You know, the numbers I just gave you. However, there is some data from -- through the Wildlife Conservation Division that shows by WAA, Wildlife Analysis Area, in the mailout surveys and which community the hunter comes from and where they hunted. I don't have that with me, but, you know, that could be available if you're interested in analyzing, you know, who takes deer from what area. That's just through the mailout surveys, but -- yeah, this only was interviewing Hoonah residents.

28

29 MR. DALTON: It seems to me that mailout survey would give you some identification if it came from Juneau and saying that it came from Hoonah as far as deer is concerned on deer hunting expedition.

33

34 MS: BETTS: Yeah.

35

36 MR. DALTON: But I don't hear any report on the issues.

37

38 CHAIRMAN THOMAS: Vicki.

39

40 MS. LeCORNU: Mr. Chairman, I'm curious, too, to find out what the figures are in the Prince of Wales area in relation to how many non-resident -- non-island resident users take deer. I'd be interested to see the figures on that.

44

45 MS: BETTS: I don't have those figures .....

46

47 CHAIRMAN THOMAS: Is that in a different office for that area?

49

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1 MS: BETTS: No. That would be available. I might be  
2 able to get a hold of it, it's -- the problem that in our  
3 office I wasn't the one that compiled the data and that person  
4 has since left our staff and so I would have to search through  
5 the files. Frankly, I don't know what I can find immediately,  
6 but .....

7

8 CHAIRMAN THOMAS: Well, maybe we can give you an  
9 address or something and whenever you do come across some you  
10 can make them available to them, okay?

11

12 MS: BETTS: Um-hum (Affirmative).

13

14 CHAIRMAN THOMAS: Anybody else?

15

16 MR. FELLER: Mr. Chairman.

17

18 CHAIRMAN THOMAS: John.

19

20 MR. FELLER: Yeah, thank you, Mr. Chairman. I guess  
21 the Wrangell area would be considered part of area four and  
22 that would be in -- most likely be mailouts that you'd get your  
23 information from there, is that right?

24

25 MS: BETTS: Well, for Wrangell what we have is 1987,  
26 the TRUCS Study and, you know, other information would be the  
27 mailout survey.

28

29 MR. FELLER: I see that area four is Chichagof and  
30 parts of Baranof and I know a lot of our hunters go on  
31 Admiralty so .....

32

33 MS: BETTS: Yeah, the mailout survey would show the  
34 residence of the hunter and where they hunted by WAA, which is  
35 the smaller units within the game management units.

36

37 CHAIRMAN THOMAS: Wrangell is in 1(B).

38

39 MR. FELLER: That would be the mainland portion,  
40 Mr. Chairman. Okay, thank you.

41

42 CHAIRMAN THOMAS: Okay. I'm assuming that the  
43 questions, at this point, are curiosities of what the harvest  
44 levels are in those specific areas, Angoon, Prince of Wales and  
45 Wrangell area, is that correct?

46

47 MR. GEORGE: Yeah, Mr. Chairman, you know, we asked  
48 Marty to just to come over and share some information with us  
49 that would sort of indicate how much the harvest is in Angoon

50

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and information that they gathered. And, like she said, they gathered the most recent information in Hoonah, Tenakee and Angoon on, at least, a few year basis.

4

5 The 1987 study was the TRUCS Study and that was done throughout Southeast and the only other information, as I understand it, that the Department has is the mailout survey. And as you hear the comparison between the mailout survey in places in, like, Angoon are significantly different than the face to face interview, which is obvious in the numbers.

11

12 It's probably in Tenakee a lot closer in the number of deer, but this was -- but we asked her to give information for comparison. They don't have information on all of Southeast on a 5-year-to-year basis 'cause they don't have the funds or the employees -- staff. But this was for information for the Council to, as we talked yesterday in the little group, to come up with a solution to the designated hunter scenario or the community harvest.

20

21 But that kind of information would be certainly needed for communities that wish to have a community harvest. There would have to be a number attached to that, I assume. Or, at least, that's the indication we got from staff. And if that's the case then, as much information as is possible has to be sent out to the communities that we write that letter that John was talking about. So that, for instance, in Angoon if they want a community harvest that data should accompany the letter as to what the Department has and the community decides.

30

31 Thank you, Mr. Chairman.

32

33 CHAIRMAN THOMAS: Okay, thank you. Okay, so what's the wish of the Council now regarding these proposals? Are we going to do anything in completing a design or drafting a proposal at this time? Or are we going to wait until we hear input from other communities? What's the wish? John.

38

39 MR. VALE: Mr. Chairman, it was our consensus of the working group that we submit two proposals, one on deer for Southeast and one on moose for Unit 5 and the third item was to send a letter with some information along with it on the community harvest system out to the various communities, so with that being said I'll make a motion that -- I'll take these one at a time, that we submit a proposal for a proxy hunting system for Southeast Alaska, Units 1 through 5 for deer. I don't see the language right in front of me, but Bill mentioned earlier.

49

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1 Basically any qualified -- yeah I'll read it here. A  
2 qualified subsistence user of Unit 1 through 5 may designate  
3 another qualified subsistence user of Unit 1 through 5 to take  
4 deer on his or her behalf unless the recipient is a member of a  
5 community identified as having a community harvest system. The  
6 designated hunter must return all salvaged meat to the  
7 recipient. The designated hunter must complete and return the  
8 harvest report for the recipient. The designated hunter may  
9 hunt for any number of recipients but may have no more than two  
10 harvest limits in his/her possession at any time.

11

12 MS. ROBINSON: I'll second the motion.

13

14 CHAIRMAN THOMAS: Okay, you hear the motion and second.  
15 Discussion. Patty.

16

17 MS. PHILLIPS: I like the motion, but I'm wondering  
18 about the two harvest limits in their possession. Aren't the  
19 regulations allowed for a take of six deer? Don't you feel  
20 that kind of conflicts with a two harvest limit?

21

22 CHAIRMAN THOMAS: Would you put the mic closer to you,  
23 please? Thank you.

24

25 MS. PHILLIPS: I'd like to know why they put the two  
26 harvest limit in there, other than they're worried about wanton  
27 waste. I don't see that happening when people are allowed six  
28 deer.

29

30 CHAIRMAN THOMAS: Anybody got a response to that?

31

32 MR. VALE: I'll try, Mr. Chairman.

33

34 CHAIRMAN THOMAS: Carol.

35

36 MS. JORGENSEN: I think the idea was that the person  
37 could hunt for themselves as well as they're hunting for that  
38 other person. Or they could be hunting for two other people  
39 and not themselves. I think that was the idea behind it.

40

41 CHAIRMAN THOMAS: Further discussion?

42

43 MS. PHILLIPS: Well, I'm still confused. Say we go out  
44 a hunt, we go out on our boat, we anchor up, we go hunting.  
45 And so, let's say, we're entitled -- one hunter is entitled up  
46 to six deer, if there's two hunters, you're entitled to 12. So  
47 on a hunting trip you're one hunter is allowed only two deer?  
48 I don't understand.

49

50

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1 MR. VALE: No, that would be 12 deer. Two harvest  
2 limits, so six deer .....

3  
4 MS. PHILLIPS: Oh, I see, okay, thank you.

5  
6 MR. VALE: It's six deer, he'd be allowed 12.

7  
8 MS. PHILLIPS: Okay, thank you. Got it, sunk in.

9  
10 CHAIRMAN THOMAS: Dewey.

11  
12 MR. SKAN: Mr. Chairman, thank you. Considering the  
13 overabundance of the does on Prince of Wales Island, just  
14 wondering if the working group considered having the doe of  
15 Sitka Black Deer, I guess, as part of the harvest if we're  
16 going to go, you know, proxy hunting. Because in Prince of  
17 Wales Island it's my opinion that it is very unhealthy for just  
18 one of the species, the male of the species, to be harvested.  
19 When you go down any road on Prince of Wales Island you can  
20 count 90 to 100 deer and they're just your pet dog, if they  
21 don't get out of the way you can slap them in the face. And we  
22 feel, you know, this is contrary to nature when you just leave  
23 one of the species. And I just wondered if the working group  
24 considered that.

25  
26 CHAIRMAN THOMAS: Did you have any discussion  
27 concerning does?

28  
29 MR. VALE: Mr. Chairman, we didn't talk about  
30 individual species or the hunting system or dates for taking  
31 bucks and does, we didn't have any discussion about that. And  
32 as first guess, I would approach that as I think we have to  
33 take that separately and look at the seasons and bag limits.  
34 If we wanted to make changes it would be in that area.

35  
36 CHAIRMAN THOMAS: I think the language in this proposal  
37 is real good and to expand on it, I think, would have a  
38 tendency to slow down any consideration of approving it. So I  
39 would probably encourage the Council to consider submitting  
40 this with this content and maybe, perhaps, pursue other areas  
41 of this provision at another time, but I'll leave that to the  
42 Council. Any further discussion?

43  
44 MS. ROBINSON: Call for the question.

45  
46 CHAIRMAN THOMAS: Question has been called for. All  
47 those in favor of adopting the language for the proposed  
48 regulation for deer signify by saying aye.

49  
50

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1 IN UNISON: Aye.

2

3 CHAIRMAN THOMAS: Opposed same sign.

4

5 (No opposing responses)

6

7 CHAIRMAN THOMAS: Okay, that motion is carried.

8

9 MR. VALE: Mr. Chairman.

10

11 CHAIRMAN THOMAS: So I guess the same action would be  
12 required of the -- John.

13

14 MR. VALE: Yeah, just as a follow up on that then, I'd  
15 make a motion with regard to moose, same language, only Unit 5  
16 on moose.

17

18 MS. ROBINSON: It's on the next page.

19

20 MR. VALE: Is it? Okay, I'll read it.

21

22 CHAIRMAN THOMAS: Thanks, Mim.

23

24 MR. VALE: A qualified subsistence user of Unit 5 may  
25 designate another qualified subsistence user of Unit 5 to take  
26 moose on his or her behalf. The designated hunter must  
27 complete and return the harvest report on behalf of the  
28 recipient and must return all salvaged meat to the recipient.  
29 The designated hunter may hunt for any number of recipients but  
30 may have no more than two harvest limits in his/her possession  
31 at any one time.

32

33 Move to adopt.

34

35 MS. ROBINSON: Second.

36

37 CHAIRMAN THOMAS: It's been moved and seconded.

38 Discussion.

39

40 MR. ANDERSON: Mr. Chairman, I want to point out to  
41 Mr. Vale here that John and I feel that we're, maybe, being  
42 picked on. We do have moose hunts down in Unit 4 and was that  
43 considered?

44

45 MR. VALE: Mr. Chairman, personally I'm not familiar  
46 where the moose are in Southeast, but we did talk about moose  
47 in Southeast and it was pointed out there wasn't a c&t  
48 determination on moose, that it was no determination had been  
49 made. So it was pointed out there was a small population of

50

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moose that might be susceptible to overharvest under no determination. There was some discussion about any rural resident would qualify to harvest moose and so for those reasons, the small population and the fact that there was no determination, we decided maybe it wasn't appropriate at this time to include moose from lower Southeast in the proposal. So I think that's something we might be able to look at in the future as customary and use determinations are made on species down in Southeast.

10

11 MR. ANDERSON: Thank you.

12

13 CHAIRMAN THOMAS: Further discussion? Complaints?

14

15 MR. ANDERSON: Call for the question.

16

17 MS. ROBINSON: Question.

18

19 CHAIRMAN THOMAS: Question has been called for. All those in favor of the language read for proposed regulation of those indicate their support by saying aye.

22

23 IN UNISON: Aye.

24

25 CHAIRMAN THOMAS: Opposed same sign.

26

27 (No opposing responses)

28

29 CHAIRMAN THOMAS: That motion is carried.

30

31 MS. ROBINSON: Mr. Chairman.

32

33 CHAIRMAN THOMAS: Mim.

34

35 MS. ROBINSON: I had a thought earlier when we were discussing qualified subsistence user. I was looking in the list of definitions in Subpart D and also in Subpart A, B and C. And under Subpart A, B and C whatever -- let's see it on page 22952, there is a definition for subsistence uses, which says - means the customary and traditional uses by rural Alaskan residence, et cetera, et cetera, et cetera.

42

43 However, there is nothing in Subpart D concerning that subject, so I was thinking that we may want to consider making a proposal to put a definition in Subpart D for qualified subsistence user so that it's definitely clear to people.

47

48 CHAIRMAN THOMAS: That's a very good point. I haven't looked at that one article that you did read that was available

50

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in there that defines subsistence. Is that language suitable  
to make reference to on these proposals?

3

4 MS. ROBINSON: Well, it would probably have to get  
5 changed a little bit 'cause the subsistence uses, rather than a  
6 person so .....

7

8 CHAIRMAN THOMAS: I just realized something. I think  
9 the more we can include on what our intent would probably be  
10 significantly different from what is intended or how it's  
11 defined in the Federal Register. So I think that the Chair  
12 will direct that with any proposal submissions that  
13 interpretation of specific language be included with this in  
14 each case.

15

16 MS. ROBINSON: Um-hum (Affirmative).

17

18 CHAIRMAN THOMAS: Okay. So we adopted two proposals,  
19 one for deer and one for moose. I think that was an excellent  
20 move because if you didn't separate them there's always a  
21 chance that other regions will embrace the idea and sometimes  
22 by doing so and considering the resources in their area will  
23 tie up any action that will happen in this region, so I think  
24 separating them was a good idea.

25

26 MS. ROBINSON: Mr. Chairman.

27

28 CHAIRMAN THOMAS: Mim.

29

30 MS. ROBINSON: I'm not clear where you left me on this  
31 qualified subsistence user definition. What I'm thinking is  
32 looking beyond, like, in February when the books go out to the  
33 public with our proposal in there and what our intentions are.  
34 If it's adopted, the intentions won't be in the regulation,  
35 but the proposal will be, that would become regulation and the  
36 people will read qualified subsistence user in Subpart D and  
37 they won't know what is meant by that at that time, unless in  
38 the list of definitions.

39

40 CHAIRMAN THOMAS: What do you suggest? Bill.

41

42 MR. KNAUER: Thank you, Mr. Chairman. Mim has a very  
43 good point and I have made a note and we will be making an  
44 administrative adjustment to the regulations to include the  
45 term qualified in the definitions because that is something  
46 that spans more than just this region.

47

48 CHAIRMAN THOMAS: Sure.

49

50

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1 MR. KNAUER: We will be taking care of that.  
2  
3 MS. ROBINSON: Okay, good, thank you.  
4  
5 CHAIRMAN THOMAS: Thank you, Mim. Thank you, Bill.  
6  
7 MR. VALE: Mr. Chairman.  
8  
9 CHAIRMAN THOMAS: John.  
10  
11 MR. VALE: To follow through on our action, if you  
12 will, and I'll make a motion that the Council draft a letter  
13 and send it out to the various communities around Southeast who  
14 have subsistence uses. It would go to the Native corporations,  
15 city governments, Advisory Committees, Tribal entities of these  
16 communities explaining to them that we're considering community  
17 harvest systems in Southeast and outlining the -- explaining  
18 the proposal deadline, perhaps it would include a sample  
19 proposal in there for them to look at, as well as other support  
20 information, like deer harvest numbers and so forth. And so I  
21 would move that we draft that letter and send it out to the  
22 various communities.  
23  
24 CHAIRMAN THOMAS: I hear the motion, is there a second?  
25  
26 MS. ROBINSON: Second.  
27  
28 CHAIRMAN THOMAS: Moved and seconded. Discussion?  
29  
30 MR. GEORGE: Yeah, under remarks, Mr. Chairman, I don't  
31 know how to include this, but perhaps along with that letter we  
32 have the Regional Council membership and phone numbers attached  
33 or some staff member attached so -- because when you send out a  
34 letter, that's great, there needs to be an explanation behind  
35 or, you know, somebody to be able to talk to them, like, it  
36 says, you know, to explain what the proposal is, how it can be  
37 applied and how the Council is considering these kinds of  
38 proposals and what is needed so that we don't come back with  
39 incomplete information or information that may not be usable at  
40 all. So there needs to be some .....

41  
42 CHAIRMAN THOMAS: Do you want to make an amendment?  
43  
44 MR. VALE: I think that would qualify as other support  
45 information in the motion there.  
46  
47 MR. GEORGE: Right.  
48  
49 CHAIRMAN THOMAS: Okay. Was that read in?  
50

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MR. VALE: Yeah.

CHAIRMAN THOMAS: Further discussion?

MR. SKAN: Mr. Chair.

CHAIRMAN THOMAS: Dewey.

MR. SKAN: Thank you. Just arriving this morning at the meeting here, I'm trying to catch up on all of this hard copy here, but would somebody enlighten me on to what entails community harvest? And that does that entail everything that we eat? Or does it just apply to a specific part of our customary and traditional diet?

CHAIRMAN THOMAS: Bill.

MR. KNAUER: Thank you. A community harvest system is one of an alternative system of reporting and permitting that's available under the Federal regulations. The Federal regulations provide for currently a individual type system where I get a license, I harvest for myself, I can share after harvest, but I can only harvest for myself.

A second option, which you just passed, relates to a designated hunter where I can hunt for myself, but I can also hunt for my grandmother, whose given me her permits, and I can go out and get her animals.

A community type harvest system is also provided for, but again, proposals would have to be sent in or initiated in which community A, we'll say a small homogenous community, says we have just certain individuals in the community that may go out and, in practice, harvest for the entire community. And as such most of the individuals in the community don't go out and hunt, they have other things that they're doing or maybe they can't or don't wish too. And the community would have an overall harvest limit of, we'll say, 100 deer for that community. And there might be five or six individuals who do the hunting for the community. They report the harvest to some individual that's designated in the community, who keeps a calendar of when the animal was harvested; if it's an either sex type situation, the sex of the animals harvest. General where they're harvested. And then on a periodic basis, maybe once a month or once a quarter reports this harvest to the Federal Subsistence Board. Not the names of the individuals that are harvesting them, it's based on a community type situation and on a species situation.

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1  
2 MR. SKAN: Okay. Thank you, Mr. Chairman. That just  
3 relates to the two proposals that have passed?  
4  
5 MR. KNAUER: That's correct.  
6  
7 MR. SKAN: Okay, thank you.  
8  
9 CHAIRMAN THOMAS: Thank you. Any more discussion?  
10  
11 MR. FELLER: Mr. Chairman.  
12  
13 CHAIRMAN THOMAS: John.  
14  
15 MR. FELLER: I call for the question.  
16  
17 CHAIRMAN THOMAS: Question has been called. All those  
18 in favor of the letter going out to the communities signify by  
19 saying aye.  
20  
21 IN UNISON: Aye.  
22  
23 CHAIRMAN THOMAS: Opposed same sign.  
24  
25 (No opposing responses)  
26  
27 CHAIRMAN THOMAS: Okay, the motion is carried. Patty  
28 Phillips, are you ready to introduce yours?  
29  
30 MS. PHILLIPS: (Nods affirmative)  
31  
32 CHAIRMAN THOMAS: Okay, Patty has another proposal.  
33 It's a carryover from last year that didn't get the results we  
34 wanted and so she asked to resubmit it and we'll go ahead and  
35 do so at this time.  
36  
37 MS. PHILLIPS: Mr. Chair, I'd like to resubmit the  
38 marten proposal with minor changes for Chichagof Island, Unit  
39 In the regulation book Page 45934, Unit 4, harvest limits,  
40 capping of marten, mink and weasel.  
41  
42 CHAIRMAN THOMAS: Give us time to find it. Where is  
43 that again?  
44  
45 MS. PHILLIPS: Page 45934 of this book.  
46  
47 CHAIRMAN THOMAS: Okay.  
48  
49 MS. PHILLIPS: The regulation I'd like to see changed  
50

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1s the harvest limit and open season. I would like to see the  
 2egulation changed to Chichagof Island, open season, December  
 35th to January 15th. Why should this regulation be changed?  
 4Marten eat eggs of birds. Birds that are native to the area,  
 5Some birds are threatened. I've seen an increase in sightings  
 6f hawks, grouse, song birds, falcons. Marten are a  
 7ransplanted species and prey upon natural stocks.

8

9 In the area I live in there's no logging and I believe  
 10hat with the increase in logging on the other portion of  
 11Chichagof Island the birds are moving to the wooded areas and  
 12hat's why I'm seeing an increase in these species. And I'd  
 13like to see marten continued to be utilized in trapping.

14

15 CHAIRMAN THOMAS: Patty.

16

17 MS. PHILLIPS: Yeah.

18

19 CHAIRMAN THOMAS: I want to declare a short recess.  
 20ould you take that with Mr. Knauer, Bill Knauer there, and  
 21ork that out and make copies for us, so we can keep up with  
 22ou.

23

24 MS. PHILLIPS: Okay.

25

26 CHAIRMAN THOMAS: We'll declare a 10 minute recess.  
 27offee breaks -- no smoking allowed during this break, please.

28

29 (Off record)

30

31 (On record)

32

33 CHAIRMAN THOMAS: Okay, we have before us a copy of  
 34suggested language in another proposal, it's a re-submittal of  
 35proposal that went forward last year. And Mr. Knauer and  
 36atty were gracious enough to scratch out some suggested  
 37anguage here for us to consider and we can work with it from  
 38his point on developing the proposal. It may well be that the  
 39anguage in here is what we're going to want to use. If we  
 40ant to offer something different, we can, but at least we all  
 41ot the same page in front of us.

42

43 I'm going to ask Patty if she would read through her  
 44py as we follow along. And to begin with, probably the most  
 45ppropriate thing to do at this time would be to offer a motion  
 46adopt and then under discussion we'll go through the  
 47iscussion of the content of this motion.

48

49 MR. SKAN: Move to adopt, Mr. Chairman.

50

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1  
2 CHAIRMAN THOMAS: It's been moved to adopt, is there a  
3 second?  
4  
5 MS. LeCORNU: Second.  
6  
7 CHAIRMAN THOMAS: It's been moved and seconded.  
8 Discussion? Patty.  
9  
10 MS. PHILLIPS: What regulation do you want changed?  
11 Unit 4, trapping marten, mink and weasel. Unit 4 Chichagof has  
12 an open season. How would you like to see the regulation  
13 changed? Unit 4, marten, mink and weasel, Chichagof Island,  
14 December 15th to January 15th, no limit. Why should this  
15 regulation be changed? Customary and traditional use of hides  
16 and the population is stable. How will this change affect  
17 wildlife populations? The season would be more likely to  
18 harvest mature males which have the best hides. How will this  
19 change affect subsistence users? Provide for the continued c&t  
20 practices and use of furs to traditional activities.  
21 Additional information to support your proposal. Personal  
22 observations indicate stable marten population in area.  
23  
24 CHAIRMAN THOMAS: Thank you. Everybody was able to  
25 follow that? Any further discussion on this motion? John.  
26  
27 MR. VALE: Yeah, Mr. Chairman, I can't help but  
28 remember at our last meeting we spent almost an entire day  
29 talking about marten on Chichagof Island and I'm not sure if  
30 we're talking, for sure, about the same area I think we are. I  
31 know we were presented with information from the Forest  
32 Service, they were concerned about dwindling populations and  
33 I've heard, second hand -- I'm trying to remember what it was  
34 supported and recommended, I can't off the top of my head,  
35 last year. I know we supported some restriction in harvest up  
36 there, but I can't remember exactly what the details were.  
37  
38 And I heard second hand that there was a closure or  
39 something that occurred over the winter up there, so I'd kind  
40 of like to get some background information on this.  
41  
42 CHAIRMAN THOMAS: John, are you speaking for or against  
43 the motion? On this one? Or were you talking different  
44 proposals now?  
45  
46 MR. VALE: Well, what I'm trying to do is get some  
47 additional information so I can decide whether to speak for or  
48 against it.  
49  
50

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1 CHAIRMAN THOMAS: Okay, what information do you want?

2

3 MR. VALE: I guess a little background on that  
4 population up there. Maybe Ted Schenck, who provided that  
5 information for us could address that.

6

7 MS. PHILLIPS: Mr. Chair.

8

9 CHAIRMAN THOMAS: Patty.

10

11 MS. PHILLIPS: The regular season for other areas of  
12 Unit 4 is December 1st through February 15th and in the  
13 proposal the Council would submit would be December 15th to  
14 January 15th, so the window for trapping is reduced to promote  
15 a healthy stock.

16

17 CHAIRMAN THOMAS: Okay, would you .....

18

19 MR. SCHENCK: Mr. Chairman, for the record I'm Ted  
20 Schenck, Chatham area wildlife biologist. I'd like to ask for  
21 the privilege of inviting Bruce Dinneford from Alaska  
22 Department of Fish & Game to come up here and sit with me while  
23 we talk about this issue. They're integral partners in it. If  
24 you recall we talked with the ADF&G also

25

26 CHAIRMAN THOMAS: Okay, thank you.

27

28 MR. SCHENCK: I have with me only the most recent  
29 marten research data that's been updated since about April of  
30 last year and I'd be able to answer a few questions about the  
31 marten population, but from the data. Maybe you could throw  
32 some questions at us and we could try to answer them  
33 specifically.

34

35 CHAIRMAN THOMAS: Got any questions, John?

36

37 MR. VALE: Presently what is the season up there for  
38 marten and what's the population status like.

39

40 MR. SCHENCK: Okay. The season for the '94/95 trapping  
41 season would be closed on Chichagof Island for this year. That  
42 was the action that the Federal Subsistence Board took in April  
43 and so that would be the season on Chichagof this year. Bruce,  
44 do you want to respond to what -- have you talked to .....

45

46 MR. DINNEFORD: Thanks, Ted. Mr. Chairman, the season  
47 that Ted just read was the Federal season, of course, and the  
48 State season in that area is open. Our position at the time  
49 you last discussed this was we didn't feel that the data

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indicated that there was a crucial enough problem in that area of Chichagof outside the Northeast Chichagof controlled use area. Within that area we like the management format that the Forest Service has in place, where there's a restriction where the access is so much greater due to the number of roads in that area.

7

8 In the remainder of Unit 4 where our season is open, we would not be opposed to seeing the season changed -- opened. Thanks.

11

12 CHAIRMAN THOMAS: What do you mean by crucial enough?

13

14 MR. DINNEFORD: I'm sorry?

15

16 CHAIRMAN THOMAS: You mentioned something about being crucial enough.

18

19 MR. DINNEFORD: Well, we don't see that the data indicate that there's enough information -- or there is not enough information to suggest that the season needs to be closed.

23

24 CHAIRMAN THOMAS: I see, thank you.

25

26 MR. SCHENCK: I'd just point out that based on data that we have from Northeast Chichagof Island, the population estimates that we had up there went from something like .9 marten per square mile in 1991 to a low of about .19 marten per square mile and they're back up to about -- as of the 1st of April or so our estimate was about .27 marten per square mile, so they're up some from what they were last spring when we were talking to you, but they haven't recovered to their previous population levels within the study area. And that's just that North end of Chichagof.

36

37 CHAIRMAN THOMAS: Bruce.

38

39 MR. DINNEFORD: Two things, Mr. Chairman. I'd like to point out that research that is being conducted in the Northeast area has indicated in this last year that the primary food source for marten in that area, which is microtine rodents is up. The trapping index that has been done that a couple of years ago showed very few bulls being caught -- I can't give you precise number, I don't know them, but from talking to our marten researcher those number are up.

47

48 Another point I'd like to make is that the number of marten taken per year is, at best, a poor indicator of the

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health of the marten population. There's a lot of other things going on with any trapping; winter conditions, trapping effort, which we have no idea of what the catch per unit effort is; how many trappers are out there; prices being paid by furriers for the pelts; availability of alternate work during the winter, where some trappers might decide they're going to go plow snow or drive nails somewhere, whatever is going on. So we see often large fluctuation in the number of animals being taken in a particular area, but we hesitate to say, well, that's an indication of the population health.

11

12 CHAIRMAN THOMAS: Okay.

13

14 MR. SCHENCK: In recent conversations with the ADF&G marten researcher over there, Rod Flynn, F-l-y-n-n, Rod had told me that marten trapping that he's been doing this fall the animals are in excellent condition. They've got nails that are as large as they've trapped in the last four years, so the animals are in good condition. He starting to pick a few more juvenile females in the population. And the data that we got from last year indicate that reproduction may have been better this spring than in past years, but that data hasn't been completely worked up yet, that's just from preliminary information. We'll really get started into the fall work within the next month or so, so we'll have more results in February.

27

28 CHAIRMAN THOMAS: Okay.

29

30 MR. DALTON: Mr. Chairman.

31

32 CHAIRMAN THOMAS: Richard.

33

34 MR. DALTON: I'm going to speak in respect to this proposal made by Patty Phillips. In the beginning before the transplant of this martens we had lots of ptarmigans in our area and lots of grouse, now we don't see them. But what we see is lots of marten. And the Forest Service went on the record to protect this particular species and I think it's wrong and I would talk in favor of supporting this proposal. The simple reason it's not a native of the Chichagof area and Admiralty Island, it was strictly experimentation.

43

44 The valuation of these martens as far as trading is concerned is not up market price, so on that ground nobody is hardly going after the martens. Unless there was a hardship in the family, perhaps, but regulation, as it's reading, it just eliminates those people that does have a hardship of making any money, if that's the case. So that's why Hoonah is on the

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record to object to any transplant of any type, wolf or otherwise. Because that is just a predator to something that we utilize under subsistence.

4

5 CHAIRMAN THOMAS: Any further discussion?

6

7 MR. VALE: Mr. Chairman.

8

9 CHAIRMAN THOMAS: John.

10

11 MR. VALE: So if I understand you correctly, we have a conservation concern for marten on the Forest Service on Northeast Chichagof, does that concern extend to all of Unit 4?

14

15 MR. SCHENCK: I'll let Bruce go ahead first.

16

17 MR. DINNEFORD: Thank you, John, for that fast ball. ~~MR.~~ Chairman, our highest concerns for conservation of any wildlife species in Southeast is probably greatest where the habitat is most fragmented or where human access is easiest. Historically trappers accessed areas pretty much on the perimeters of island in Southeast Alaska and left a large refugia (sic), if you will, in the center of an island that could act as places where trappers seldom got. In places like Northeast Chichagof where those interior areas have eroded and trappers and hunters can access wildlife population easier there's a greater likelihood of their being a greater impact to those populations.

29

30 Northeast Chichagof happens to be an area where there is a lot of roads. Prince of Wales Island is another area where there is a lot of roads and a lot of access, so it's not the only area where we have conservation concerns, John, but with our current knowledge it's one of the greatest at this time. In the bulk of Unit 4, especially off of Chichagof Island, it's hard to say with a high degree of accuracy, but it appears that the marten populations are stable.

38

39 MR. VALE: Okay. One last question for Ted. As I recall from our discussions last year, the Council recommended restricting or closing the trapping on Northeast Chichagof, but not all of Unit 4. And I guess what I'm understanding is that the Federal Board closed all of Unit 4 last spring, is that correct?

45

46 MR. SCHENCK: No, they closed all of Chichagof Island and the rest of Chichagof -- or the rest of GMU 4 remained open.

49

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1 CHAIRMAN THOMAS: Further discussion?

2

3 MR. VALE: One last question for Patty. So your  
4 proposal, then, would have a one month season for all of Unit 4  
5 including Chichagof or could you explain that a little bit?

6

7 MS. PHILLIPS: Only Chichagof Island would have the one  
8 month season in Unit 4, the remainder of Unit 4 would have  
9 December 1 to February 15th as it's written in the regulation  
10 book.

11

12 CHAIRMAN THOMAS: Ted.

13

14 MR. SCHENCK: I'd like to make two comments, if I  
15 might, regarding this proposal. The first is, if the Board  
16 chooses to support this proposal, that would be fine. The  
17 second is, Patty, if the Board didn't support this resolution  
18 or motion, you can still submit it as an individual and you  
19 have an opportunity to consider it again at your next meeting.

20

21 The other comment is that I'd like to make a plea that  
22 season, if these dates are not correct, if my memory serves me  
23 I believe the State's season opens on the 15th of December, but  
24 if these dates are not correct, I encourage you to have your  
25 season run consistently with the State season up there so that  
26 there's not a confusion. So that the people who would be  
27 trapping on the beach trap at the same time as the people on  
28 Federal lands. Just for consistency and reduce confusion on  
29 the part of the subsistence users. Thank you.

30

31 CHAIRMAN THOMAS: Thank you. Further discussion?  
32 Dewey.

33

34 MR. SKAN: Mr. Chairman, thank you. Patty, how many  
35 citizens of Pelican is lifestyle is affected by this  
36 regulation? And I'm speaking of specifically to the trappers.

37

38 MS. PHILLIPS: Probably a dozen families.

39

40 MR. SKAN: Thank you.

41

42 CHAIRMAN THOMAS: Further discussion? Gabe.

43

44 MR. GEORGE: Yeah, thank you, Mr. Chairman, I would  
45 agree with the recommendation that -- or I speak for the motion  
46 with the recommendation that season run consistent with the  
47 other season in the area.

48

49 CHAIRMAN THOMAS: With the other guys?

50

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1  
2 MR. GEORGE: Um-hum (Affirmative).  
3  
4 CHAIRMAN THOMAS: All right. Further discussion?  
Bruce.  
6  
7 MR. DINNEFORD: Thank you, Mr. Chairman. Regarding  
Back to Ted's last comment. For the Council's information the  
State's season in the Northeast Chichagof area right now is  
December 1st through December 31st, so agreeing with Ted, I  
would ask that if the Council has no problem with it to amend  
Patty's proposal to read December 1st through 31st, rather than  
December 15th through January 15th.  
14  
15 CHAIRMAN THOMAS: Double the opening? Double the  
season?  
17  
18 CHAIRMAN THOMAS: Well, sir, it would make them  
concurrent, the State and the Federal season run at the same  
period.  
21  
22 CHAIRMAN THOMAS: Yeah.  
23  
24 MR. DINNEFORD: Right.  
25  
26 CHAIRMAN THOMAS: Gabe.  
27  
28 MR. GEORGE: So move, Mr. Chairman, to amend.  
29  
30 CHAIRMAN THOMAS: Okay, you hear the motion to amend  
the dates to be consistent with that of the State's  
regulations, do I hear a second?  
33  
34 MS. ROBINSON: Second.  
35  
36 CHAIRMAN THOMAS: Moved and seconded.  
37  
38 MR. FELLER: Question.  
39  
40 CHAIRMAN THOMAS: Question has been called. That's an  
amendment, question has been called on the amendment. All  
those in favor say aye.  
43  
44 IN UNISON: Aye.  
45  
46 CHAIRMAN THOMAS: Opposed same sign.  
47  
48 (No opposing responses)  
49  
50

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1 CHAIRMAN THOMAS: Further discussion on the main motion  
 2 as amended.  
 3  
 4 MR. GEORGE: Question.  
 5  
 6 CHAIRMAN THOMAS: Question has been called. All those  
 7 in favor say aye.  
 8  
 9 IN UNISON: Aye.  
 10  
 11 CHAIRMAN THOMAS: Opposed same sign.  
 12  
 13 (No opposing responses)  
 14  
 15 CHAIRMAN THOMAS: Thank you.  
 16  
 17 MS. PHILLIPS: Thank you.  
 18  
 19 CHAIRMAN THOMAS: Do we have any further considerations  
 20 for proposals at this time?  
 21  
 22 MR. SKAN: Mr. Chairman.  
 23  
 24 CHAIRMAN THOMAS: Not matrimonial proposal .....

25  
 26 MR. SKAN: Oh, shucks.  
 27  
 28 CHAIRMAN THOMAS: ..... bag limit proposals. Dewey.  
 29  
 30 MR. SKAN: Mr. Chairman, thank you. I'd like to be  
 31 excused with Vicki from Craig and then I would like to meet  
 32 with Dale concerning a proposal we want to present immediately  
 33 from Prince of Wales.  
 34  
 35 CHAIRMAN THOMAS: Conspiracies are not allowed on this  
 36 Council. You may be excused.  
 37  
 38 MR. SKAN: We're going to go meet with the other guys.  
 39  
 40 CHAIRMAN THOMAS: Okay, you may be excused. At this  
 41 time while they're doing that we going to consider some  
 42 information that Richard Dalton has brought with him for use to  
 43 consider. And I'm not sure what is referenced there, but we  
 44 all have a copy of it, and I'll have to look for mine. Do you  
 45 guys remember seeing that? Stand at ease for 20 seconds while  
 46 I look for mine here. Okay, it's a paper like this called  
 47 Designated Hunter Task Force, Option 1.  
 48  
 49 MR. DALTON: You want me to go down there?  
 50

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1  
2 CHAIRMAN THOMAS: Yeah, I'll read this page and then  
Richard can explain, okay, Richard? Richard, I'll read it  
first and then you can explain it.

5  
6 MR. DALTON: Okay.

7  
8 CHAIRMAN THOMAS: You can take the table if you want,  
Richard.

10  
11 MR. DALTON: Yeah.

12  
13 CHAIRMAN THOMAS: I'll read this while he's doing that.

14  
15 When discussing the Designated Hunting Permit system,  
there are related issues of similar nature if indeed the  
Federal government does assume management over navigable waters  
in Alaska. The Designated Hunter Program that applies for  
hunting of game should apply to taking of fish as well for the  
elderly, disabled, widows, and dependent families (with no  
means of travel, as an example).

22  
23 The Designated Hunter/Fisher Program should also take  
into account some practices that are of our tribal upbringing.  
We have seen the State of Alaska managers impose restrictions  
that affect citations of arrest for what we consider to be tribal  
obligation.

28  
29 In 1992, as an example, some Haida elders requested one  
of their commercial fishing boats to take salmon for  
subsistence. In the Haida culture, when an elder requests help  
you cannot refuse; except that the Haida fisherman broke some  
kind of State law. The 178 fish that were caught and  
distributed to the elders, disabled, widows, and families with  
means. In Tlingit, we are also bound by tribal custom not to  
refuse our elders.

37  
38 Now, in 1994, my own son is facing \$1,000.00 fine and  
one year in jail for helping his 92 year old great Uncle who  
asked him for help. The Federal Subsistence Board as well as  
the State of Alaska needs to know that there are cultural  
practices as well as tribal customs that some how, sometime,  
our cultural practices conflict with your laws. And it's got  
handwritten here: so what we have is a conflict between your  
laws and cultures.

46  
47 The last paragraph is: when discussing fish or game,  
including migratory birds and marine mammals, these are foods  
and implements required for a cultural activity. In the  
50

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Tlingit tribal custom, if the Naakaani direct you to take a deer, or a seal for a 40-Day party, you cannot refuse, except we end up facing fines and imprisonment. Greg Brown as an example.

5

6 These need be brought forward to the Federal Subsistence Board.

8

9 This is provided to us by Richard Dalton from Hoonah, who is a member of this Council and I'll ask Richard to go ahead and elaborate on the content of this. Richard, if you would.

13

14 MR. DALTON: Thank you, Mr. Chairman. On July 10th of this year for the first time two grandsons, two generations down went to assist a grandfather in Angoon for subsistence fishing for sockeyes in Kanalku Bay, which is known as Gold Mine. And at which time that an officer by the name of Matthew from Sitka unit, the Hoonah officer of the Fish & Game two weeks later gave a citation, a uniformed summons and complaint to cite Richard Dalton, Jr.

22

23 They find during that time when he was investigating that they could not or didn't feel comfortable about giving a citation to an elderly person who is not really capable of going after subsistence fishing. And during that time prior to complaint from Angoon they said that there was two carcasses found that was in the brush. That's why they sent this Fish & Game person, Matthew into Angoon. And we were engaged two days later with this subsistence fishing.

31

32 My grandfather, George Jim hung a gillnet and when he hung that gillnet he wanted to try see if it would be the way to go after that subsistence fish that we were going after, that's just out of curiosity for himself to justify his feelings. What Officer Matthew is saying is that my son, Richard Dalton, Jr. had tied an anchor to the gillnet, which is not true. Mind you he was observing from the brush, hiding up in the brush.

40

41 But the concern that we have is I don't believe that any officer, like Officer Matthew was doing was doing his job to the effect that he was sneaking around and trying to find information who he could needlepoint, to cite with a citation. He had to go to his office and try to get some information how he would put this citation to make it effective. So on that ground Junior was taken to court in the District Court of Sitka, First Judicial District, the State of Alaska. The State of Alaska, Plaintiff, versus, Richard K. Dalton, Jr. the

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Defendant.

2

3 We're asking for a continuation of this, so Junior had  
 4 signed a waiver for 90 days because we didn't feel that  
 5 everybody that could testify would be available. But I,  
 6 myself, would feel very uncomfortable with an officer that  
 7 didn't know exactly what he wasn't doing, but take advice from  
 8 his higher official capacity. And I think that was wrong. And  
 9 I didn't know under the Constitution of the United States and  
 10 4th Amendment that allows anybody to sneak around and not  
 11 show his identity. That's the reason why they're protecting  
 12 officers, that uniform and badges and supposedly have two along  
 13 with that particular area.

14

15 And the other thing is, I don't understand when he  
 16 didn't give the citation then when he saw what he did see. If  
 17 we were doing wrong and that would be more logical then he  
 18 would show his identity. But he had to do it from his office,  
 19 so in all reality we have a support that came from who was a  
 20 subsistence commissioner for several years on subsistence,  
 21 Robert Willard. He says:

22

23 I am not pleased to learn that your son has been  
 24 charged with a fishing violation -- by the State of Alaska --  
 25 while helping George Jim, one of our Tlingit elders.  
 26 Apparently, the action by the State of Alaska is interfering  
 27 with the Tlingit customs and tradition, as your son is  
 28 exercising his cultural upbringing by helping Mr. Jim.

29

30 In the Tlingit cultural existence, it is expected that  
 31 the child will consent to help our elders when called upon --  
 32 as in the case of George Jim, when he called upon your son for  
 33 help.

34

35 The State of Alaska, or any other government, must be  
 36 aware that your son could not refuse to help Mr. Jim in the  
 37 Tlingit culture. The State of Alaska is interfering with  
 38 Tlingit cultural, customary and traditional practices. In my  
 39 opinion, the State of Alaska must withdraw its charges against  
 40 your son, or the State Court render a not guilty verdict.

41

42 From 1989 to 1993, I served as President of the  
 43 Southeast Native Subsistence Commission that represented  
 44 subsistence users in all 19 Southeast communities, as well as  
 45 the 15 IRA tribal governments in Southeast. Presently, in my  
 46 capacity as Executive Director of the Southeast Alaska Land  
 47 Acquisition Coalition, Inc., I continue to serve on the  
 48 Southeast Native Subsistence Commission as the elected  
 49 commissioner representing the subsistence users of the Juneau

50

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area.

2

3 In the enactment of the Alaska National Lands  
 4 Conservation Act, the Congress recognizes the cultural  
 5 existence of the Alaska Natives, and the physical, economic,  
 6 traditional, and social existence of the non-Native subsistence  
 7 users. Sections 801, 802, 803 of ANILCA is explicit, and that  
 8 which as been recognized in Federal courts. (Florendo, Mills -  
 9 1994, and also in Frank versus State by the State courts) I  
 10 fail to see why the State of Alaska continues to ignore the  
 11 cultural traits of the Tlingit Indians, as is apparent in the  
 12 charges filed against your son. I am not an attorney at law,  
 13 but it does not take an attorney to see the intent of Congress  
 14 when Title VIII of ANILCA was enacted, or how the Federal  
 15 courts have ruled of late.

16

17 The State of Alaska should now dismiss the charges  
 18 against your son. Please advise the disposition of this case

19

20 So what's the citation reads when they gave it to him.  
 21 Sunday, the 10th day of July, 1994, 8:23 a.m. Richard Kenneth  
 22 Dalton, Jr. P.O. Box 407, Hoonah, Alaska, age 44. And he's a  
 23 male five feet six and place of employment, Health Clinic,  
 24 and/or near location Kanalku Bay. It says: did unlawfully  
 25 commit the following offense in First Judicial District in the  
 26 State of aforesaid. To wit did unlawfully and negligently set  
 27 out a gillnet, salmon gillnet and use anchor to the gillnet in  
 28 place.

29

30 What he is saying is he saw Richard Dalton, Jr. to tie  
 31 the anchor to that line, which was not true. It was George Jim  
 32 that was doing the anchoring of this gillnet, just one end, but  
 33 Richard Dalton, Jr. felt the effect of a person that's 92 years  
 34 old. He didn't want to see anything happen to a 92 year old  
 35 man, so he felt the obligation that he would help George Jim,  
 36 to set that net out. It would have made no difference if  
 37 he was white or black or Chinese he would have done the same  
 38 thing because that's way we bring up our children. Whoever is  
 39 in need of help they would come to their aid and that's what my  
 40 son did. And instead of giving the citation to George Jim  
 41 they're trying to give it to Junior and that's not right. It  
 42 does not ring a bell with me.

43

44 We have some affidavits signed by witnesses and then we  
 45 saw some white people clean up the river set-netting in that  
 46 river and they didn't give them any citation. So they might be  
 47 a little discriminatory in this act at this point. So I guess  
 48 the prime concern that I would have is I would say that I am  
 49 very proud that we have officer in Hoonah who does not sneak

50

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around, he tapes his identity on his truck, got his uniform and he never sneaks around to try and catch anybody or to penalize. And I think that that's the constitutional way that these people show do. And think this Council should assert some kind of a protection that way so that these people in the Federal level, like the Forest Services, should not sneak around to try to penalize anybody. Or even if they did sneak around they should come out of the woodworks and give these people a citation that they have done wrong and that's easy to see.

10

11 Because just recently they arrested Mills, who is a Honah boy and these people did not sneak around like this Officer Matthew was doing. So I think that what I would say is if we have anything to say about something like this from the Federal level point of view I would like to see something go on record to make some assert to this regulatory basis, whereby I don't like to see anybody sneaking around to try to penalize somebody from his office two weeks later.

19

20 CHAIRMAN THOMAS: Okay, Richard. As you were sharing that with us and other members of the Council will have opportunity to comment as well. Hopefully we're going to be able to address some of those areas if ever we get this designated hunter permit system in the books. Hopefully when that happens that those provision will be built in to protect that kind of activity.

27

28 I don't personally have any ideas what we can do, other than use that to support our position for different options with the designated hunter permit, but other members of the Council might have some suggestions, so I'll open the floor at this time for some suggestions.

33

34 MR. DALTON: Maybe some of the officers here that's law enforcement could answer some justification? I think we have a gentleman here that -- an officer in the Forest Department, I think we could try to get some kind of a justification from his prospective legal position.

39

40 CHAIRMAN THOMAS: If you're agreeable, Jeff, we'll be .....

42

43 MR. BRYDON: I'll try to give you some understanding, if I can.

45

46 COURT REPORTER: Move to the mic, please.

47

48 MR. BRYDON: Jeff Brydon, I'm a law enforcement officer for the Forest Service. As regards to what Mr. Dalton was

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talking about that's a State case and I have absolutely nothing to do with it. I didn't even know about it until right now, so I can't at all talk on a State issue. As far as the uniformed officers, 95 percent of the time I am a uniformed officer. When I come to meetings like this I don't wear one because as part of our regalement, we're usually armed and there's not really a reason to be armed in a situation like this, so I'll go with a suit and tie.

9

10 When we're doing subsistence patrols in the areas, everywhere that I've been, I've always been in full uniform and we'll bring in, usually, a light bar for a vehicle since most of the areas I've been working in don't have a law enforcement enforced vehicle, no trucks or anything, so we bring kind of everything with us to go in and protect the subsistence rights of local users.

17

18 We do have special agents who aren't uniformed officers, that's their job, they're investigators. At no time do they ever in uniform. They also send in, certain areas, undercover officers who won't be in any type of uniform. But if it's an enforcement type issue where we're going out, we usually in uniform trying to show the colors, as it is, to let the local community know we're there and to get contact.

25

26 And that's part of the way we get a lot of our information when we show up in a lot of these communities. A lot of locals will come to us and this particular person is not a local resident, he shouldn't be hunting here. And, you know, if we were walking around in plain cloths they wouldn't know who we were.

32

33 Any questions?

34

35 CHAIRMAN THOMAS: Yeah -- well, I don't know what all we could ask if it is a State -- it's a State involvement and I don't know, you know, we got parameters we have to maintain. Gabe.

39

40 MR. GEORGE: Yeah, if we're looking for avenues to make comments on a case like this in terms of being fish and currently the Feds have no jurisdiction over that, but we can advise the Secretary, and as a matter of fact that's our charge, so in terms of our advice to the Secretary I think we can incorporate something like this into our report to the Secretary and encourage the Federal Government to take over subsistence management of navigable waters that pertain to fisheries.

49

50

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1 I think that -- what -- that the case would demonstrate  
2 customary and traditional use of the resources and harvesting  
3 of the resource. Certainly Mr. George Jim, who is an elder,  
4 he's probably second, I think, or there's only one person older  
5 than him in Angoon and both of the elders are active in  
6 harvesting resources, with help. And I've certainly gone out  
7 with them and gotten fish in other areas. But nonetheless, you  
8 know, they continue and they continue to teach and it is part of  
9 the cultural practices in Angoon and it's also not only a  
10 teaching/learning relationship, but as Mr. Dalton pointed out,  
11 that it is a traditional way of treating the elders and helping  
12 them.

13

14 I know that Mr. Jim has opened the doors in Angoon as  
15 pertains to subsistence coho fishing. Initially when he was  
16 going up to the Salt Lake to get cohos he called into the State  
17 Department of Fish & Game and asked for a permit to harvest  
18 cohos, this was quite a while ago, and the State said, we'll  
19 there isn't any subsistence taking of cohos, you'll have to use  
20 sport fishing rod and the limit up there is six coho a day.  
21 And he said, well, who's going to pay for my fuel, who's going  
22 to cut my wood and who's going to keep my fire going while I  
23 get up and get cohos, you know, everyday for my subsistence  
24 uses.

25

26 So the local Fish & Game Advisory Committee took his  
27 proposal to the State and the State, at that time, had a law  
28 that backed it up and that's how we initially go into  
29 addressing subsistence taking of cohos in Salt Lake, due to  
30 George Jim's subsistence efforts and needs. I say that only  
31 for the record and so that we can think when writing to the  
32 Secretary to include that into the report. I don't think we  
33 currently right now have anything to say or can say anything to  
34 the State about it, other than the local level. At least,  
35 that's my opinion, Mr. Chairman.

36

37 CHAIRMAN THOMAS: That's just one of the areas that the  
38 State hasn't been real supportive of or sensitive to. I, at  
39 this point, can't guarantee how well we're going to do with the  
40 Federal involvement, but we can only keep on pursuing it.  
41 John.

42

43 CHAIRMAN THOMAS: Yes, Mr. Chairman, if I understand  
44 correctly the citation was for anchoring a gillnet and from  
45 background I know of the area in Southeast, or for the most  
46 part you're not allowed under regulations to anchor gillnets,  
47 drift gillnetting is okay, but you're not allowed to anchor  
48 gillnets. And I guess what I would view this as -- to me it  
49 demonstrates that the regulations that the State adopted and

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are, in part, incorporated in the Federal regs, are not reflective of the manners of which subsistence resources are harvested.

4

5 And it's beyond me why gillnets cannot be set to harvest subsistence resources down in the neck of the woods, so, you know, I guess if we're going to include something on our annual report I would in -- myself think, you know, a statement to the effect that the existing regulations are not reflective of subsistence harvest techniques and strategies and that that's part of the problem that we need to address in the future here.

13

14 CHAIRMAN THOMAS: Yeah, that's a -- I've had a similar experience in that I subsistence fish in Yes Bay and I never gillnetted in my life. I bought a gillnet, went up to the area there was probably nine sets of gear anchored on both ends, so I did the same thing. And one day everybody else left, having to get back to work, I didn't have to leave, so I stayed there and the boat came in and I was cited for doing the same thing. My net was, in fact, anchored, I was tied off to a tree on one end and I had three miles of anchor line on the other end. But that's how people were fishing, so I thought that that was how things were done.

25

26 Well, it wasn't, but my penalty wasn't near as severe as your son's, I was fined \$100.00. I didn't have to forfeit anything, \$100.00 included everything. And that's when we found out the difference between a setnet and a driftnet, now, I can quote you word for word the difference between a setnet and a gillnet, but it took me \$100.00 to find that out. And that was a State regulation, but I submitted proposals, like John said, he don't know why you can't setnet for subsistence because you're going after a targeted number.

35

36 Well, after I paid my fine the biologist in Ketchikan helped me with some language in my proposal, helped me write the thing, submitted it three years in a row, it never did make the book, but this year they allowed setnetting, but by this time everybody learned how to drift, so even though setnetting is allowed we all choose to drift now. But that's a different story and a different time and a lesser fine. And it, again, was a State citation.

44

45 And with the Feds, when we get into the fisheries, hopefully we can address that, but unless you have a commendation for us to consider, we're kind of at a loss here. I don't know what we can do from the Federal end.

49

50

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1 MR. DALTON: The first day that I came to this meeting  
 2 here I heard that the Federal adopted the State by-laws and all  
 3 of this regulatory basis, so we're actually engaged with the  
 4 State by-laws and regulations to begin with when the Federal  
 5 went on the record to adopt the State ruling. And that way I  
 6 feel when my son came to the aid of his grandfather he didn't  
 7 ask any questions of the old man who was in need of help, he  
 8 didn't try to interpret any legal matters into his head, so  
 9 that he would try to justify himself and not set that out as an  
 10 anchor, so he just went to help him. That's exact movement he  
 11 did, so in fear of trying to protect him from falling overboard  
 12 and hypothermia would react on an elderly person, like 90 years  
 13 old, if he did fall overboard by tripping, trying to reverse  
 14 his boat and let his net out. So I kind of honored myself,  
 15 voluntarily going to help an elderly person. And under the  
 16 assumption of him pulling in this gillnet, I felt the same  
 17 obligation, so I told my son, Richard Dalton, Jr., to run me  
 18 out there so I can pull in the gillnet for him.

19

20 And all this trouble -- we're going to have problems, I  
 21 don't care shape it comes in, the State and the Federal, but  
 22 somebody has to draw a line some place so that we can have some  
 23 kind of a legal understanding of the whole procedure so that we  
 24 can make a message, but it appears to me what Officer Matthew  
 25 saying to Richard Dalton, Jr. by legal counsel is -- when  
 26 they read him the first right in Hoonah, a magistrate had to  
 27 read that right to Junior. When the Officer Matthew, himself,  
 28 should give the citation and read his right to him. So when  
 29 the magistrate was reading the right to Junior, it says  
 30 \$6,000.00 fine, one year in prison or both.

31

32 So Officer Matthew, through the teleconference, came  
 33 back and said it wouldn't be that steep, so we don't know what  
 34 amount of penalty he was talking about. So when the legal  
 35 counsel for George Jim, Sr. explained that if Richard Dalton,  
 36 pleads guilty, we'll just impose a \$200.00 with a \$100.00  
 37 suspended and be on probation for one year and we'll scratch it  
 38 off, we'll forget it after that one year is -- now, you and I  
 39 understand that they're not going to scratch that particular  
 40 probation or what arrest he had on him. They're going to carry  
 41 that for the rest of his life, so under that assumption I think  
 42 we're contesting the effect.

43

44 I remember that my father and my brother-in-law and  
 45 uncle in Glacier Bay took a deer when they were storm bound for  
 46 their subsistence use and got arrested for it. And this is  
 47 what the Federal told him, that they would forget and drop the  
 48 case and Greg Brown is contesting the case up in Anchorage and  
 49 they read to him where George Dalton, Sr. and Dan

50

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Sharclane (ph) and Jim Austin was arrested for taking deer in that area. And so the record -- this was done 1945 and the record follows up that long.

4

5 So the reason why Junior signed a waiver is he couldn't be there because he going after his higher degree in his profession as physician assistant, so he could get his full certification and naturally this citation kind of interferes with his tests in some ways. But I think he passed his tests but still is being bothered and it's bothering the family.

11

12 I appreciate your listening to the format of what we are experiencing and I don't think it's going to only be Richard Dalton, Jr. and George Jim, Jr. that going to experience this benefactor, but we certainly need to get some kind of a support from this perspective -- advisories.

17

18 CHAIRMAN THOMAS: Sure.

19

20 MR. DALTON: Thank you.

21

22 CHAIRMAN THOMAS: I agree with you, thank you. Yeah, it sounds -- you know, a violation of regulation and it doesn't seem too much like it interfered with the intent with helping the elder, but there's no fine lines, it's either, you know, they don't give you any slack, so hopefully we'll be able to find ways to embrace the need and the use of how we catch our fish in the future. But I appreciate your sharing because this background we're going to need whenever we do start dealing with fish.

31

32 MR. DALTON: Thank you.

33

34 CHAIRMAN THOMAS: Thank you. Thank you, Jeff.

35

36 MR. BRYDON: Thank you.

37

38 CHAIRMAN THOMAS: Okay, since our break I've been bombarded with resolutions and proposals. We've screwed around for three days and the last 20 minutes we got all of this to do here.

42

43 Okay, we broke to allow for -- you made a proposal?

44

45 MR. SKAN: She accepted.

46

47 CHAIRMAN THOMAS: All right.

48

49 MR. SKAN: Mr. Chairman.

50

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1  
2 CHAIRMAN THOMAS: Dewey.  
3  
4 MR. SKAN: I would like the representative from Craig  
5 to read the proposal that we discussed out in the hallway.  
6  
7 CHAIRMAN THOMAS: Okay. You're hoping this to end up  
8 on a proposal?  
9  
10 MS. LeCORNU: Yes.  
11  
12 CHAIRMAN THOMAS: Is that the intent? So if you would  
13 be offering this to be a motion and .....  
14  
15 MR. SKAN: So move, Mr. Chairman and I'll second it and  
16 call for the question.  
17  
18 CHAIRMAN THOMAS: All those in favor. Is there a  
19 second?  
20  
21 MS. ROBINSON: Second.  
22  
23 CHAIRMAN THOMAS: Moved and seconded. Discussion?  
24 Aye.  
25  
26 MS. LeCORNU: Do you want me to read it?  
27  
28 CHAIRMAN THOMAS: Sure.  
29  
30 MS. LeCORNU: What regulation do you want changed? We  
31 want to allow for deer. Antlerless deer may be taken from  
32 October 15th through December 31st. How would you like to see  
33 the regulation changed? Traditionally does were taken at a  
34 time when antlered deer are not as desirable. Why should this  
35 regulation be changed? To provide for a customary and  
36 additional use and meet subsistence needs for deer. How will  
37 this change affect wildlife populations? There may be some  
38 harvest increase, but believe the population of deer will  
39 support it. How will this change affect subsistence users?  
40 They will have better quality and availability of deer. And  
41 additional information, the population is increasing and/or  
42 stable.  
43  
44 CHAIRMAN THOMAS: Okay. One question. Under Paragraph  
45 where you got the little circle, is that Unit 2 or Unit 4?  
46  
47 MS. LeCORNU: Unit 2.  
48  
49 CHAIRMAN THOMAS: Okay and that's just a slash, huh?  
50

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1  
2 MS. LeCORNU: (Nods affirmative)  
3  
4 CHAIRMAN THOMAS: Okay. Two is Prince of Wales? Is  
5 that correct?  
6  
7 MR. SKAN: Yes.  
8  
9 CHAIRMAN THOMAS: Okay, comments. Any further comments  
10 on this language?  
11  
12 MR. DALTON: Mr. Chairman.  
13  
14 CHAIRMAN THOMAS: Richard.  
15  
16 MR. DALTON: I agree with this proposal of changes, for  
17 simple reason from the time we started I noticed five years in  
18 now the doe population has increased tremendously. But when  
19 they have contests for a deer, a buck deer, we find that there  
20 isn't much bucks around for reproduction, so it seems to me  
21 like we're getting more population on deer in our own area. So  
22 think some sort of things would be very beneficial to the  
23 effect of trying to control and level that off a little bit.  
24  
25 CHAIRMAN THOMAS: Okay. I agree with that. It sounds  
26 like me like the makers of this proposal are sympathetic with the  
27 bucks that they can only endure so much, is that what you're  
28 saying?  
29  
30 (General laughter)  
31  
32 CHAIRMAN THOMAS: Okay, I appreciate your consideration  
33 and sensitivities. John.  
34  
35 MR. VALE: Yeah, Mr. Chairman, I was just curious what  
36 the existing dates are as far as open season and I'm in general  
37 support of the proposal. However, I just like to point out  
38 that I think that it kind of, like, needs to be rewritten. The  
39 way the format is on the proposal here you're supposed to have  
40 the existing regulation under Paragraph 1 and then the changes  
41 under Paragraph 2, so I just think the one line needs to be  
42 moved down to Paragraph 2, It's simple, that can be cleaned up  
43 later, I don't think we need a motion or anything for that,  
44 that .....

45  
46 MS. JORGENSEN: Mr. Chairman. In light of that, too,  
47 that will be done. That will be corrected.  
48  
49 MR. VALE: Okay. Then I was curious what he existing  
50

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dates were if that information is available.

2

3 CHAIRMAN THOMAS: Right now there's an open season,  
4 right?

5

6 MR. SKAN: Mr. Chairman.

7

8 CHAIRMAN THOMAS: Dewey.

9

10 MR. SKAN: We're only allowed to harvest four antlered  
11 deer and the season for that is August 1st through December  
12 31st. We're trying to attach a rider like what Unit 4 has.  
13 Being citizens of this great state we want the same privileges  
14 as our northern brothers. But we will massage the biologist  
15 and stuff and whatever they come with, if it's not feasible to  
16 harvest the doe, then we will abide by the regulations, unlike  
17 some of our brothers.

18

19 CHAIRMAN THOMAS: Normally I would try to have Unit 1  
20 included in this, but since we all go to Prince of Wales to  
21 hunt there won't be any need to do that.

22

23 MR. SKAN: You're welcomed to stay at my house the next  
24 time you come up there hunting, Mr. Chairman.

25

26 MR. VALE: Is that for the Council, an open invitation?

27

28 MR. SKAN: Yes.

29

30 CHAIRMAN THOMAS: We're going to go up there and we're  
31 going to hunt does.

32

33 MS. LeCORNU: Mr. Chairman.

34

35 CHAIRMAN THOMAS: Vicki.

36

37 MS. LeCORNU: I'd like to offer an amendment on Number  
38 provide for traditional customary use of deer to further  
39 clarify it.

40

41 CHAIRMAN THOMAS: Under Number 5?

42

43 MS. LeCORNU: Yes. Provided for the traditional  
44 customary use of deer for subsistence use on Prince of Wales  
45 land.

46

47 CHAIRMAN THOMAS: How about saying, represent customary  
48 and traditional?

49

50

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1 MS. LeCORNU: Pardon?

2

3 CHAIRMAN THOMAS: How about saying it'll represent  
4 customary and tradition, rather than provide for it? We can  
5 use provide for.

6

7 MR. GEORGE: Yeah, I believe, Mr. Chairman, that if it  
8 says how will it affect subsistence users, well, the comments  
9 that were made before, as Dewey said, would, you know, that  
10 they traditionally use doe later on in the season, then it's  
11 obvious that the wording in there that it would provide for the  
12 customary and traditional use of that resource on Prince of  
13 Wales.

14

15 CHAIRMAN THOMAS: Okay. You hear the amendment, is  
16 there a second?

17

18 MR. SKAN: Second.

19

20 CHAIRMAN THOMAS: Any further discussion on the  
21 amendment?

22

23 MR. FELLER: Mr. Chairman.

24

25 CHAIRMAN THOMAS: John.

26

27 MR. FELLER: I'm kind of confused here in Number 3,  
28 maybe Vicki could clarify this. It says: Why should this  
29 regulation be changed? And it says: To provide for customary  
30 and traditional use and meet subsistence needs for deer. And  
31 she wants this moved to five or .....

32

33 MS. LeCORNU: Oh, no, no, no. I changed five to add  
34 clarify, provide for traditional -- it's not real clear on how  
35 will affect so we added that.

36

37 MR. FELLER: So that wouldn't seem redundant to have it  
38 on three and five?

39

40 MS. LeCORNU: No.

41

42 CHAIRMAN THOMAS: I think the intent is to make sure  
43 it's clarified.

44

45 MR. FELLER: Okay. I seem to understand it. Thank  
46 you.

47

48 CHAIRMAN THOMAS: If there's anybody else confused,  
49 please keep it to yourself, those that are curious, please go  
50

50

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ahead and comment.

2 MR. GEORGE: Question.

3

4 CHAIRMAN THOMAS: Question is called for on the  
5 amendment. All those in favor say aye.

6

7 IN UNISON: Those opposed same sign.

8

9 (No opposing responses)

10

11 CHAIRMAN THOMAS: Further discussion on the motion?

12

13 MR. SKAN: Mr. Chairman.

14

15 CHAIRMAN THOMAS: Dewey.

16

17 MR. SKAN: I believe with our implementation of this  
18 proposal that it would stabilize the doe population and the end  
19 result it would make for an overall deer population, a healthy  
20 population, because like I said earlier, you go down the road  
21 anywhere on Price of Wales Island and you see 90 to 100 does in  
22 an hour to an hour and a half and you don't see one he-man  
23 among them.

24

25 CHAIRMAN THOMAS: Yeah, I think it's a moral issue as  
26 well.

27

28 MR. SKAN: And with that, Mr. Chairman, I thank you for  
29 the consideration of the proposal and my fate lies in your  
30 hands.

31

32 CHAIRMAN THOMAS: Further discussion?

33

34 MR. ANDERSON: Mr. Chairman, isn't doe season October  
35 the 15th to the 31st anyway?

36

37 MR. SKAN: Mr. Chairman.

38

39 CHAIRMAN THOMAS: Dewey.

40

41 MR. SKAN: Living on our island nation we don't have  
42 the same privileges as the rest of our brothers.

43

44 CHAIRMAN THOMAS: Okay, we have a request for Jeff to  
45 make a comment, what's the wish of the Council? No objections?  
46 Go ahead, Jeff.

47

48 MR. BRYDON: On your proposal you said doe or are you  
49 using antlerless? You may want to use antlerless instead of

50

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1 doe to make it easier for (indiscernible - interrupted)

2

3 CHAIRMAN THOMAS: We will in the proposal, but the doe  
4 s easier to spell in this case.

5

6 MR. BRYDON: Okay, that'll work easier just to keep it  
7 n line with the existing regulations.

8

9 MR. SKAN: Mr. Chairman.

10

11 CHAIRMAN THOMAS: Antlerless ungulates.

12

13 MR. SKAN: We'd like to state any regulations that  
14 affect the population, we're more than compatible with whatever  
15 the structure of State and Federal.

16

17 CHAIRMAN THOMAS: And this will be signed friends of  
18 the bucks. Okay, any further discussion?

19

20 MR. SKAN: Question.

21

22 CHAIRMAN THOMAS: Question has been called for. All  
23 those in favor of this proposal signify by saying aye.

24

25 IN UNISON: Aye.

26

27 CHAIRMAN THOMAS: Opposed.

28

29 (No opposing responses)

30

31 CHAIRMAN THOMAS: Well, in memory of our bucks we'll  
32 take a ten minute break for a coffee refill and a smoke break.

33

34 (Off record)

35

36 (On record)

37

38 CHAIRMAN THOMAS: Okay, the Chairman is going to need  
39 some guidance on where to go with -- before we get on to -- do  
40 we have anybody here from the public that wants to make public  
41 comment? Did I hear a yes? We'll always come back to that, if  
42 there isn't anybody at this time we'll come back to that.

43

44 We had a couple of handouts this morning. One is a  
45 handwritten document from Ray Nielson, it's very similar to the  
46 situation that Richard shared with us, having to do with  
47 enforcement. And I'm not sure if we can do anything, other  
48 than to include that for our background whenever we come to  
49 pursue other areas of our management.

50

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1  
2 Does the Council have any special wishes on agenda  
3 items? Shall we -- you got also a resolution from Unalaska, a  
4 resolution from the Environmental Council or Conservation  
5 Council. Okay, no druthers, huh?

6  
7 Okay, this one from Unalaska has to do with fish and  
8 John brought that to our attention. What did you want to do  
9 with it John?

10  
11 MR. VALE: Well, Mr. Chairman, I was asked to present  
12 this for consideration to the Council here. And as I mentioned  
13 earlier, you know, this deals with wanton waste, commercial  
14 fisheries. And I suppose in a round about way subsistence uses  
15 get affected in some manner or other, but it seemed a little  
16 hot of a stretch for me for a subsistence issue, but I just  
17 wanted to throw it out in front of the Council and let them  
18 read it and see if this is something that we need to address.  
19 And perhaps if so we may want to reword it slightly to be a  
20 resolution from ourselves, but I'm not going to offer a motion,  
21 kind of want to hear from other Council members whether or  
22 not they want to pursue it.

23  
24 CHAIRMAN THOMAS: Well, in terms of it being a stretch  
25 include subsistence I hardly think so. I think this has a  
26 direct impact on subsistence because the way subsistence is  
27 being managed now it's almost like the fate of the entire  
28 resource is dependent on how kind subsistence users are. We're  
29 the most regulated, the most monitored of any user group. And  
30 you're right, you know, for all the waste that occurred here  
31 would satisfy the subsistence needs in the state for probably a  
32 20 years period. Now, this occurs every year.

33  
34 It's just that I'm not sure what to do with a fisheries  
35 resolution. Bill, can you give us some guidance on that? Will  
36 get pass the trash can if we sent one in?

37  
38 MR. KNAUER: Mr. Chairman, there are two things here  
39 that apply. First off, fisheries, which in general they  
40 Federal Subsistence Board is not dealing with unless they are  
41 in those waters and areas withdrawn prior to statehood or non-  
42 navigable waters. And secondly, this issue deals with high  
43 seas, which is beyond the three mile limit, which even if the  
44 court cases and litigation continues the way some would like  
45, would even at that point be beyond the jurisdiction of the  
46 Federal Subsistence Board. There's nothing, however, that  
47 prohibits you, as a Council, from expressing your concerns and  
48 sending a letter to the North Pacific Fisheries Management  
49 Council indicating your concerns.

50

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1  
2 CHAIRMAN THOMAS: Okay. That's helpful, thank you.  
Any comments, ideas from the Council regarding this resolution?  
4  
5 MR. SKAN: Mr. Chairman.  
6  
7 CHAIRMAN THOMAS: Dewey.  
8  
9 MR. SKAN: Looking at this it's kind of got me backed  
10 into a corner. I wouldn't know how to handle it if I was doing  
11 it by myself and I was just listening to Bill, I was wondering  
12 about a letter of support for this resolution from this body  
13 would be sufficient. There's a word that he said, a concern,  
14 but if we're (ph) concern, how can we support it, so, Bill,  
15 could you enlighten us on what we could do with this?  
16  
17 CHAIRMAN THOMAS: Yeah, we could do that, we  
18 could .....

19  
20 MR. SKAN: A letter of support?  
21  
22 CHAIRMAN THOMAS: This was submitted February of this  
23 year, we could send a copy of this to the same people of the --  
24 let's see, who does it go to? North Pacific Fisheries.  
25  
26 MS. JORGENSEN: Mr. Chairman.  
27  
28 CHAIRMAN THOMAS: Carol.  
29  
30 MS. JORGENSEN: You could send a letter to the North  
31 Pacific Management Council, NCC, the Unalaska Native Fisherman  
32 Association, then a letter of support and their resolution.  
33  
34 CHAIRMAN THOMAS: Okay, that's what we'll do.  
35  
36 MR. VALE: Mr. Chairman.  
37  
38 CHAIRMAN THOMAS: John.  
39  
40 MR. VALE: I'll move that we follow that course of  
41 action then.  
42  
43 MS. ROBINSON: Second.  
44  
45 CHAIRMAN THOMAS: Moved and seconded. Discussion?  
46  
47 MR. VALE: Question.  
48  
49 MR. SKAN: Mr. Chairman.  
50

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1  
2 CHAIRMAN THOMAS: Dewey.  
3  
4 MR. SKAN: I believe Mr. Martin had his hand raised.  
5  
6 CHAIRMAN THOMAS: Harold, I'm sorry.  
7  
8 MR. MARTIN: I don't believe the audience .....

9  
10 COURT REPORTER: Excuse me, sir, please step up to the  
11 mic.  
12  
13 MR. MARTIN: Thank you, Mr. Chairman, I don't believe  
14 the audience knows what you're considering here, are you  
15 talking about waste by-catch?  
16  
17 CHAIRMAN THOMAS: Yeah, there's a resolution here that  
18 was written by the Unalaska Native Fisherman Association in  
19 Unalaska and it goes out to spell, like the 500 million pounds  
20 of marine life were dumped overboard in the Bering Sea and the  
21 Gulf of Alaska, including 20 million pounds of halibut, a  
22 million pounds of herring and over 20 million crab. And in  
23 1993, 360,000 salmon were intercepted by the fisheries. It  
24 talks about those amounts that were having to be dumped as  
25 being regarded as by-catch and our position is to support the  
26 objection to all that waste when those could be used in other  
27 user groups.  
28  
29 MR. MARTIN: Mr. Chairman, I believe the waste in the  
30 by-catch does have a bearing on subsistence. For your  
31 information the harbor seals and sea lions, Steller sea lions,  
32 have been put on the endangered species list. The theory is  
33 that the trawlers are starving out these species and it's only  
34 prevalent up north, we are not having problems in Southeast. I  
35 just put this out for your information.  
36  
37 CHAIRMAN THOMAS: Thank you, I appreciate that.  
38  
39 MR. VALE: Mr. Chairman, if you'd like, just for the  
40 record, I'd be happy to read the resolution.  
41  
42 CHAIRMAN THOMAS: Okay.  
43  
44 MR. VALE: Unalaska Native Fisherman Association.  
45  
46 WHEREAS, more fish were discarded dead in federally  
47 managed fisheries in the North Pacific than were landed in the  
48 U.S. North Atlantic in 1992; and  
49  
50

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1           WHEREAS, over 500,000,000 pounds of marine life were  
 2 dumped overboard in the Bering Sea and the Gulf of Alaska,  
 3 including 20,000,000 pounds of halibut, 1,000,000 pounds of  
 4 herring and over 20,000,000 crab; and

5  
 6           WHEREAS, in 1993 over 360,000 salmon were intercepted  
 7 by the trawl fishery; and

8  
 9           WHEREAS, these discarded herring, crab and salmon  
 10 intercepted in offshore Federal waters are State of Alaska  
 11 managed resources; and

12  
 13           WHEREAS, these resources are the economic and cultural  
 14 lifeblood for many Alaskans who depend on the sea for their  
 15 livelihoods and subsistence; and

16  
 17           WHEREAS, this continued wanton waste undermines any  
 18 long term management strategy of sustained commercial  
 19 subsistence, and recreational fisheries, and places our rural  
 20 communities at risk; and

21  
 22           WHEREAS, Alaska marine waters face declining wildlife  
 23 populations and potential Endangered Species listing of several  
 24 marine species that depend on fish for food; and

25  
 26           WHEREAS, minimizing the catch of undersize species and  
 27 reducing wanton waste will conserve fisheries resources for  
 28 present and future generations of subsistence users, commercial  
 29 and recreational fishers, seafood industries, coastal  
 30 communities, consumers, and the nation;

31  
 32           NOW THEREFORE BE IT RESOLVED that the wanton waste now  
 33 occurring in Federal fisheries of the Bearing Sea and the Gulf  
 34 of Alaska is of utmost importance culturally, economically, and  
 35 ecologically; and

36  
 37           BE IT FURTHER RESOLVED that the Unalaska Native  
 38 Fisherman Association urges Congress to amend the Magnuson Act  
 39 to enact a broad range of measures to reduce wanton waste in  
 40 North Pacific fisheries, including Harvest Priority incentives  
 41 for clean fishing practices and other management tools.

42  
 43           CHAIRMAN THOMAS: Thank you, John. There's been a  
 44 motion and a second to send a letter endorsing this or support  
 45 this, any further discussion? John.

46  
 47           MR. FELLER: Thank you, Mr. Chairman. I think this  
 48 letter of support, especially coming from this Council is very  
 49 important. I concur with what Mr. Martin said, and I think I

50

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differ in that the halibut migrate across the Gulf and out of  
even the Bering Sea down to Southeast area, so it does affect  
us down here. And it's a reasonable request to amend the  
Magnuson Act and ask for these harvest priority incentives and  
clean up the practices and try to insure they use every  
management tool they have, so that affects our salmon, too.

7  
8 I know there's a lot of king salmon at the -- it was  
common knowledge that were being caught in the donut hole, so  
called donut hole up there, that was in between the  
international waters of Russian Siberia and Alaska. So it  
would be real good, I support this motion.

13  
14 CHAIRMAN THOMAS: Okay, thank you. Further discussion?  
15

16 MR. VALE: Mr. Chairman, just one last thing. If the  
Council feels strongly enough about it, I think that, you know,  
it wouldn't hurt to mention in our annual report that we are  
concerned about that waste and by-catch out there and I think  
the North Pacific Fisheries Management Council is in the  
Department of Commerce .....

22  
23 CHAIRMAN THOMAS: The motion right now is regarding a  
letter to support.

25  
26 MR. VALE: Okay.

27  
28 CHAIRMAN THOMAS: Further discussion?

29  
30 MR. SKAN: Question.

31  
32 CHAIRMAN THOMAS: Question has been called for, all  
those in favor signify by saying aye.

34  
35 IN UNISON: Aye.

36  
37 CHAIRMAN THOMAS: Opposed same sign.

38  
39 (No opposing responses)

40  
41 CHAIRMAN THOMAS: That motion is carried. I  
appreciated your comments, John, but we need to keep it  
relevant and I think we will include that language in the  
report. John Vale, would you be so kind as to read the  
resolution that came in from the Conservation Council? I think  
it's a well written .....

47  
48 MR. VALE: I sure would, Mr. Chairman, as soon as I can  
find it.

50

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1  
2 CHAIRMAN THOMAS: You can borrow mine.

3  
4 MR. VALE: I got one here.

5  
6 CHAIRMAN THOMAS: Okay.

7  
8 MR. VALE: The resolution in support of customary and  
9 traditional use, Land Use Designations in the Revised Tongass  
10 Land Management Plan.

11  
12 WHEREAS, the customary and traditional use of fish,  
13 wildlife, and other natural resources by rural Alaskans is  
14 protected by Title VIII of the Alaska National Interest Lands  
15 Conservation Act (ANILCA); and

16  
17 WHEREAS, customary and traditional use is a vital,  
18 central, and irreplaceable part of the way of life of rural  
19 Alaskans, for both cultural and economic reasons; and

20  
21 WHEREAS, rural Southeast Alaskans depend on the  
22 customary and traditional use of natural resources from the  
23 Tongass National Forest; and

24  
25 WHEREAS, management policies of the U.S. Forest Service  
26 on the Tongass National Forest over many years have resulted  
27 in, and continue to result in, a loss of customary and  
28 traditional use opportunities, increases in competition for  
29 resources, and the loss of important traditional hunting,  
30 fishing and gathering areas to incompatible management; and

31  
32 WHEREAS, rural Southeast Alaskans have for many years  
33 and in many forums sought to obtain from the U.S. Forest  
34 Service the protections for customary and traditional use  
35 guaranteed by law; and

36  
37 WHEREAS, the U.S. Forest Service has failed to  
38 adequately incorporate the expressed needs and desires of rural  
39 Alaskans regarding protection of customary and traditional  
40 resource use into its management of the Tongass National  
41 Forest; and

42  
43 WHEREAS, the U.S. Forest Service is currently beginning  
44 the process of revising the Tongass Land Management Plan  
45 (TLMP), which will guide management activities on the Tongass  
46 National Forest for the next 10 to 15 years; and

47  
48 WHEREAS, the revised TLMP will allocate all Tongass  
49 National Forest lands to various Land Use Designations (LUDs),  
50

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containing standards and guidelines describing permitted and prohibit uses for lands within such LUDs; and

3

4 NOW, THEREFORE, BE IT RESOLVED that the Southeast Alaska Regional Subsistence Advisory Council supports and recommends the inclusion within a revised TLMP of a Customary and Traditional Use LUD, with appropriate standards and guidelines designed to protect and enhance customary and traditional uses; and

10

11 BE IT FURTHER RESOLVED that the U.S. Forest Service should allocate to the Customary and Traditional Use LUDs those lands determined by rural communities to be of greatest importance for their customary and traditional uses; and

15

16 BE IT FINALLY RESOLVED that those lands not allocated to the Customary and Traditional Use LUD shall retain all protections currently afforded them by ANILCA Title VIII and other applicable laws.

20

21 CHAIRMAN THOMAS: Thank you, John. Is there any questions from the Council around the language in here?

23

24 MR. ANDERSON: Well, Mr. Chairman, it appears that any time the Forest Service does one of their studies, the customary and traditional use it's always at the bottom of the list and I think possibly you could put that as number one priority before the Forest Service completes their studies.

29

30 MR. VALE: I couldn't quite hear you very well, Lonnie.

31

32 CHAIRMAN THOMAS: Pull the mic over.

33

34 MR. ANDERSON: John, I said, it appears to me that any time the Forest Service does one of their studies that the customary and traditional uses is the last item considered in the study and I think that should probably be emphasized to be number one issues before they block out their sales and things of that sort.

40

41 CHAIRMAN THOMAS: What's the wish of the Council regarding this resolution? I think what they were suggesting to us is that they're asking for our support on this and forward it to the Forest Service as a position from this Council.

46

47 MR. VALE: Mr. Chairman.

48

49 CHAIRMAN THOMAS: John.

50

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1  
2 MR. VALE: That was my understanding. I think we're at  
a critical time, as the resolution says, with the Tongass Land  
Management Plan revision and that this very good timing for  
providing this input to the Forest Service, so I would expect  
and hope that they would receive this positively and look at  
the subsistence land use designations in their revision that is  
coming up this summer.

9  
10 CHAIRMAN THOMAS: What's the wish of the Council?

11  
12 MR. SKAN: Move to adopt, Mr. Chairman.

13  
14 CHAIRMAN THOMAS: You hear the motion, is there a  
second?

15  
16  
17 MR. FELLER: I'll second.

18  
19 CHAIRMAN THOMAS: Any discussion?

20  
21 MR. ANDERSON: Mr. Chairman.

22  
23 CHAIRMAN THOMAS: Lonnie.

24  
25 MR. ANDERSON: Is there a motion on the floor?

26  
27 CHAIRMAN THOMAS: Motion to adopt this resolution.

28  
29 MR. ANDERSON: I would amend it to send this resolution  
along with the letter that we are sending to the Forest  
Service, is that all right with the .....

30  
31  
32  
33 CHAIRMAN THOMAS: So you're speaking for this motion,  
but to have it accompany the letter?

34  
35  
36 MR. ANDERSON: Include that with the letter that we're  
sending.

37  
38  
39 CHAIRMAN THOMAS: Okay, we'll do that. That's a  
quality parliamentary procedure, but it worked.

40  
41  
42 MR. VALE: I'm confused, Mr. Chairman, are we .....

43  
44 CHAIRMAN THOMAS: That was why we did it that way.

45  
46 MR. VALE: Are we talking about a letter that we  
already decided to send or an additional one?

47  
48  
49 MR. ANDERSON: Yes, attach this to that letter. Send

50

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1t along with the letter.

2

3 MR. VALE: All right.

4

5 CHAIRMAN THOMAS: Further discussion?

6

7 MR. ANDERSON: Call for the question.

8

9 CHAIRMAN THOMAS: Question has been called for, all  
those in favor say aye.

11

12 IN UNISON: Aye.

13

14 CHAIRMAN THOMAS: Opposed same sign.

15

16 (No opposing responses)

17

18 CHAIRMAN THOMAS: Motion is carried. I got high noon,  
I've got a gun battle out at the gate in three minute, so I got  
out there, so we'll see all of you back here at 1:30.

21

22 MS. JORGENSEN: Mr. Chairman.

23

24 CHAIRMAN THOMAS: Carol.

25

26 MS. JORGENSEN: I think we have Mr. Holmberg coming at  
27 was he coming at 1:00 o'clock, Hank.

28

29 MR. NEWHOUSE: I think that's what you said, Carol,  
3000 o'clock.

31

32 MS. JORGENSEN: To give a presentation.

33

34 CHAIRMAN THOMAS: The reason I offered 1:30 is because  
35 here's some people here that have business back at their  
36 office they need to attend to before .....

37

38 MS. JORGENSEN: Can we get a hold of him, Hank, and let  
39 know it'll be 1:30?

40

41 MR. NEWHOUSE: We can try that, Carol.

42

43 MS. JORGENSEN: Okay, thank you, Mr. Chair.

44

45 CHAIRMAN THOMAS: 1:30.

46

47 (Off record)

48

49 (On record)

50

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1  
2 CHAIRMAN THOMAS: Okay. We're back from lunch. Do we  
3 have a Nevin Holmberg from Fish & Wildlife Service.

4  
5 MR. HOLMBERG: What seems like a few moments ago I was  
6 asked to come down and make a presentation to you folks  
7 regarding the listing process under the Endangered Species Act.  
8 By the way, for the record my name is Nevin Holmberg, I'm  
9 field supervisor for the Division of Ecological Services within  
10 the U.S. Fish & Wildlife Service located here in Juneau.

11  
12 Unfortunately my principal endangered biologist could  
13 not be here today, he had a conflicting engagement in  
14 Anchorage, so I will try as best I can to fill in for him.  
15 What I would like to take a few moments and do is kind of walk  
16 you through the listing process. I suspect that it's an issue  
17 that's on most everybody's minds as it relates to the recent  
18 petition we received to list the Alexander Archipelago wolf and  
19 the Queen Charlotte goshawk.

20  
21 I've passed out to you two documents, the first and  
22 probably the most important for today's purposes is a schematic  
23 diagram showing what happens to a petition once it's received  
24 by the Fish & Wildlife Service. And the other document is a  
25 portion of the regulation, Federal regulations that deal with  
26 the listing process, itself. Basically it's an in depth  
27 discussion of the process that you see before you on the  
28 diagram.

29  
30 In terms of where we are today, relative to both the  
31 wolf and the goshawk, if you look on the right hand side of the  
32 diagram you will see where the warranted finding comes up. We  
33 have to -- to recap a little bit, we received a petition to  
34 list the wolf back in December of 1993. At the end of a 90 day  
35 review period or shortly thereafter a positive finding was  
36 made. And what that simply means is that the petition provided  
37 significant substantial information that indicated that the  
38 question of status of the wolf should be looked at in further  
39 detail.

40  
41 We received, subsequent to that, a petition to list the  
42 goshawk, a similar finding was found in that regard so that now  
43 takes us down to the point where we have a status review being  
44 conducted. The next point along this time line here would be  
45 where one of three decisions need to be made. Either a  
46 warranted finding, a warranted but precluded finding, or a not  
47 warranted finding and that is where we stand today.

48  
49 I may have misspoken earlier, but that is correct, this  
50

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1s where we are today. We are at the point close to making a  
 2etermination. I'm sorry, we have to come up with a finding,  
 3one way or the other, on these two organisms at this point.  
 4Now, the first organism that is going to be decided upon will  
 5be the Alexander Archipelago wolf. That decision was made by  
 6the Service in December or should be made in December.

7

8 If you are familiar with how this process works,  
 9sometimes you know that these decisions can be made not in as  
 10timely a fashion as we would like, but these are the goals that  
 11we have set for us. Once a decision is made, unless it's a not  
 12warranted finding, if it would be either warranted, that is  
 13that listing is warranted then a proposed rule would be  
 14published and at that time the that the proposed rule would be  
 15published there would be a one year period before a rule is  
 16finalized. And basically at the time a rule is finalized then  
 17there would be a determination or should be a determination  
 18regarding critical habitat and, of course, the other dichotomy  
 19is that the rule would be to withdraw it.

20

21 During the entire process or during much of the entire  
 22process the Service seeks input from the public, from the  
 23scientific community, from the commercial community, basically  
 24from any source that may be available to have information  
 25regarding the status of the organism or organisms involved.  
 26The same process is used for all listing, regardless of whether  
 27it's a plant or an animal.

28

29 I've probably rambled on perhaps too much, can I  
 30ascertain some questions?

31

32 CHAIRMAN THOMAS: Questions from anybody on the  
 33Council? John.

34

35 MR. VALE: I have a question, it's not about the  
 36process or anything, but just kind of satisfy my own curiosity.  
 37How genetically different does an animal have to be to be, you  
 38know, considered as threatened or endangered? The case that  
 39comes to mind is the Snake River kings that were listed and I  
 40just wondered in the back of my mind how, you know, with king  
 41salmon being prevalent all over, how one stock would be listed  
 42opposed to another and I'm just a little curious about that.

43

44 MR. HOLMBERG: The requirement of the act, the  
 45Endangered Species Act, is that the organism to be listed is a  
 46species, sub-species or a distinct population segment. And so  
 47that is how these organism are divided up. In other words, it  
 48doesn't have to be a separate distinct species in itself to be  
 49listed. In other words, you don't have to list every king

50

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salmon in the world as endangered, it can be those salmon in a particular drainage, as in the case you alluded to.

3

4 MR. VALE: Thanks.

5

6 CHAIRMAN THOMAS: Was there anything you wanted from this Council around this information or just mainly for our reference or what's happening here?

9

10 MR. HOLMBERG: To be brutally frank with you, my knowledge of your responsibilities is too rudimentary to allow me comment intelligently. I will tell you this, that anybody that has information regarding the status of the wolf, regarding the status of the goshawk if they would bring that information forward we would welcome it.

16

17 The formal public comment period has ended for this phase of decision making regarding the wolf, however, depending on how that decision ultimately comes out there will be additional opportunity or may be additional opportunity to provide more input. And every bit of information that we can get regarding these organism, the wolf or goshawk, is going to be of some kind of benefit.

24

25 I will tell you this, that the requirements of the Endangered Species Act indicate that the information upon which we base decision within the Fish & Wildlife Service is biological, scientific in nature and that's the kind of information that we are looking for. Antidotal information is of limited use in this instance.

31

32 CHAIRMAN THOMAS: Does the Ecological Department have a position around this or are you strictly for referral data and information and that type of thing? Do you have a vested interest, either way, with either of these?

36

37 MR. HOLMBERG: Basically what we will do is take the information presented to us and evaluate it as scientifically as we possibly can and provide that information to our regional director in Anchorage, who will then provide the input to the director in Washington, D.C. and it is the Director of the Fish & Wildlife Service that will make a decision. And so do we have a vested interest? What we are trying to do is gather the best scientific information we can upon which to make our recommendations, such that they would stand scientific scrutiny.

47

48 CHAIRMAN THOMAS: Yeah, Vicki.

49

50

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1 MS. LeCORNU: Mr. Chairman, I was just curious. I  
2 think you're dealing with Federal lands and I'm just wondering  
3 on Native corporation land that has, well, I won't say logging  
4 involved, but these studies, have they been done on Native  
5 corporation lands, too, for the population?

6

7 MR. HOLMBERG: When evaluating whether or not to list a  
8 species there are a variety of criteria that are examined. One  
9 of the criteria is the status of the animal's habitat, has that  
10 habitat been affected adversely or more beneficially over time,  
11 as an example. And the amount of logging or habitat  
12 modification that has occurred on Native lands would be a  
13 factor that would be looked at, if, in fact, wolf habitat were to  
14 occur on Native lands.

15

16 So I guess the short answer to your question is, yes,  
17 we take into account habitat modification on Native lands.  
18 Have we done studies on Native lands, been on the ground and  
19 counting wolves there, we have not, no.

20

21 MS. LeCORNU: Okay. Thank you.

22

23 CHAIRMAN THOMAS: How would this information be brought  
24 to you if we did come up with any information? Phone number or  
25 address or something like that?

26

27 MR. HOLMBERG: You certainly could mail it to us, yes,  
28 that would be fine.

29

30 CHAIRMAN THOMAS: And you're in the general office?

31

32 MR. HOLMBERG: Yeah, I can provide you with -- I signed  
33 it when I came in and left my address, but I'll be happy to  
34 provide you with a card or a bunch of cards for that matter so  
35 you can contact us.

36

37 CHAIRMAN THOMAS: Further questions? Dewey.

38

39 MR. SKAN: Thank you, Mr. Chairman. I'm wondering what  
40 bearing this would have on the people that presently trap wolves  
41 in Southeastern Alaska. I'm kind of lost here as to what we're  
42 trying to accomplish, but I know we have to young men in  
43 Barrow on Prince of Wales Island that trap the species. Now,  
44 you say there's Alexander Archipelago wolf, is there different  
45 names for different wolves or the whole Southeast is the same  
46 thing?

47

48 MR. HOLMBERG: Within Southeast Alaska it's the same  
49 wolf, yes, sir. And one of the things that would be

50

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accomplished once a listing was made, and here we're getting into the realm of law enforcement, and that's outside my realm of expertise, but I would imagine that regulation would be drawn up that would speak to the issue of trapping and hunting and what not. I recognize that in this case there are doubtlessly other issues that need to be factored in, not the least of which would be ANILCA, and whatever laws there are that related to the administration of subsistence and that sort of thing.

10

11 MR. SKAN: Yeah, thank you. Because we conducted two hearings in Klawock last year. One of the trappers got up and said because of all the Forest Service road and the State highways on Prince of Wales Island, a wolf could go 150 to almost 200 miles a day, you know, expanding his territory, so he's become mobile because of all these roads. Becoming mobile and the food, you know, he's got more access to the food because of the roads that the wolf population on Prince of Wales is pretty healthy.

20

21 MR. HOLMBERG: I know that there's been some rather recently documented -- some rather extraordinary cases of wolf movement, but how they've gone in brief periods of time down that way, I guess.

25

26 MR. SKAN: Okay, thank you. My main concern was whether they were going to stop wolf trapping or not.

28

29 MR. HOLMBERG: I couldn't give you an answer that would be worth anything on that.

31

32 MR. SKAN: Okay, thank you. Thank you, Mr. Chairman.

33

34 CHAIRMAN THOMAS: Mim.

35

36 MS. ROBINSON: Yeah, part of my question was answered here about which these wolves are, I know there are wolves that have been sighted on Kuiu Island, you know, on the beach and so I was wondering if they were the same wolf.

40

41 I'm also a little bit -- I may have missed some of this coming in late, sorry I was late, I'm on Port Alexander time Bill, this wolf, is it threatened or -- is that the status or is it endangered or what listing is it on?

45

46 MR. HOLMBERG: Right now, ma'am, it's not on any list.

47

48 MS. ROBINSON: Not on any list.

49

50

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1 MR. HOLMBERG: No, it was -- prior to an organism being  
2 classified as threatened or endangered, if it's classified at  
3 all under the Endangered Species Act it generally is classified  
4 as Category 1 or Category 2 and these are basically  
5 categorizations that indicate that information exists that  
6 there's a problem with the species. There's also Category 3,  
7 which means it's extinct, which is, you know, beyond our  
8 ability to do anything about. But this particular animal was  
9 not on any list of which I am aware of prior to the time at  
10 which we received a petition.

11

12 MS. ROBINSON: Where did the petition come from?

13

14 MR. HOLMBERG: It came from an organization in the  
15 Southwestern United States. I believe there were several  
16 participants, the principal one as I recall was the -- I'm  
17 getting the two petitions mixed up and I didn't bring either  
18 with me -- either of them with me, I apologize for that. The  
19 petition on the wolf was brought by a series of individual and  
20 an organization based, as I recall, in Denver, Colorado, the  
21 name of which now escapes me, I'm sorry. I can provide the  
22 information if you would like it.

23

24 MS. ROBINSON: It would be interesting. So the  
25 petition, it sounds like it wasn't based on any local knowledge  
26 of there being a problem.

27

28 MR. HOLMBERG: There was on local individual as I  
29 recall on both petitions.

30

31 MS. ROBINSON: One.

32

33 MR. HOLMBERG: And the way the act reads, anyone can  
34 file a petition.

35

36 MS. ROBINSON: Right, right. It interesting that it  
37 wasn't filed from within the state. Okay and -- there seems  
38 like there was something else I was going to ask. I just -- I  
39 mostly wanted to get a feel for how much of a problem this is  
40 and up until the time you received this petition there had  
41 never been any concern expressed for this species of wolf?

42

43 MR. HOLMBERG: I don't know that I would say there's  
44 never been any concern expressed, but there was nothing from a  
45 for want of a better term, a legal standpoint.

46

47 CHAIRMAN THOMAS: Actually there wasn't anything  
48 threatened when it came in. He's just giving us some  
49 information that we don't understand, but we're getting better

50

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at it. I think the simple part of it is just that if we have any information at all to bring forward to go ahead and do that, is that correct?

4

5 MR. HOLMBERG: Yes, sir. For example, if you or someone you know has been trapping the wolf for, say, the last 20 years or 10 years or whatever, and they have records that go back and say, yes, in 1972 I trapped 15 wolves, three of which were adult females and two were adult males and the rest were immature male/female, whatever .....

11

12 CHAIRMAN THOMAS: I think Hank Newhouse wants to help you out there. Hank.

14

15 MR. NEWHOUSE: I'm Hank Newhouse and some of the thoughts on why we wanted to get Neville (sic) here is between now and the next Council meeting they are going to take action or possibly could take action on the wolf and if, indeed, it goes through the gate and there is concern that they do need to test the animal then not only will trapping be involved, but you'll also look at what it eats and stuff like that, so then what gets into other resources that are key for, you know, customary and traditional resources there. And there may be some thing that then the Council will have to address in the future, so if you have any question and if Neville can elaborate in those areas because they'll look at all that type of thing as they make the adjustments to assure that, you know, they maintain a population of wolves, then, so if he can speak to .....

30

31 CHAIRMAN THOMAS: Well, that's helpful, although you say the public input period for the wolf is expired; that's gone?

34

35 MR. HOLMBERG: Yes, sir, for this phase.

36

37 CHAIRMAN THOMAS: Okay. And how long are they going to make public testimony for the goshawk; do you have the information? I realize you're just pinch hitting and we appreciate your courage in doing that.

41

42 MR. HOLMBERG: I could have called in sick.

43

44 CHAIRMAN THOMAS: If you don't have it .....

45

46 MR. HOLMBERG: I really -- I really don't. I would be happy to provide you with whatever information I can regarding those deadlines.

49

50

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1 CHAIRMAN THOMAS: That's generally publicize in papers  
and (indiscernible - interrupted)

3

4 MR. HOLMBERG: Yeah, there was a publication in the  
Federal Register regarding both the wolf and goshawk and those,  
I suspect, you folks have seen copies of those publications and  
those dates would all be in there.

8

9 CHAIRMAN THOMAS: Okay. Hank suggested something about  
some action being taken. When do you anticipate that, Hank?

11

12 MR. NEWHOUSE: Well, from what he said earlier it could  
be as early as November on the wolf.

14

15 MR. HOLMBERG: December, mid December.

16

17 MR. NEWHOUSE: December. And if that's the case and if  
there was a positive finding then there may be some activities  
that consequently or subsequent to that that would involve the  
Council.

21

22 MR. HOLMBERG: Yes, if you look on the flow diagram I  
gave you. Where you see that it indicates a status on the  
right hand side, where it says: status review (9 months) you  
get three possible outcomes that could happen there and what  
Hank is referring to is the warranted finding. And where you  
see the warranted finding then it goes on to a proposed rule  
being published. Generally speaking what you have is that  
warranted finding, which is in itself published in the Federal  
Register is also the proposed rule. So those two activities  
occur generally simultaneously.

32

33 And you notice, then, that right under the word  
proposed in proposed rule published there is a one year period  
during which the rule is finalized and you'll notice there is a  
60 day comment period and possible public hearing during that  
time.

38

39 CHAIRMAN THOMAS: Okay. John. Carol.

40

41 MR. VALE: What sort of action would you take if you  
concluded, for example, that, you know, maybe they were  
threatened in area, like say, the Lower 48, but they had  
healthy populations up here or perhaps you didn't have adequate  
information in Alaska to make a determination, how would you  
react to that sort of scenario? By you, Fish & Wildlife  
Service.

48

49 MR. HOLMBERG: There's two scenarios there. There is a

50

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healthy population in one location and perhaps not in another, this is analogous to what occurred with the bald eagle, of course, where in the Lower 48 it was considered endangered, where it was not listed here in the State of Alaska, so that certainly is a possibility. However, in this particular instance, the wolf is thought to be -- that is this particular sub-species of wolf is thought to be sufficiently isolated in its distribution, that is, just Southeast Alaska, the islands. Some of the island in Southeast Alaska as well as a portion of the mainland that I suspect that if there was a listing that it would be quite probably for the entire population, although I don't know at this time.

13

14 I'm assuming that there is enough flexibility in the rules that an organism could be listed in one category and in on fairly isolated locale and in another category in another isolated locale, I don't know for sure. I mean, what we're talking about here, frankly, is speculation as to what is going to happen because, frankly, I don't know, we haven't gotten to that point yet.

21

22 MR. VALE: Okay, just for clarification, then, this petition that you received, was it for listing these wolves in Southeast Alaska or was it for the whole west coast or what?

25

26 MR. HOLMBERG: Just in Southeast Alaska 'cause that's the extent of their range, as far as I know.

28

29 CHAIRMAN THOMAS: Carol then Mim.

30

31 MS. JORGENSEN: I'm not sure about the wolf, but from what everything I've learn or hear from our people in the Forest Service, Queen Charlotte goshawk an evolution of a goshawk that is only strictly indigenous to Southeast, maybe it's the same with the wolf. But I wanted to ask when you were talking the scientific information that you're doing right now and you're gathering and you pointed out antidotal. I hope that is not considering what local residents and elders and that, the information that they might have on these two species, I hope that isn't considered antidotal.

41

42 It has been sometimes in the case of out in the western area and they've have now since found that the people of the area, because they are born and raised there, and also with the information handed down, not only know what's inside and how they migrate or where they're at, but, you know, they know the whole life span of that species. And it's not necessarily antidotal, it might be called traditional science, but it's also important.

50

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1  
2 I guess my question was just that they are conferring  
with the people of the villages and of those areas on these two  
species and they're asking for information in their research  
plan? It's not just, say, a biologist out there looking, it's  
gathering this widespread information from the communities and  
that on these animals?

8  
9 MR. HOLMBERG: There were announcements, press releases  
and so forth put out that requested information from each and  
every source. And the information that we have received to  
date, that I've seen, has been -- has run the spectrum. People  
indicating that I see a lot of wolves, as an example, the  
question is going to come up or would come in that case of,  
what is a lot of wolves? I suspect to someone living in New  
York City a lot of wolves would be seeing one wolf in a  
lifetime. Whereas to someone living on Prince of Wales Island,  
for example, a lot of wolves may mean something much different.

19  
20 And so I'm not about to discount the value of the kinds  
of knowledge to which you refer, but I also must tell you that  
this kind of process is one requires that it be able to  
withstand scrutiny from the scientific community and quite  
possibly somewhere down the line the legal community, which,  
you know, may have little or no bearing on science. So the  
information needs to be as complete as it possibly can be.

27  
28 MS. JORGENSEN: I understand, I just wanted to share  
with you that sometimes what has been classified as antidotal  
might be very scientific and very helpful to the equation and I  
would hope that it wouldn't be overlooked that the community  
would be just asked to, say, fill out a survey of I see a lot  
of wolves, but, you know, a lot of the elder maybe even know  
the -- you know, for instance, in Southeast our clan systems,  
we have the Wolf Clan, those people know inside and out the  
whole life history of the -- and the biological history of that  
animal.

38  
39 It's real interesting when you take the time to sit  
down with some of the elders, it's not just folklore and  
legend, it's real scientifically amazing when a biologist, and  
I've had them say that to me, sits down with some of our  
elders, my God, this is the kind of information I've been  
looking for for a long time. And so I hope it not just how  
many wolves you see, but I hope there's some in depth working  
with some of the people in the communities, so that -- I mean  
because what western science sometimes thinks in terms of --  
also what traditional sciences -- linear thinking and then  
there's a holistic prospective of this animal that is real

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fascinated to find about. I mean I work with biologist and I work with my elders and I think we got the best of both worlds if we combine those sciences.

4

5 MR. HOLMBERG: Yes, I didn't mean to indicate that that kind of information would be ignored or discounted, it wouldn't be.

8

9 MS. JORGENSEN: I understand and I just kind of wanted to know if that was being, also, looked into.

11

12 CHAIRMAN THOMAS: Mim.

13

14 MS. ROBINSON: Yes, I wanted you to do a little more speculating for me. If it was decided down the road here before our next meeting that this wolf does need to be protected, will it affect or do you think it will affect the bag limits for deer in, you know, the course of trying to protect the wolf?

20

21 MR. HOLMBERG: That is a significant leap, I think, at this point. You know, the wolf is not found on every island in Southeast and in every locale in Southeast and I would think -- now, the deer harvest limits are set by the State of Alaska, as are most of the game regulation, migratory birds being a principal exception. And what steps would be taken via the Department of Fish & Game, State of Alaska, I couldn't begin to guess.

29

30 Since the deer, itself, is not the animal in question in this particular case, it would be hard for me to project what would occur. And I'm trying to think of examples, say, in the Lower 48 where animal A has been listed and that affected hunting or bag limits on animal B and I can't think of one, that's not to say there isn't any, but I can't think of one. And I'm not sure -- you know, another complicating factor to the equation here is that in -- boy, you guys know a lot more about this than I do, but the issue of subsistence is another question over and above just regular sports hunting.

40

41 CHAIRMAN THOMAS: Dewey.

42

43 MR. SKAN: Mr. Chairman, since we're speculating now, I'm very concerned that wherever this petition came from it's not coming from within our state, so I'd be very concerned that it's a subtle move by maybe some animal rights activists to stop the trapping region by region, you know. If we're not paying attention, in my mind it's going to create a domino effect. I'd speak against something like that unless, you

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know, there's proper documentation as to let's stop the trapping and utilization of this because a lot people in the Interior, you know, that's the only game in town, it's their job to fish and trap and that's how they supplement their daily lifestyles by trapping the wolf and the muskrat a few other things. So I think, Mr. Chairman, that we had better watch this from today on and see where the heck it's going to lead, because speculation also concerns me. Thank you.

9

10 CHAIRMAN THOMAS: That's a good point. All he's asking is if we have any pertinent information regarding -- these are 12 we're talking organisms now, not wolves and goshawks, we're talking organisms. So if you see organisms that concern you, 14 you let him know about it, that goes with our ungulates.

15

16 MR. SKAN: Ungulate stew, sounds pretty tough.

17

18 CHAIRMAN THOMAS: But anyway, this is serious information and I think everybody here has a concern to a 20 degree that by all means if we do have access to information that can be measured or used or looked, by all means we'll 22 share that with you.

23

24 MR. HOLMBERG: We'd appreciate it.

25

26 CHAIRMAN THOMAS: Appreciate your time and your presentation and courage for fielding questions.

28

29 MR. HOLMBERG: If there's anything else that comes up in the course of your meeting or when you return to your homes and what not, you've got a question, I've distributed a number of my cards, feel free to call us, feel free to write, you'll get a response.

34

35 CHAIRMAN THOMAS: Appreciate it, thank you very much. Did we do E1, Proposal From Review and Sociocultural Considerations? Are we all happy that we did sociocultural? Bonnie, you don't look very happy about our sociocultural.

39

40 MR. ANDERSON: No, I'm thinking about my whale being and pulling that airplane back to Cape (indiscernible - lowers voice)

43

44 CHAIRMAN THOMAS: Really.

45

46 MR. ANDERSON: No, Mr. Chairman, I don't have anything to address on that point.

48

49 CHAIRMAN THOMAS: Okay. The floor is open again for

50

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the second time for anybody from the public to speak on  
 proposal to change regulations. Okay, that takes us down to  
 Number 3, Council Proposals, we done that before we went to  
 lunch.

5

6 MS. ROBINSON: Hey, Bill.

7

8 CHAIRMAN THOMAS: Mim.

9

10 MS. ROBINSON: I had a thought for a proposal and I  
 kind of did a rough draft of it and it's something that I could  
 either deal with it at home thought my local Fish & Game  
 Advisory Committee and send something in or I was thinking of  
 seeing if the Council here wanted to deal with it or not.  
 Would you like me to share it with you?

16

17 CHAIRMAN THOMAS: Could you make copies so we could  
 follow along with it? Is that possible?

19

20 MS. ROBINSON: Well, let me just show you where it is  
 in the book, it's real easy.

22

23 CHAIRMAN THOMAS: Okay.

24

25 MS. ROBINSON: If you look in the green one, the green  
 book, Page 13, it's under the methods and means of taking  
 wildlife section, Page 13.

28

29 MR. DALTON: What page?

30

31 CHAIRMAN THOMAS: Page 13.

32

33 MS. ROBINSON: Page 13 in the green book. It's dealing  
 with the sentence that says -- this is for what you may not do  
 and it's take swimming ungulates, bear, wolf, or wolverine,  
 except swimming caribou, et cetera, that sentence there. And  
 the concern that I had is times when the hunters, in our area,  
 anyway, I'm not sure about other areas, have taken deer that  
 are swimming and it's something that's customary and  
 additional in our area. I don't think it happens very often,  
 you know, you hear about it occasionally happening, some times  
 they're kind of hard to spot and other times you happen to see  
 one, but it's a real convenient way of getting some dinner.

44

45 And it seems that it would make sense to legalize a  
 practice that is customary and traditional. This is another  
 regulation that was taken over from the State and the Fed's have  
 just kept it, so I'm just throwing that out to see what kind of  
 comments people have, see if we want to mess with this or I can

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1 just do it from home.

2

3 CHAIRMAN THOMAS: How many of the Council members are  
4 up to the challenge, let me see your hands.

5

6 MR. SKAN: Mr. Chairman.

7

8 CHAIRMAN THOMAS: Dewey.

9

10 MR. SKAN: Being of a tribe that's lived on Prince of  
11 Wales Island for at least 8,000 years, it's not within our  
12 culture to kill a helpless creature in the water because the  
13 meat get foamy and all that stuff, so .....

14

15 MS. ROBINSON: It gets what?

16

17 MR. SKAN: It gets -- the meat gets foamy and it gets  
18 real ugly.

19

20 CHAIRMAN THOMAS: Not so much the meat, it's the  
21 membrane separation.

22

23 MR. SKAN: Yeah, so to us it's not customary and  
24 additional and that's against nature.

25

26 MS. ROBINSON: I've never noticed any difference.

27

28 MR. SKAN: If I was swimming along I wouldn't want you  
29 to shoot me. I'm a wolf.

30

31 MS. ROBINSON: Okay.

32

33 CHAIRMAN THOMAS: Well, that's one comment, is there  
34 any comments that have different direction?

35

36 MS. ROBINSON: I figure if you're hungry, you know,  
37 it's food.

38

39 CHAIRMAN THOMAS: That's true. Customs and traditions  
40 get stretched from time to time, like the tight laws, we  
41 usually don't mention those. But what he says it's a matter  
42 of .....

43

44 MS. ROBINSON: It's a matter of respect.

45

46 CHAIRMAN THOMAS: No, for swimming deer, they get so  
47 exhausted from all the stream, depending how far they swam,  
48 it's not really the best meat because you've got an elevated  
49 temperature and everything in there. Dale.

50

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1  
2 MR. KANEN: Just a point to consider, also, Page 13 has  
3 statewide provisions and you can also go to the special  
4 provisions, for example, for Unit 4, Mim, which would be in  
5 your area in particular on Page 29, it begins with the special  
6 provisions. Those take precedence over the general provisions,  
7 so if you don't want to change the reg for all of the state,  
8 maybe just for your area, you can change it at the special  
9 provision level in the booklet.

10

11 MS. ROBINSON: Okay, thank you. There may not even be  
12 any concern at home. As I said, it doesn't happen that often,  
13 but it's just something that caught my eye. I didn't realize  
14 that it was something we couldn't do.

15

16 CHAIRMAN THOMAS: I've decided to shoot them, I'll tell  
17 you why. I tried to lasso one one time and the horse I had  
18 wasn't really an obedient horse. I started off with a regular  
19 size noose to go over the head and it moved fast enough to get  
20 away. So I made it big enough to where he couldn't get his  
21 head out of the way, I got the noose over him and he swam  
22 through the noose, so I shoot them or club them now, but I  
23 don't share that with anybody.

24

25 MR. SKAN: Buffalo Bill.

26

27 CHAIRMAN THOMAS: Buffalo Bill.

28

29 MR. FELLER: Must have been before you had your new  
30 Explorer.

31

32 CHAIRMAN THOMAS: Before my new Explorer, that's true.  
33 Okay. So .....

34

35 MS. ROBINSON: I got 10 more proposed regulations here.  
36 No, I'm only kidding.

37

38 CHAIRMAN THOMAS: Okay.

39

40 MS. ROBINSON: We can drop this, that's okay.

41

42 CHAIRMAN THOMAS: Okay. Were you satisfied with the  
43 reaction?

44

45 MS. ROBINSON: That's fine.

46

47 MS. JORGENSEN: Mr. Chairman.

48

49 CHAIRMAN THOMAS: Carol.

50

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1  
2 MS. JORGENSEN: I wouldn't speak for Patty, but I do  
know out in Pelican they have done the same thing.  
4  
5 CHAIRMAN THOMAS: Oh, boy, so much for a law abiding  
6 council.  
7  
8 MS. ROBINSON: She didn't say Patty. And I didn't say  
9 me.  
10  
11 MR. SKAN: Mr. Chairman.  
12  
13 CHAIRMAN THOMAS: Dewey.  
14  
15 MR. SKAN: I have no complaint with Miss Robinson's --  
16 if there's a need there, then there's a need there. And like I  
told Governor Hickel when he came to power again as Governor  
four years ago, I told him you can't really regulate an empty  
stomach and he say, you're right, you're right, and never paid  
attention ever since then.  
21  
22 CHAIRMAN THOMAS: I'd have a tough time convincing him.  
23  
24 MR. SKAN: Thank you.  
25  
26 CHAIRMAN THOMAS: Okay. Well, thank you, Mim, you got  
27 us all awake anyway.  
28  
29 MS. ROBINSON: You're welcome, anytime.  
30  
31 CHAIRMAN THOMAS: Anything else?  
32  
33 MR. SKAN: Mr. Chairman.  
34  
35 CHAIRMAN THOMAS: Dewey.  
36  
37 MR. SKAN: I really don't know what our real charge is  
here, but since November we've been having a little go around  
with the United State Forest Service in our area concerning the  
40 they want to log about a 187 million board feet from one of  
our subsistence harvesting and gathering area. I just wanted  
42 know if this Board could support it or is there some kind of  
mechanism that can be used to help the Klawock people in their  
44 effort to stop the logging in that area. Dale, do you know  
45 anything about that?  
46  
47 CHAIRMAN THOMAS: I think between Dale and Hank, they  
48 can stop whatever we want them to stop. Dale.  
49  
50

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1 MR. KANEN: Thank you, Mr. Chair. I was going to say  
Hank Newhouse is the authority on this one, definitely.

3

4 CHAIRMAN THOMAS: Tell us how you stop it, Hank, not  
5 everybody knows that.

6

7 MR. NEWHOUSE: Hank Newhouse again. Yeah, the Control  
8 Bake project it's -- your acting participation and continued  
9 action will have a great influence on the ultimate outcome.  
10 And the Council can make a comment on that. The draft EIS is  
11 going to be coming out in the not too distant future, probably  
12 somewhere around December and at that point in time the  
13 Council, as a group, or you as individual Council members can  
14 comment on that. And in your comments you can support  
15 Klawock's position concerning that particular project.

16

17 You know, it not only includes a subsistence, there's  
18 some very sacred cultural areas in this particular area and  
19 there is a lot of concern.

20

21 CHAIRMAN THOMAS: When that EIS comes out .....

22

23 MR. NEWHOUSE: It'll be a draft.

24

25 CHAIRMAN THOMAS: ..... or draft and Gary Laver is  
26 assigned to a lot of the research, isn't he? In Ketchikan?

27

28 MR. NEWHOUSE: Well, Gary -- yeah, the group that he  
29 works in, as far as the cultural aspects of that, will be  
30 dealing with that.

31

32 CHAIRMAN THOMAS: The reason I suggested that is all of  
33 us here are really busy in forums like this within the  
34 community and have an over abundance, a lot of reading material  
35 review all of the time. It would really help if somebody  
36 could bring that to our attention without us having to go  
37 through all those volumes to find out what we're looking for.  
38 If somebody could indicate a page or highlight it or do  
39 something. Put a sound disc in it to get our attention when we  
40 come by it or something to -- that would help and then we would  
41 be able to make reference to that area.

42

43 MR. NEWHOUSE: That could be done. And then the other  
44 things that we will be doing is that there will be subsistence  
45 hearings between the draft and final in Klawock, could be also  
46 Craig, I believe that there'll probably be a hearing in  
47 Saxman and if Hydaburg desires anything be held in their  
48 community it could be also held there. Plus probably will be  
49 held in Thorne Bay and whatever other communities, so this

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again as a member of the Council you can speak from that position and use your influence being a member of the Council or you can bring something back to the Council and you can take a position as a whole Council, I believe, as far as a comment is concerned.

6

7 MR. SKAN: Hank, I didn't know you were aware of my running gun battle with the Forest Service.

9

10 MR. NEWHOUSE: Oh, yeah.

11

12 MR. SKAN: But, you know, we feel, Mr. Chairman, that the Craig ranger district, this animal didn't come from them, it came from the Thorne Bay ranger district, they want to log some of their subsistence lands, they should log their own subsistence lands, leave us alone because that's where we get seaweed and harvest deer and sea cucumber and a couple of our people still utilize the black bear. And there's salmon streams there, there's several of our ancient Klawock villages, you know, we've been finding some of our burial sites in the last week or so. So we know they're all that shore from Control Lake to Nausak Bay (ph), which is about 15 mile stretch, so we're very strenuously objecting to that since last November. And I thank you, Hank, I didn't know you were aware of it.

26

27 MR. VALE: Mr. Chairman.

28

29 CHAIRMAN THOMAS: John.

30

31 MR. VALE: As I stated earlier when the individual was giving us an update on the Tongass Land Management Plan process that, you know, Section 810 requires notification to the Regional Councils, so you mentioned that there would be hearings in these various communities as a part of that EIS and we feel that we should be -- specifically we should be informed of that process and when the EIS unfolds and the 810 process occurs I -- you know, I think that we should see the -- you know, as 810 goes on it says that it should be amount of public lands necessary and that reasonable steps taken to minimize adverse impact to subsistence uses. And I'd like to see how that is incorporated into that EIS and so I'd like it if you would pass that along and make sure that that occurs.

44

45 And in addition to that, I think that the action we took with regards to subsistence LUDs and the need for those in the Tongass Land Management Plan revision that this is a good example of where that would be effective.

49

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1 MR. NEWHOUSE: John, I'm sorry that I did not indicate  
 originally, of course, that the Regional Council will be  
 notified when the hearings are going to be and also be sent  
 copies of the document for your review. Matter of fact, I can  
 put all of the Council members on the mailing lists and they --  
 and you'll get another one of these big think packages, but I  
 would be happy to facilitate, you know, going through so you  
 can get down to the nitty gritty of that and I'd make myself  
 available to do that. Or somebody from the Ketchikan area.

10

11 MR. VALE: And on when any timber sales occur and you  
 have an 810 process as a part of it before our resolution is  
 acted upon with subsistence LUDs, I'd like to know that public  
 comment process will be flexible enough to allow us to comment  
 on it and so whenever this EIS comes out I hope that when we  
 meet again as a Regional Council there'll be an opportunity  
 there to address it.

18

19 MR. NEWHOUSE: You know, that runs into a little bit of  
 a wall with our, you know, with our NEPA process in the sense  
 that there is a certain comment period between draft and finals  
 and if the Council is not meeting between that period of time,  
 unless you make a special effort to do so and you're not  
 together as a whole group, you'll either have to -- Bill, as  
 the President of Council would have to appoint a committee and  
 they would put together the comment. Together, maybe they could  
 meet and get together or, you know, if it so happens that it is  
 within the period of time where you are as a whole body back  
 together again and choose to comment that would work out.

Unfortunately the way the NEPA and the way the tremendous  
 pressures are from industry and that, that we got to keep  
 moving along with these projects. There's tremendous demands  
 here and they won't wait. You know, there's a lot of  
 political pressure as well just a (indiscernible - interrupted)

35 CHAIRMAN THOMAS: I think that we'll be satisfied with  
 the timing and information we get when it comes along. It's  
 hard to project anything that'll happen when it comes to  
 getting logistics like that out, so you're aware and we're  
 comfortable with that and so it's not like we're being  
 abandoned in this case. I'm sure we're going to get more  
 information than we desire when it comes out, but we need to  
 address those issues.

43

44 Dewey.

45

46 MR. SKAN: I'll address it. Mr. Chairman, we conducted  
 two hearing in Klawock, you know, in parallel with the Forest  
 Service and we're trying to work cooperatively to, you know,  
 solve this problem and Southeast Alaska Conservation Council

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has been trying to get me to meet with them and then in June Greenpeace came to town, they wanted me to go for a ride with them and show them the area. But I know there's working people out there and we didn't want to compromise those people in the timber industry, so, you know, that's where we are.

6

7 I finally said to Greenpeace, yeah, I'll go for a ride, but I ain't going to chain myself to the bow. You know, we understand the industry part of the situation. We just want our buffer strip of our refrigerator to be protected.

11

12 MR. NEWHOUSE: We agree.

13

14 MR. SKAN: Thank you.

15

16 CHAIRMAN THOMAS: Thank you, Hank.

17

18 MR. ANDERSON: Mr. Chairman, one comment before Hank gets underway, this is -- I have an article or an item written down on my thing. Usually the Forest Service waits until the last to address subsistence ideas and it sounds like this maybe might be another one of those situation, they do all of the planning prior to and then all of sudden they'll look and say, hey, subsistence we better address that last.

25

26 CHAIRMAN THOMAS: No, if that's the case this time we'll change staff and make sure they change their priorities. Did you Forest Service hear that last comment?

29

30 MR. NEWHOUSE: I didn't, I'm sorry. I was not listening carefully, I was .....

32

33 CHAIRMAN THOMAS: What was said was that anytime the Forest Service puts anything together that its consideration for subsistence is always the last to be discussed down the information distributed, so we're encouraging you to change that to put us up on a scale from one to 15, at least, a 13.

38

39 MR. NEWHOUSE: I concur with that and I think that the actions that the Council is taking during this meeting in the sense of really putting us on notice, putting the Forest Service on notice in the sense of saying this is very, very important to us and we want a much higher profile. I can't help but think we will definitely hear that. I have and I believe .....

46

47 CHAIRMAN THOMAS: Well, we think it's critical, especially in this region. In this region we have more interaction with Forest Service whereas in the other regions

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they're interacting with the Fish & Wildlife Service and the Park Service and things like that. So it's pretty imperative that we have a trust and confidence in each other. We see a lot of people from the Forest Service in all of our activities, at our meetings, we're grateful for that. We see a lot of them actively involved, we're grateful for that. We only hope that continues.

8

9 MR. NEWHOUSE: I'm hope with the Control Lake situation, similar what can be worked through there is kind of what happened in Kelp Bay and I don't know, Gabe, how much you were involved in some of those negotiations that ultimately there worked through with the community of Angoon to take care of some of the sites on Catherine Island and that, I think, something was worked through that was amenable to the community and I hope and I feel that we can likewise for the community of Klawock.

18

19 MR. SKAN: Okay, thank you. The initial contact and the hard copy from the Forest Service said, we may allow a logging of this and that became a red light and we thought we better pay attention when they said within two or three we may, so we been tracking it, you know. We've been rebutting almost every effort they had to try to get the public on their side. Thank you.

26

27 MR. DALTON: Mr. Chairman.

28

29 CHAIRMAN THOMAS: Richard.

30

31 MR. DALTON: Comment. The two gentlemen introduced a package for us yesterday showed only a small speck of area for protection of habitat area. And I'm a firm believer of leaving areas that's inhabited with animals because we need that resource. Looking into the future of our children and our grandchildren, I don't think the Forest Service is interested in the future, they're interested in what they can make for simple reason two years ago the Forest Service Department and the red 280 million dollars and the following years they came up with 87 million dollars in the red. That's a lot of money. Why should we be paying the price tags for their own mistakes? I can't see that.

43

44 Look at the Hoonah area, the whole Chichagof area. They disrupted the habitat area, that's the most important areas of our hunting resources, so now those little animals are going into just where there's a little bit speck of wood left in order to survive. And all of a sudden we're going to find ourselves going hungry because of the act of a human being

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disrupting the area.

2

3 It would be just like me going into some other area and  
 4 damage that area and not consider anything as a habitat, that  
 5 would be just obsolete. So I'm in favor of leaving areas alone  
 6 that's inhabited with animals whereby we can look into the  
 7 future for future growth.

8

9 CHAIRMAN THOMAS: Thank you, Richard. Okay, that was a  
 10 response to a question by Dewey Skan, thank you very much,  
 11 thank. So you might advise your supervisors that you put a halt  
 12 on Control Lake until further notice.

13

14 Okay. John Vale, you had another area of new business,  
 15 do you still have that? You wanted to share something with us.

16

17 MR. VALE: I think I covered it already, Mr. Chairman.

18

19 CHAIRMAN THOMAS: Okay. Is there anything else under  
 20 New Business from the Council? Carol.

21

22 MS. JORGENSEN: Mr. Chairman, did you kind of want to  
 23 go through a thought process on the annual report and then  
 24 maybe sanction what you thought from the designated hunter task  
 25 force? Are those two items that you wanted to bring back on  
 26 the table and come to some conclusion?

27

28 CHAIRMAN THOMAS: Let's do the designated hunter first.  
 29 My designated hunter didn't get here this time. Herman is  
 30 still climbing mountains and I don't, I was going to have him  
 31 get my deer for me. What's the wish of the Council regarding  
 32 the designated hunter given the information that we had? Did  
 33 you get all this stuff, Dewey, updates on designated hunter?

34

35 MR. SKAN: Yeah.

36

37 CHAIRMAN THOMAS: And John went home to read last  
 38 night, did you get it all read, John?

39

40 MR. FELLER: I failed to do my homework, Mr. Chairman.

41

42 CHAIRMAN THOMAS: Again?

43

44 MR. FELLER: If they wouldn't keep bothering me.

45

46 CHAIRMAN THOMAS: Has anybody gone through this  
 47 information regarding the task force update and have any  
 48 comments, questions around this?

49

50

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1 MS. ROBINSON: Mr. Chairman.  
2  
3 CHAIRMAN THOMAS: Mim.  
4  
5 MS. ROBINSON: When we passed the proposed regulation  
6 earlier.  
7  
8 CHAIRMAN THOMAS: Excuse me?  
9  
10 MS. ROBINSON: When we passed the proposed regulation  
11 earlier on designated hunting, the ones that John made a motion  
12 on, it was my understanding at that time that we were making a  
13 decision on how we want to deal with it in Southeast. And,  
14 basically, how I see is we decided that there would be the  
15 designated in hunting in general and then leave it up to  
16 communities to decide if they want to do differently. And in  
17 our letter that's going to be going out, my assumption is that  
18 there will be information in there about the different types of  
19 community control that are out there. That the task force  
20 highlighted, you know, in their report. So .....

21  
22 CHAIRMAN THOMAS: So this would be .....

23  
24 MS. ROBINSON: ..... that was my personal intent and I  
25 see a few head shaking yes.

26  
27 CHAIRMAN THOMAS: I think that's accurate. Do you see  
28 anything different, Carol?

29  
30 MS. JORGENSEN: I'm sorry, Mr. Chairman, I wasn't  
31 listening.

32  
33 CHAIRMAN THOMAS: That's okay, I know you got a lot of  
34 things to keep track of and that's all right.

35  
36 MS. ROBINSON: Carol, it's basically what I mentioned  
37 you earlier. I just repeated that.

38  
39 MS. JORGENSEN: Through the two proposals.

40  
41 CHAIRMAN THOMAS: Right.

42  
43 MS. JORGENSEN: And get the information out to the  
44 various communities and corporations and Councils, and city  
45 councils and so on, getting their feedback.

46  
47 MS. ROBINSON: Right.

48  
49 CHAIRMAN THOMAS: That's what we .....

50

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1  
2 MS. ROBINSON: We made our choice.

3  
4 CHAIRMAN THOMAS: That will be our reaction to what's  
happened from the task force to this point, so the Board can  
understand that and that'll give the Board something to  
measure. Other regions may not have gotten this far, but we're  
kind of used to being in the lead position anyway, so.

9  
10 I think they were good proposals, I'm really pleased  
with the language and I'm really pleased with the members that  
stayed last night that helped put that together, that was a  
good job.

14  
15 Gabe.

16  
17 MR. GEORGE: Yeah, on that, though, the Council is  
supposed to incorporate all of Southeast and answer questions  
that arise from different communities. I mentioned that maybe  
we ought to send out a listing of the Council members and their  
phone numbers so that people can respond to questions. Various  
Council members aren't what's presented or how best to present  
the findings of the designated hunter or the community harvest  
scenario that maybe either we give it to staff to answer the  
questions or if you want your name on there to have it  
highlighted then and then by all means. But otherwise if --  
especially for the newer members, you know. It's just a  
comment on how to proceed with that designated hunter and  
community harvest designation.

30  
31 CHAIRMAN THOMAS: That's a good consideration, but I  
think our new members are pretty up to speed on this.

33  
34 MR. SKAN: Mr. Chairman, we've been doing that since  
some immemorial.

36  
37 CHAIRMAN THOMAS: That's quite a ways back. Mim.

38  
39 MS. ROBINSON: I was also thinking in the report, the  
summary that comes after each idea there would be a good thing  
to send out along with the proposed language of what the idea  
would be, like for Tribal government control, like there would  
be a paragraph saying what it would be and then a summary --  
that summary would follow or something. I think Carol can put  
something together.

46  
47 CHAIRMAN THOMAS: I think the more bullet form we adopt  
the more effective our communications will be.

49  
50

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1 MS. ROBINSON: Um-hum (Affirmative).

2

3 CHAIRMAN THOMAS: I don't know of anybody that likes to  
4 read anything longer than one page that's smaller than 14 font,  
5 double spaced, with a big picture in the middle, so .....

6

7 MR. VALE: Mr. Chairman.

8

9 CHAIRMAN THOMAS: John.

10

11 MR. VALE: Just for the note, you know, part of this  
12 was to send a letter out, that Gabe referred to, and perhaps a  
13 sample proposal to use as a base for anyone who wants to  
14 consider community harvest. And we talked about in our past  
15 motions to send out a lot of letters here and I just wanted to  
16 let Carol know, you know, not to hesitate to ask for help if  
17 she feels that she needs help to finalize some of this  
18 information and, if so, to please speak up and, you know, maybe  
19 we can get some volunteers to assist.

20

21 CHAIRMAN THOMAS: Okay. I'm going to call for about a  
22 five minute break and I would like two people or one person to  
23 work with Carol on some of these things that we kind of offered  
24 for direction to help her, to make sure she's got our intents  
25 listed and then when we're through with our break I'm going to  
26 ask her just to read the topics that we're going to include in  
27 some of our reports and some of our correspondence, in case you  
28 don't have that down at this point, Carol.

29

30 MS. JORGENSEN: I've got some point here and then maybe  
31 that's a start. If I could list them and then others share  
32 with me. We've got for one thing that we wanted is the letter  
33 Bob Vaught on the TLMP, we want attached to that the  
34 resolution that the Regional Council received from John (sic)  
35 Katz, but it's from the Council, it's pretty well specified  
36 what the Council wants. We got the issues -- and I've got it  
37 in my notes, I've just did little sketch notes. With Ray  
38 Nelson's report on buck and doe and waste take in the Tribal  
39 court, got notes to expand on that, but I just put that down  
40 for .....

41

42 CHAIRMAN THOMAS: Great.

43

44 MS. JORGENSEN: Got designated hunter options with our  
45 two proposals and then the report of what we would like to go  
46 out to the city council, the corporations, villages and so on  
47 and what we've done and what they would like to do on community  
48 harvest or what they would like to do as far as the designated  
49 hunter options. Getting their feedback.

50

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1  
2           And then we've got the annual report and I've got a  
number of things that I -- actually the small group you've  
Assigned would help because I don't want to forget anything.  
As far just what I want to do is just draft the annual report,  
but it back out to the Council and John Vale and I were  
talking, how do we do that between now and the 15th? Because  
there's mail considerations, there's all those things. So I'd  
like some feedback on that because we need to get it in by  
November 15th, but I don't -- this is from the Council.

11  
12           CHAIRMAN THOMAS: Well, that's another reason for this  
little break is so that we have good sense of what's going to  
go into that report and what's going to be distributed. Then  
that will avoid needing to pre-circulate all of the information  
for feedback.

17  
18           MS. JORGENSEN: I've also got a letter to the Pacific  
Management Commission, ccing the Unalaska Native Fishermen  
Association supporting their resolution.

21  
22           CHAIRMAN THOMAS: What do you figure, about 45 minutes  
of design?

24  
25           MS. JORGENSEN: And -- oh, one of the things I put down  
for the annual report was to lift some of the writing out of  
Section 810 ANILCA in regards to what we want to give back to  
the Forest Service informing them. I've got Paragraph 1 and 3  
of .....

30  
31           MR. VALE: Carol, with that on the 810 I was mistaken.  
32 meant for that language to be in the letter to the Forest  
Service on the TLMP planning process. I thought -- that was  
really what I'd meant -- rather than the annual report.

35  
36           MS. JORGENSEN: Okay, I got that going into the one to  
the Forest Service, but do we not want to reemphasize that the  
fact that any land management plan needs to come before the  
Regional Council, which is what basically 810 covers and we  
want to emphasize that in the annual report, I had understood.

41  
42           MR. VALE: Okay, good.

43  
44           CHAIRMAN THOMAS: So everything sounds good?

45  
46           MR. SKAN: Mr. Chairman.

47  
48           CHAIRMAN THOMAS: Dewey.

49  
50

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1 MR. SKAN: I understand the designated hunter scenario  
 2 Because there's a State law that says you can proxy hunt for  
 3 the elders or the disabled, but what's got me buffaloed and I  
 4 can't find any material concerning it is the community harvest.  
 5 You say community harvest and then Tribal government and a red  
 6 flag goes up because of our people have a -- they just need a  
 7 reason like this to rape the resource and then commercialize  
 8 it, so could somebody explain to me how are we going to divide  
 9 up a community harvest, say, in their area, moose and in our  
 10 area the deer?

11

12 Just looking at the terminology community harvest and  
 13 being a member of a free enterprise society I'm not too  
 14 thrilled with that scenario. I can understand it for pollock  
 15 and all that. But if my wife's in Angoon and I go visit Gabe  
 16 and I want to go hunting and he's used up the community quota,  
 17 what am I going to do?

18

19 CHAIRMAN THOMAS: Eat pollock.

20

21 MS. LeCORNU: Mr. Chairman, I don't think the community  
 22 quota should be used to deny anybody and I just want to make  
 23 sure of that, too.

24

25 MR. SKAN: I don't hunt, Mr. Chairman, I'm at that age  
 26 where young guys bring me deer, so I just want -- you know,  
 27 it's a concept that, you know, I don't think applies to the  
 28 situation.

29

30 CHAIRMAN THOMAS: I've got my mind set on a coffee  
 31 break and we're going to take one and we'll take that up when  
 32 we get through with a coffee break. We're on coffee break, two  
 33 minutes.

34

35 (Off record)

36

37 (On record)

38

39 CHAIRMAN THOMAS: Okay, until Dewey gets back we will  
 40 put off the community harvest discussion. Administrative  
 41 matters, sound like we already go those done. Is Carol gone?  
 42 We can get through pretty fast here.

43

44 MR. WILD: Mr. Chairman, the only think I have to add  
 45 that is I just want to let everyone know our office will be  
 46 moving in three weeks to the main office on Tudor Road, which  
 47 is on the back of the green regulatory booklet.

48

49 CHAIRMAN THOMAS: 1011 East Tudor Road.

50

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1  
2 MR. WILD: Right.  
3  
4 CHAIRMAN THOMAS: Okay.  
5  
6 MR. WILD: And so any mail or phone calls after, oh,  
after the 25th of October should be addressed there.  
8  
9 CHAIRMAN THOMAS: The 800 number will remain the same,  
won't it?  
11  
12 MR. WILD: The 800 number will remain the same all the  
other numbers .....

14  
15 CHAIRMAN THOMAS: The office phones will be different.  
16  
17 MR. WILD: ..... will be different and we don't have  
those numbers yet. Gina should be getting them next week  
sometime.  
20  
21 CHAIRMAN THOMAS: Okay, can we have them by this  
weekend, though?  
23  
24 MR. WILD: No, but we'll send you out a copy of them as  
soon as we do get them.  
26  
27 CHAIRMAN THOMAS: Thank you. Appreciate all you help.  
All of our new members and late comers appreciate your being  
here.  
30  
31 MR. WILD: Well, I was glad to come, I've enjoyed being  
here.  
33  
34 CHAIRMAN THOMAS: Thank you.  
35  
36 MR. ANDERSON: We would prefer Gina though.  
37  
38 MR. WILD: Well, I don't blame you there, but she also  
will be leaving in about four weeks down to Iowa, so she'll no  
longer be with us. In the meantime I'll try to fill in until  
we get someone experienced.  
42  
43 MR. ANDERSON: Give her our regards, Terry.  
44  
45 MR. WILD: I will do that.  
46  
47 CHAIRMAN THOMAS: We'll move our operations to Iowa  
then after we get through here.  
49  
50

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1 MR. WILD: Okay.

2

3 MR. FELLER: Who's we?

4

5 MR. WILD: I'll let her know.

6

7 CHAIRMAN THOMAS: Thank you, Terry. Carol, as far  
8 administrative matters do we have any left to do that you can  
9 think of?

10

11 MS. JORGENSEN: The only thing I wanted to bring up,  
12 Mr. Chairman so that we don't fall short of what happened this  
13 last time. It was a very difficult situation for me and for  
14 all of us, I think, to be put in, it was really no fault of  
15 anybody, but as we know, we will have four new -- we will start  
16 the process for the four -- I don't mean four new, they might  
17 be re-nominated or whatever, but there'll be four people that come  
18 up for -- their office terminates this next year.

19

20 And what happened last year is we started it in our  
21 last Regional Council in February, we started the process and  
22 because of the time frame, because of the Secretary of Interior  
23 and Secretary of Agriculture's time frames and so on, it was  
24 less than five days that I had to notify the incumbents and  
25 also notify our new members that they were coming and we really  
26 couldn't let them know anything until the Secretary actually  
27 signed those documents. And so it put everybody in a real  
28 awkward situation and then short notice to be able to alter  
29 their schedules and come.

30

31 And so I would like to start this process here and we  
32 will by -- you know, maybe by January get the nomination sheet  
33 and so on out into the communities and for the four people that  
34 will be up if they would like to serve again, if someone  
35 nominates them or they can nominate themselves, you know, I  
36 would encourage that. But we want to start it a lot further  
37 ahead.

38

39 CHAIRMAN THOMAS: Who is up?

40

41 MS. JORGENSEN: It'll be Lonnie Anderson, Mim Robinson,  
42 Patricia Phillips and Richard Dalton, that's it. Yeah, '95,  
43 they'll be up in '95, so it would be those four people. And  
44 we'd like to get this process started a lot earlier so we don't  
45 put anybody at an inconvenience as has happened this last time.

46

47 CHAIRMAN THOMAS: Bill.

48

49 MR. KNAUER: Yes, Mr. Chairman, just to let all of you

50

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folks know, I have been tasked to put this process down in a little more solid framework, I've gotten a draft laid out, I'm working on a schedule now and I'm anticipating that we'll probably be starting the notification process about the 1st of December and this Council will be one of the first entities that are notified with the letters that go out. And we hope to have this all -- the new members receiving their appointments by the first of September next year. So within a month (indiscernible - interrupted)

10

11 CHAIRMAN THOMAS: Okay, we hope to have the deck stacked by then, so

13

14 MR. KNAUER: Right.

15

16 CHAIRMAN THOMAS: Now we'll find out from the people here that are in attendance if they're interested in another term and then go through that and then we'll start our other recruitment about the time you mentioned.

20

21 MR. KNAUER: Right, we'll be providing a lot of other information a lot earlier this year.

23

24 CHAIRMAN THOMAS: Thank you. Carol, I think in spite of everything that went wrong, I think you did an admirable job staying on top of it and didn't wind up in API over the whole thing, it was pretty stressful. I know we changed our position several times in the last few days, shall we invite everybody, including the incumbents and the ones were nominated, we didn't know what to do. For a while we were going to have 20 people here, but it worked out in just a few days and Carol and staff was able to work it out to where we had our new members on board with the least amount of disruption, except for the Rawock delegation, so

35

36 MR. ANDERSON: Well, they're slow coming back.

37

38 MR. SKAN: I just called home and said we're having 8,000 deer in our community harvest.

40

41 CHAIRMAN THOMAS: Okay. Mim, on our agenda under Administrative Matters, we're discussing the lateness when we found out everybody that was going to be appointed or not appointed and so to avoid that from happening again we thought we could start that process now with the incumbents whose terms are up the next time around and then Bill just advised us that the recruitment process will be in place by the 1st of December. But if we can get a commitment from those that want to serve another term to that, so that we'll know to go ahead

50

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and keep that much of it ready to submit. So have you had a chance to consider if you want to serve?

3

4 MS. ROBINSON: I'm going to resubmit my name.

5

6 CHAIRMAN THOMAS: Okay, Mim will resubmit. Lonnie?

7

8 MR. ANDERSON: (Nods affirmative)

9

10 CHAIRMAN THOMAS: Richard?

11

12 MR. DALTON: Yes, I'd like throw my hat in.

13

14 CHAIRMAN THOMAS: And Patty said she will.

15

16 MR. SKAN: I resubmit my name, Mr. Chairman.

17

18 CHAIRMAN THOMAS: We might reconsider, so be careful.

19 Day, establish time and place of the next meeting.

20

21 MR. DALTON: Mr. Chairman, before we go into that I'd  
 22 thought before the Council members of this subsistence Board a  
 23 resolution, I believe I would require a support and endorsement  
 24 of this submitted so that it stands a lot of reasons of what I  
 25 reported a while ago on this subsistence and the way that thing  
 26 is going. I'd like to see that we consider it. You're either  
 27 going to reject it or help me with it, I don't know which, but  
 28 I'd like to have some kind of an answer.

29

30 CHAIRMAN THOMAS: What's the wish of the Council?

31

32 MR. SKAN: Mr. Chairman.

33

34 CHAIRMAN THOMAS: Dewey.

35

36 MR. SKAN: Move to discuss the resolution as presented  
 37 by Mr. Dalton.

38

39 CHAIRMAN THOMAS: You hear the motion, is there a  
 40 second?

41

42 MR. VALE: Second.

43

44 CHAIRMAN THOMAS: Moved and second, discussion.

45

46 MR. SKAN: Mr. Chairman.

47

48 CHAIRMAN THOMAS: Dewey.

49

50

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1 MR. SKAN: I say discuss because if somebody, you know,  
2 has a problem with it or if Mr. Dalton has any other background  
3 on the matter then this is the time.

4

5 MR. VALE: Mr. Chairman, I guess I need a minute to  
6 read it. I got about halfway through it and then we came on  
7 session and I didn't finish it.

8

9 CHAIRMAN THOMAS: Okay, we'll take a minute to read it.

10

11 (Pause)

12

13 CHAIRMAN THOMAS: Has people in the audience had an  
14 opportunity to read this? You got a copy?

15

16 (Pause)

17

18 MR. DALTON: Mr. Chairman.

19

20 CHAIRMAN THOMAS: Richard.

21

22 MR. DALTON: Just a small clarification. We have  
23 communicated with each other in order that when we say that we,  
24 as a Board, support the whole Southeast of Alaska, we have an  
25 obligation to protect these areas and I think it's in our  
26 constitution what is a referendum here to support this issue,  
27 I have communicated with Klawock and other areas down there  
28 and they come up with the same attitude and then we put it into  
29 language by clear understanding with those people in Klawock  
30 area.

31

32 MR. SKAN: Mr. Chairman.

33

34 CHAIRMAN THOMAS: Dewey.

35

36 MR. SKAN: I'm the Fisheries Chairman for Klawock  
37 Benya Corporation and I haven't seen this document up to till  
38 yesterday when I left home. Everything that is critical to our  
39 lifestyle in fishing and hunting usually comes across my desk,  
40 I really haven't seen this document until just now.

41

42 MR. DALTON: Mr. Chairman.

43

44 CHAIRMAN THOMAS: Richard.

45

46 MR. DALTON: That's the first time I heard his  
47 capacity, I never have been informed that he held such a  
48 capacity or otherwise I would have been communicating with him.

49

50

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1 MS. ROBINSON: Richard, could you talk into the mic a  
2 little more?

3

4 MR. DALTON: Pardon?

5

6 CHAIRMAN THOMAS: Talk into the mic.

7

8 MS. ROBINSON: Talk into the mic.

9

10 CHAIRMAN THOMAS: He said that he didn't realize that  
11 Dewey was in the capacity of the Fisheries Chairman for the  
12 Klawock Heenya Corporation. If he knew that he was, he would  
13 have included him in his communications, but my sense suggests  
14 to me that if it was in Klawock and anybody receiving it would  
15 make sure that it got to his office, but sometimes that doesn't  
16 happen.

17

18 I have a comment to make around that. I don't have any  
19 problems with the content of the resolution, however, the  
20 resolve clause calls for endorsing customary and traditional  
21 use for all indigenous people in Southeast Alaska. We intend  
22 to do that, but we're not into customary and traditional use  
23 yet. There's a schedule for that to happen, there's a process  
24 for that to happen, anything we do prematurely could have a  
25 negative impact on what we ultimately wind up with.

26

27 This document will be good for us to support when we  
28 get to customary and tradition, but we have to identify  
29 everything that's customary and tradition before we -- it's not  
30 a blanket term. We have to make the people understand what is  
31 and what isn't customary and tradition. And so that's just my  
32 observation, but I'm open to any other comments from the  
33 Council.

34

35 MR. SKAN: Mr. Chairman.

36

37 CHAIRMAN THOMAS: Dewey.

38

39 MR. SKAN: I'm also the representative to the Southeast  
40 Native Subsistence Commission for Klawock and with that title I  
41 still haven't seen this document up till this morning. When  
42 you say Klawock people it puts me in a bind because if I'm  
43 sitting here in my capacity and someone else that doesn't have  
44 the autonomy or the authority to speak in our behalf does it,  
45 then, you know, we're locked into this NOW THEREFORE IT BE  
46 RESOLVED thing and a lot of us don't like that concept because  
47 you utilize and rape the resource in the guise, you know, of  
48 subsistence and then you commercialize it. So, you know, with  
49 that the demigod rings a bell, so I'd like to bring that to

50

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light.

2

3 MR. DALTON: Mr. Chairman.

4

5 CHAIRMAN THOMAS: Richard.

6

7 MR. DALTON: I don't think we're shooting anything down  
 8 the tube. This is a self-explanatory, coming out of the ANILCA  
 9 or Federal or whatever. I think it's a very supportive  
 10 document, I don't honestly believe that I'm considering to say  
 11 that the area that would be in same trouble one of these days  
 12 sooner. And if we have this in documentation and recognized by  
 13 the endorsement of this -- would be a very materialized thing.  
 14 Because I think it's important that we pursue -- we are  
 15 obligated to represent the whole southeast of Alaska, we're the  
 16 ones that do these things here.

17

18 And coming af- -- the format of the capacity of any  
 19 individual at this time I would wish that he would support  
 20 instead of making it down so that he capacity could be  
 21 recognized. It appears to me that anybody -- I have some  
 22 relatives in Klawock area I communicate with and they  
 23 communicate with me. And if they ask me for support, naturally  
 24 I'll give it to them. But I have never been asked by Dewey of  
 25 any support of any support of any kind or anything, but I know  
 26 for a fact that we have Southeast Subsistence Commission, who  
 27 is not sitting over there, Harold Martin; Hoonah has the same  
 28 thing.

29

30 So we have been communicating with Petersburg and with  
 31 Sitka and with Wrangell and Wrangell has been communicated with  
 32 us and I think it's vitally important that since we have a  
 33 self-explanatory document resolution -- I don't know of anyway  
 34 what I could explain it because here we have my son in trouble  
 35 with something there that is in contrary to these allegations  
 36 by the State.

37

38 CHAIRMAN THOMAS: Okay. Now, you talk about endorse --  
 39 now there's a difference in endorsing and submitting. Right  
 40 now there's no signature on the resolution, it doesn't have a  
 41 letterhead on there. If it came from someone for our support  
 42 then we would -- it would just means of our submitting a letter  
 43 of support of that resolution, but at this point we're not in  
 44 the position because of the timing of the customary and  
 45 additional use to submit such a resolution. We didn't write  
 46 the resolution, if it came to us already written and if that  
 47 person that wrote it would have signed it and said that we're  
 48 submitting this for support, then we could have supported it,  
 49 but we're not in a position to submit it as a Council. There's

50

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1 a difference between submitting and endorsing.

2

3

John.

4

5 MR. VALE: Mr. Chairman, I -- you know, I find that the  
6 content of the resolution is sound, you know, and I don't, like  
7 yourself, have any trouble with the content, but the -- I just  
8 think that the timing and everything is not properly placed.  
9 As with you, I feel we're going to address the problems that  
10 are being related to here when we do c&t and we look at fishery  
11 regulations and we try to make them more compatible with  
12 subsistence needs. For example, perhaps making set gillnets  
13 legal for subsistence.

14

15 And when I look at the last paragraph: AND NOW  
16 THEREFORE BE IT RESOLVED, that the Federal Subsistence Board  
17 fully endorse traditional use and customary trade for  
18 indigenous people of all regions of Alaska, I believe they'll  
19 say they're doing that already right now. So I don't see that  
20 the resolution is accomplishing that much, it's making a  
21 statement of some facts that are true, but I guess I'm a little  
22 reluctant to, you know to pass it as a resolution.

23

24 And I would just make one more statement, you know, and  
25 I'll go back to one paragraph here that says that there were  
26 approximately eight fishing boats in the area that day and  
27 there were boats in the area the same day with non-Natives  
28 aboard them who were also anchoring gillnets who were not  
29 charged with crime. Now, I don't know the facts of that, you  
30 know, but a number of times in recent years I've been  
31 approached by people, as a Regional Council Member back from  
32 the State Regional Council and now, which I would classify as  
33 horror stories about enforcement actions of Native peoples in  
34 Southeast Alaska here.

35

36 And I'm left with an impression that laws are being  
37 enforced in a discriminatory manner and so I'm very concerned  
38 about that. And I hope that we, as a body, can keep an eye on  
39 that as time wears on here.

40

41 MR. SKAN: Mr. Chairman.

42

43 CHAIRMAN THOMAS: Dewey.

44

45 MR. SKAN: Mr. Dalton, pleased be advised that anything  
46 that I can do, in any of my capacities, you know, upon proper  
47 review and that's why I made the motion to discuss, I'll sure  
48 help you as a fellow man, not as a Tlingit or a caucasian, just  
49 a human being. If there some other supporting documentation

50

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to this, I'd even write a letter myself, because I'm a  
 President of a State agency and we advocate for the rights and  
 the welfare of all rural people. I just wanted to let you know  
 that. This is the first time I've seen this and if it came to  
 Blawock it probably died in somebody's desk and we didn't get  
 to see it. I'm always more than glad to help people to try to  
 advance themselves.

8

9 Thank you, Mr. Chairman.

10

11 CHAIRMAN THOMAS: You're welcome. Bill or Mr. Taylor,  
 12 Mr. Taylor still here?

13

14 MR. SHERROD: Yeah, I'm here.

15

16 CHAIRMAN THOMAS: Just briefly, could some of you --  
 choose from among yourselves if there's somebody here that  
 could briefly give us a time table, anticipated implications of  
 a c&t in Alaska.

20

21 Carol.

22

23 MS. JORGENSEN: Mr. Chairman, I was just going to do  
 that, if that's okay?

25

26 CHAIRMAN THOMAS: I'd be happy for you to do that,  
 thank you.

28

29 MS. JORGENSEN: We were just going to point out that  
 the Kenai c&t's comment period closes on January 30, 1995, that  
 is before your Council will meet again. The Upper Tanana is, I  
 believe February 15th, may fall into your next meeting  
 schedule, depending on when you set your next meeting. But you  
 might want to request an extension, that is not an  
 unreasonable request. And to have them modify their time frame  
 to include to cover when all the council meeting meet. Most of  
 the council meetings by March 15th have met in the late winter  
 months.

39

40 But those are important studies and they will affect.  
 You know, they could affect especially Southeast, but the whole  
 State and so your comments and your concerns and ideas for  
 these studies are very critical, so it would not be  
 unreasonable for you to request that they modify their time  
 frame.

46

47 CHAIRMAN THOMAS: Right now, what I'm trying to do is  
 to help Richard understand that we're not arbitrarily  
 abandoning his case and that we're not sensitive to it, we are.

50

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1 But I'm willing to wait and see if anybody can tell me how we  
 2 can, as a Council, at this point, do anything about it. And  
 3 that's the impression I'm trying to get across at this point.

4

5 We're into a new process now, we're not dealing with  
 6 the State as much as we had to do in the past, we're into a new  
 7 process, we're trying to give that process an opportunity to  
 8 work. There's lots of what we do that does resemble the State,  
 9 that some cases parallels some of the things the State does,  
 10 but we do it under different parameters and different  
 11 conditions.

12

13 If I can't get somebody to tell me in the next 60  
 14 seconds how we can make this work and take the hurt away at  
 15 this time, then we'll move on. Mr. Taylor.

16

17 MR. SHERROD: Yes, Mr. Chairman. If the question  
 18 you're asking is, how can you affect or expedite the c&t  
 19 process for Southeast, I believe that's what you're requesting.

20

21 CHAIRMAN THOMAS: Yes.

22

23 MR. SHERROD: Okay. I suppose that a request from this  
 24 body to the Board is the proper action. Mr. Howse addressed,  
 25 some degree, their, how shall we say, the Forest Service's  
 26 policy of a wait and see before engaging in actually  
 27 undertaking these studies. I would suggest if it's a major  
 28 concern that you simply send forward a request that that  
 29 doesn't seem to be satisfactory, that there are problems that  
 30 need to be addressed now and request that the Board reconsider  
 31 the timing of the c&t for Southeast or that a process be  
 32 started.

33

34 I would like to clarify one piece of information that  
 35 Mr. Howse gave you. He had implied that the Fish & Wildlife  
 36 Service and the Park Service had brought on additional staff to  
 37 address c&t, that is not correct. It's just in-house staff  
 38 taking on additional duties.

39

40 CHAIRMAN THOMAS: Do you anticipate by us doing that,  
 41 that will remove Richard's son from his fracas he's having with  
 42 the State?

43

44 MR. SHERROD: I think that is a fisheries issue and,  
 45 again, I don't know how that would be resolved short of a  
 46 letter to the Secretary, again in your annual report,  
 47 demonstrating that there is -- it's an urgent matter that he  
 48 consider their ability to take over fisheries.

49

50

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1 Mr. Knauer just reminded me that the current citation  
 2s a State citation and even if we were to implement a process,  
 3f some sort of relief would sought, it probably would not have  
 4bearing on this case. It would, perhaps, prevent it from  
 5happening in the future, but it would not have bearing on this  
 6case.

7  
 8 CHAIRMAN THOMAS: Okay, I'm of the impression that it  
 9was in hopes that our actions would have a bearing on this  
 10case.

11  
 12 MR. SHERROD: Well, just talking as an individual, not  
 13in my capacity because I'm now talking in areas that I know  
 14probably little about, I would think that there might be some  
 15avenue, as a body, to provide some sort of assistance in the  
 16legal matter, whether it's a justification that this is a  
 17customary and traditional, whether it deals with freedom of  
 18religion, Indian/American Freedom Religion Act. I think that  
 19that would have to be a matter that the Council would have to  
 20deal with, but I don't think there's anything you can do in  
 21our official capacity as reviewers of regulations.

22  
 23 CHAIRMAN THOMAS: Okay, thank you very much.

24  
 25 MS. LeCORNU: Mr. Chairman.

26  
 27 CHAIRMAN THOMAS: Vicki.

28  
 29 MS. LeCORNU: I had question regarding the confusion  
 30that lack of c&t has caused and Mr. Skan brought up a phrase  
 31that i discussed yesterday that commercial use of a resource  
 32under the guise of subsistence and I believe that I have a  
 33commercial use customarily and traditionally, maybe you don't  
 34believe it, but I believe it.

35  
 36 CHAIRMAN THOMAS: You talking about commercial use?

37  
 38 MS. LeCORNU: Yes.

39  
 40 CHAIRMAN THOMAS: Yeah, as long as you call it  
 41commercial.

42  
 43 MS. LeCORNU: Well, no, that's a term, that's a  
 44definition put out just the same as subsistence that needs to  
 45be discussed as customary and traditional. Barter and trade is  
 46customary and traditional. The fact that there was not a money  
 47exchange, that to me is not important.

48  
 49 CHAIRMAN THOMAS: Okay. Any further discussion?

50

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1  
2 MR. FELLER: Mr. Chairman.  
3  
4 CHAIRMAN THOMAS: John.  
5  
6 MR. FELLER: Seems like when we ran across this problem  
that Mr. Dalton, Sr. has in this resolution, I'm not sure if it  
was on Grand Camp or Central Council that we agreed to support  
the resolution in concept. I don't know if that would be  
enough of bandage to help Mr. Dalton or not, but maybe that  
would be a suggestion.  
12  
13 CHAIRMAN THOMAS: I'm of the impression that this was  
brought to our attention for use to push the State away, tell  
his son that there was no violation and everything is okay. I  
think that's where we're at with it and we can't do that.  
17  
18 Further discussion?  
19  
20 MS. ROBINSON: Mr. Chairman.  
21  
22 CHAIRMAN THOMAS: Mim.  
23  
24 MS. ROBINSON: The idea that -- I'm sorry, I can't  
remember what your name is.  
26  
27 MR. SHERROD: George Sherrod.  
28  
29 MS. ROBINSON: George, okay. .... suggested that we  
suggest that the dates that are for, you know, Southeast c&t  
studies, that these happen sooner than has been suggested. It  
seems like this may be worth following up on. I mean, it  
sounds like there's a number of cases that, you know, like  
Richard's son and the one in Hoonah, the other one, Brown, this  
thing. I don't know there's different cases that have come up  
in the last few years and I'm sure there'll be more if  
something doesn't get rolling here on c&t. And it just seems  
the sooner that happens the better it would be for everybody.  
So I'm suggesting -- I'm not sure what the process would be,  
maybe through Norm Howse or whatever, but maybe another letter  
to see what we can do about getting it moved forward.  
42  
43 CHAIRMAN THOMAS: The c&t is a really -- probably the  
most sensitive aspect of the whole subsistence ordeal. It's got  
political ramifications, it's got cultural ramifications, got  
religious ramifications and no matter what or when we did it  
it's going to be wrong.  
48  
49 At the same time, if we have all of our ducks in a line  
50

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and we're happy with that, then it would be proper for us to have those dates moved up, but if we overlook something, make a determination and exclude something that needs to be in there, then we're kind of SOL. So those are the things we need to be careful about.

6

7 Hank, you looked up you moved up there with a purpose.

8

9 MR. NEWHOUSE: Yeah, thank you, Mr. Chairman. I understand your urgency to want to get this done and, you know, done quickly, but then I also look at what's on the agenda of the Agency, you know, in the sense that Norm indicated that the Forest Service would be the lead here in Southeast in doing the c&t. And that's going to take a certain amount of resources and being resources, that being dollars.

16

17 In the sense of getting this into the pipeline, you know, budgeting wise where we've already got pretty much a pretty full program already scheduled, it -- you know, we can do this and make way and then I also look at with the Tongass Land Management Planning process really gearing up where that's going to be an intensive public involvement activity that's going to involve all of you and all of your communities, I suggest that perhaps, you know, imposing c&t determinations on top of that process, you know, it would really overload everybody.

27

28 And with the points that Bill was making of how very, very critical the c&t issue is, it's critical that it is done right because -- you know, recent memory of what -- you know, of what went on not too long ago that left a very bad taste in a lot of people's mouths and we don't want that to happen again.

34

35 CHAIRMAN THOMAS: Thank you. What's happening now, for somebody that may not be up to date on the schedule that's going on. Kenai is the first on the docket to consider and they've introduced some stuff and the agencies have put together things, but we haven't got off the first sentence. We've read volumes of documents and it's just -- it's really difficult. And if the Kenai issue can be determined then we'll have an idea, but what we're trying to be sure is that Kenai doesn't set precedence that isn't palatable to the rest of Alaska and that's not an easy chore.

45

46 John Vale.

47

48 MR. VALE: Mr. Chairman, we have a motion on the table to discuss this resolution and an effort to bring that to a

50

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Conclusion.

2

3 CHAIRMAN THOMAS: The motion goes on the floor at this  
4 meeting.

5

6 MR. VALE: Pardon?

7

8 CHAIRMAN THOMAS: You want the motion on the floor, not  
9 on the table.

10

11 MR. VALE: Well, I'm going to make a motion that we  
12 table this resolution, Mr. Chairman.

13

14 CHAIRMAN THOMAS: You hear the motion.

15

16 MS. ROBINSON: Second.

17

18 CHAIRMAN THOMAS: Moved and seconded. Non-debatable,  
19 and those in favor say aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN THOMAS: Opposed.

24

25 (No opposing responses)

26

27 CHAIRMAN THOMAS: Motion carries. Pretty strong ayes.  
28 Time and place next meeting.

29

30 MS. JORGENSEN: Mr. Chairman, did we want to entertain  
31 some thought to the extension of those c&t -- proposing  
32 comments on the c&t because the Regional Council will not be  
33 meeting before the comments period is closed and that could be  
34 extended because these are very critical and serious. And have  
35 serious ramification on other areas. That would give you some  
36 time.

37

38 CHAIRMAN THOMAS: Mm.

39

40 MS. ROBINSON: Mr. Chairman, I, myself, it would be  
41 helpful for me if at the next meeting -- go ahead and ask --  
42 request that there be an extension for comments and then at the  
43 next meeting have a presentation done to this Council on what's  
44 going on with Kenai and I believe there was another one that  
45 was mentioned there that their decision was being made the  
46 middle of February. But just some kind of presentation done  
47 for us so that we can make some intelligent comments concerning  
48 their determination.

49

50

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1 CHAIRMAN THOMAS: George.

2

3 MR. SHERROD: The way the schedule stands now, the  
Board will have reviewed it and will have made their  
determination to yea or nay and the logic behind it. This is a  
document that will be out for public comment prior to this  
body's next meeting, so a presentation, I guess, would sort of  
be after the fact, because if their proposed rule, so to speak,  
will be out for public review on both the -- well, the Kenai  
will occur, the public comment on the Board's action will close  
prior to this meeting, the public comment on the Board's action  
in relationship to Upper Tanana will be ongoing. The next  
meeting for this body will probably fall within that period.

14

15 So the Board's decision and some of the questions  
talked about briefly, I think it was the first day, how much is  
enough; how long is long enough? Those will already been, at  
least, settled in the first go around and have been forwarded  
out for public comment.

20

21 MS. ROBINSON: Okay, now, when you say public comment  
and public review, you said that the Board will have made their  
decisions already, so why is it going out for public review.

24

25 MR. SHERROD: It would go out before it becomes a final  
rule.

27

28 MS. ROBINSON: So it could be changed again?

29

30 MR. SHERROD: Yes, there would still be a chance for  
input. As Carol pointed out, though, that chance for input  
will have closed on January 30, of '95. This body is -- none  
of the councils are scheduled to meet, except Southeast,  
particularly to deal with that or their scheduled meetings will  
not occur until after 1/30/95.

36

37 MS. ROBINSON: And there's no way to have an extension  
on that?

39

40 MR. SHERROD: I think that's what Carol was proposing  
that this body, perhaps, request that the Board extend the  
public comment period to allow a window of opportunity for this  
body and other bodies to have looked at this and be able to  
meet as a group and have public comment into that. Mr. Knauer  
is far more experienced in the mechanics of this and he might  
have some insight that he could share with you at this time.

47

48 MR. KNAUER: In any sort of a Federal regulatory  
process you start out with a proposed rule and there is always

50

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a public comment period after that proposed rule. And there is also, at least, one public hearing at which the public orally offer testimony. So that in the event of a situation in the Kenai the Board would probably make a preliminary decision that would be published as a proposed rule. And then prior to that becoming final there would be a comment period and a meeting and after which the Board would review any comments that were received, in writing or orally, and determine whether or not their first cut was the way it should be or whether the comments and testimony were such to warrant changes being made in the publication of a final rule.

12

13 MS. ROBINSON: Mr. Chairman, it seems that in a situation like this, with Kenai setting a precedent for all of Alaska for c&t, it would seem that -- I would hope that Board would be particularly sensitive about this issue and that they would extend the time period so that all the Regional Councils could meet and discuss this precedent setting, you know, these findings.

20

21 I really think that it would be a good thing for this Council to send a letter to the Federal Subsistence Board and ask for this extension for all of Alaska, for all of the Regional Council to meet, it's just really important.

25

26 CHAIRMAN THOMAS: Does the Council concur? A nod will do it.

28

29 MR. SKAN: I second the motion.

30

31 (Various nods of affirmative from Council members)

32

33 CHAIRMAN THOMAS: Okay, well, we'll go head and do that. John.

35

36 MR. VALE: Mr. Chairman, I believe that the Southcentral Regional Council has already taken up these determinations and made their recommendations to the Federal Board as to how they think the criteria should be applied. So then if I understand what's going on correctly, now the Federal Board is going to take that issue up and look at the Southcentral Regional Council's recommendations and then make some sort of final decision.

44

45 I kind of want to just clarify that a little bit. I'm not exactly sure how a precedent comes into play here. I guess to a certain extent I don't know that it does, unless we want to take those criteria and go over them and, you know, try to challenge them, but that's in another section of the regs and I

50

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don't know. I just question that while we need to review the actions from the Kenai Peninsula, I got to question whether or not it sets a precedent.

4

5 And I really feel that when we need to look at those criteria, the eight criteria used for making those determination, see how we feel about those and I really believe that what boils to is our own recommendations about how to apply those criteria and when it comes to Southeast that's going what's important. It's what we recommend, how those criteria will be applied to our communities down here.

12

13 So, I don't know, I hope that this information is helpful. I'm very curious, myself, to see what the Eastern Interior Regional Council, how their recommendations go on the Upper Tanana. I don't know, maybe we would want to communicate with Southcentral and Interior Regional Councils and ask them how they, you know, went about making their recommendations with those criteria and maybe that information will be helpful to us.

21

22 MS. JORGENSEN: Mr. Chairman.

23

24 CHAIRMAN THOMAS: Well, I admire your positive thinking, John, but it doesn't entirely work that way. It's been postponed once before by North Slope and Bering Straits getting a hold of me and getting a hold of the Eastern Regions by teleconference and submitting a letter to get it done for that very reason.

30

31 The first consideration, regardless of where it's at, always sets statewide implications. You can bet that if we were on the docket right now, the whole Council from Southcentral would be in this room listening to what we were doing about making our own c&t, even though it's our region. Carol, could you elaborate on that?

37

38 MS. JORGENSEN: I wasn't going to ask to elaborate on that, I was just wondering if we could take a five minute break and meet and discuss something on the alternatives within these studies?

42

43 CHAIRMAN THOMAS: Take a break?

44

45 MS. JORGENSEN: Take a five minute break, but with the idea that we're meeting, not a break break.

47

48 CHAIRMAN THOMAS: Okay.

49

50

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1 MR. ANDERSON: Off the record, five minute break off  
the record. Mr. Chairman, I ask to be excused, I have an  
airplane to catch in 30 minutes.

4  
5 CHAIRMAN THOMAS: Thank you, Lonnie. Everybody say  
6 Goodbye Lonnie.

7  
8 (Off record comments -- Lonnie departs)

9  
10 CHAIRMAN THOMAS: We're now in recess.

11  
12 (Off record)

13  
14 (On record)

15  
16 CHAIRMAN THOMAS: Okay. So let's go back into session  
and, Carol, you got a note around all that already?

17  
18  
19 MS. ROBINSON: Do we want anything on record about what  
we're asking her to do? Clarification of it?

20  
21  
22 CHAIRMAN THOMAS: We can.

23  
24 MS. ROBINSON: Okay. I'll go ahead and clarify. Move  
25 write a letter to the Federal Subsistence Board asking their  
26 permission to accept our comments on the Kenai c&t  
27 terminations after our February or winter Council meeting.

28  
29 MR. VALE: Second.

30  
31 CHAIRMAN THOMAS: It's been moved and second to send a  
letter, any discussion?

32  
33  
34 MS. ROBINSON: Question.

35  
36 CHAIRMAN THOMAS: Question been called, all those in  
favor say aye

37  
38  
39 IN UNISON: Aye.

40  
41 CHAIRMAN THOMAS: Opposed.

42  
43 (No opposing responses)

44  
45 CHAIRMAN THOMAS: Motion carries. Are we ready for the  
time and place of our next meeting? Let's have a time first.

46  
47  
48 MR. VALE: This February.

49  
50

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1 MR. DALTON: Mr. Chairman.

2

3 CHAIRMAN THOMAS: Richard.

4

5 MR. DALTON: Yeah, if all agreeable with everybody I'd  
like to see this particular Council be drifting into  
communities by community, so I'd like to extend the invitation  
for this next meeting to be held in Hoonah.

9

10 CHAIRMAN THOMAS: Any other bidders? Highest bidder.

11

12 MS. ROBINSON: I'd love to invite you all to Port  
Alexander, but I'm not sure where to put you up.

14

15 CHAIRMAN THOMAS: Well, I got Port Alexander, how about  
Tenkof?

17

18 MR. VALE: Well, Mr. Chairman.

19

20 CHAIRMAN THOMAS: John.

21

22 MR. VALE: I think we need to take into consideration  
what we're going to have staff at these meetings that will need  
to travel and attend them for the variety of issues that we've  
been addressing. And wherever we meeting I think we need to  
take that into consideration.

27

28 CHAIRMAN THOMAS: Okay. Let's take that into  
consideration.

30

31 MR. DALTON: Mr. Chairman.

32

33 CHAIRMAN THOMAS: Richard.

34

35 MR. DALTON: If he's referring to housing and stuff  
like that, we have some hotels, we got two of them, in fact,  
and another place just structured. We're staying in hotels  
when we come here, eat in the restaurant, but I can guarantee  
you if you come to Hoonah, once or twice, we'll feed you with  
subsistence food.

41

42 CHAIRMAN THOMAS: Mim.

43

44 MS. ROBINSON: I'm curious about the cost if we were to  
meet at another community, besides Juneau, whether that would  
considerably increase the costs for meeting or whether it would  
be negligible?

48

49 CHAIRMAN THOMAS: I don't have that information, does

50

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anybody here? Terry usually knows everything, but since he's been -- Gina probably knows that.

3

4 MR. WILD: It would depend upon the community,  
5 sometimes plane fare is outrageous to some small places.

6

7 MS. ROBINSON: Like Port Alexander.

8

9 CHAIRMAN THOMAS: Um-hum (Affirmative). Bill.

10

11 MR. KNAUER: Yes, Mr. Chairman. The per diem rate  
12 throughout this area is not significantly different from  
13 community to community, but as Terry was saying, frequently the  
14 transportation from some of your regional hubs to the small  
15 communities gets extremely high. You also need to think about  
16 the weather conditions and the number of people trying to come  
17 into a small community. It might be more difficult to obtain a  
18 forum bringing people into a small community than having one  
19 person, maybe, come out of a small community. So that's  
20 something to consider.

21

22 CHAIRMAN THOMAS: Okay. What's the plane fare to  
23 Hoonah, Richard?

24

25 MR. DALTON: Right now it went down to \$60.00 round  
26 trip and the ferry boat is going every other day right into  
27 Hoonah and it's only -- what is it, \$14.00 round trip from  
28 Zaneau to Hoonah, about three hour trip, so I don't think  
29 that's enough reason.

30

31 MS. ROBINSON: How much is from, say, Sitka to Hoonah  
32 on a plane, do you know?

33

34 CHAIRMAN THOMAS: Harold has some information for us.

35

36 MR. MARTIN: No, I don't have information. I'm just  
37 going to speak in favor of Mr. Dalton's suggestion. It was one  
38 of the things I was going to bring up under public comments, I  
39 feel very strongly that this Council -- if decisions made by  
40 this Council affects the people out in the smaller communities  
41 I'm wondering why you're meeting in non-subsistence areas.

42

43 I'm also kind of disappointed in the turn out. I think  
44 if you meet in the small communities you'll have a good turn  
45 out and you'll learn a lot more.

46

47 CHAIRMAN THOMAS: Thank you, Harold.

48

49 MS. JORGENSEN: Mr. Chairman.

50

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1  
2 CHAIRMAN THOMAS: Other subsistence organizations meet  
3 in Juneau for the same reason. Carol.

4  
5 MS. JORGENSEN: Just some food for thought, you know,  
6 in all the years of State and that there was a lot of concern  
7 by the communities statewide that they'd like the Boards of  
8 Fish and Boards of Game to, at least, entertain periodically  
9 meeting out into the communities so they could be sensitized.  
10 And the Federal Subsistence Board probably isn't going to be  
11 getting out into the communities that often, but Regional  
12 Council may be able to and that's the important layer and  
13 component up to the Federal Subsistence Board, so I think it  
14 something that the Council wants to entertain. When they want  
15 to entertain it, I don't know, but that was my thought because  
16 we hear from the public all the time and they kind of want to  
17 know when we're going to come out and communicate with them out  
18 in their areas.

19  
20 CHAIRMAN THOMAS: We've got a chance to be first.  
21 Nobody's done it yet, we sure can. John.

22  
23 MR. FELLER: I think Terry had his hand up first.

24  
25 CHAIRMAN THOMAS: Terry.

26  
27 MR. WILD: I was going to say all the councils tend to  
28 get going that way where they're trying to get out in smaller  
29 communities and have their meetings.

30  
31 COURT REPORTER: Please, to the mic.

32  
33 CHAIRMAN THOMAS: Harold.

34  
35 MR. MARTIN: Mr. Chairman. I forgot to mention that I  
36 serve on the Rural Alaska Resource Association, we have our  
37 meeting in different communities. Also at our last Southeast  
38 Native Subsistence Commission meeting I made that suggestion  
39 that we meet in different communities, since it affects the  
40 community. Our next annual meeting is going to taking place at  
41 Mr. Dewey Skan's country.

42  
43 CHAIRMAN THOMAS: Thank you. Terry.

44  
45 MR. WILD: Yes, I was just saying that all the councils  
46 seem to be going to -- when they get a chance, trying to go to  
47 smaller communities to have their meetings. And as far as the  
48 staff goes, they love to get out to the smaller communities.  
49 we don't have a problem with it. A lot of times it is more  
50

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expensive and maybe administratively they don't like to spend the money, but they realize the need to get out to the smaller communities, so if it's not real outrageous they usually overlook that cost.

5

6 CHAIRMAN THOMAS: Well, you know, we're here representing rural interests and if we're going to represent rural interest, where better to have a meeting?

9

10 MR. WILD: Right, and I do agree, I think the attendance of the public would be far greater in the small communities and the input that we'd get.

13

14 CHAIRMAN THOMAS: Thank you.

15

16 MR. DALTON: Mr. Chairman.

17

18 CHAIRMAN THOMAS: Mim.

19

20 MS. ROBINSON: Mr. Chair, I move that we meet in -- that our next meeting be held in Hoonah.

22

23 CHAIRMAN THOMAS: Motion as been made that we meet in Hoonah at our next meeting.

25

26 MS. ROBINSON: Does anyone have any dates I could add on to that motion? Or do you want to do two separate motions?

28

29 CHAIRMAN THOMAS: Let's do separate motions. Second  
30, Wrangell John.

31

32 MR. FELLER: Yeah, I second it and then I also .....

33

34 CHAIRMAN THOMAS: Wait till I call for discussion.

35

36 MR. FELLER: Okay.

37

38 CHAIRMAN THOMAS: Okay, discussion. John.

39

40 MR. FELLER: Since that's a motion I can't offer Wrangell up now, so I think I'll just hold where I'm at, Mr. Chairman.

43

44 CHAIRMAN THOMAS: We'll get to Wrangell.

45

46 MR. VALE: Question.

47

48 CHAIRMAN THOMAS: Question has been called, all those who favor signify by raising your right hand so we can see who

50

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the protesters are. Just one protester. All those opposed.  
 Okay, motion carries.

3

4 MR. SKAN: I opposed, Mr. Chairman.

5

6 CHAIRMAN THOMAS: Don't record that one.

7

8 MR. FELLER: It's unanimous.

9

10 CHAIRMAN THOMAS: Okay, time. Christmas Eve? What's  
 the time; who's got a good recommendation for time; Carol?

12

13 MR. SKAN: Could we all look at our schedules and then  
 get back to Carol and have this meeting at the call of the  
 Chair at everyone's convenience of their schedule?

16

17 CHAIRMAN THOMAS: Okay, let's set a month, anyway, and  
 then let's go with that and then let's get our calendars  
 coordinated for the month.

20

21 MR. SKAN: It'll be September.

22

23 MR. FELLER: February.

24

25 CHAIRMAN THOMAS: I think what about February.

26

27 MS. JORGENSEN: Mr. Chairman, anytime, say, the last  
 two weeks of January or February, the month of February, if you  
 could look at those windows, those are when we want to -- and  
 the sooner -- actually, I think the earlier the better in those  
 dates, if possible. I know that's not the best time weather  
 wise, but it's not real good in March either.

33

34 Mr. Chairman, George has .....

35

36 CHAIRMAN THOMAS: Mr. Taylor.

37

38 MR. SHERROD: I think because of the timing of getting  
 the materials to you that 1/30 would be the soonest that the  
 meeting could be held.

41

42 MS. JORGENSEN: I'm sorry, what?

43

44 MR. SHERROD: Because of the timing of actually getting  
 the proposal booklets completed and out to the body and the  
 other bodies at the end of January, so we're probably looking  
 at the earliest would be the first week in February.

48

49 MS. JORGENSEN: Okay.

50

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1  
2 CHAIRMAN THOMAS: So anytime in the month of February.

3  
4 MR. VALE: Anytime in the month of February,  
Mr. Chairman. Call of the Chair.

6  
7 CHAIRMAN THOMAS: Okay, so all of you send your  
calendar commitments to Carol and then we'll send you a  
reaction to that. There'll be a \$30.00 fine for those that  
can't attend.

11  
12 MR. SKAN: Here's my money.

13  
14 MS. JORGENSEN: Mr. Chair, if we could have those back,  
you know, maybe think in the next 15 days, so we can get it  
down on our schedules far enough in advance to start planning.

17  
18 CHAIRMAN THOMAS: Okay. Next on the agenda is public  
comment. Harold.

20  
21 MR. MARTIN: Thank you, Mr. Chairman. First, let me  
compliment you on the efficient way you conduct your meetings.

23  
24 CHAIRMAN THOMAS: Thank you.

25  
26 MR. MARTIN: It's been very interesting and very  
informative. This is the first Council meeting I've been to.  
I would like to caution the Council on being ever aware of  
testimony based on speculation. We had a good example today,  
it's very evident and clear that the petitions to place the  
wolves on the endangered species list was not put there by  
scientific data. The man said they need two people to do that,  
he didn't say there were two people from the state that signed  
it. And I'm always aware of any conservationist -- in fact, I  
see a connection between this and the State's policy on wolf  
kill that are being protested by people down South.

37  
38 Also on the designated and proxy hunter, this is not a  
new concept, it's a traditional and customary among our people.  
Among our Native people we have great respect for our elders,  
we have great considerations for our shut-ins and those people  
who cannot provide for themselves. These systems are already  
in place in the majority of the communities. In fact, I'd say  
all the Native communities.

45  
46 An example, my mother-in-law has been confined to a  
wheelchair for the last several years, she is in St. Anne's  
Hospital now, however, she's never been in need of any of her  
subsistence foods, people -- it just gets through town, people  
50

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know, people bring her salmon, smoked salmon, halibut, smoked halibut, deer meat, seal meat, seal grease. People dig clams for her, bring her gumboots, whatever she needs people looked after her.

5

6 And I would hope that this concept would not be complicated by creating great volumes of complexities in the application system, the permitting system and the reporting systems. The bureaucrats tend to make everything very complicated.

11

12 The other thing I'd like to comment on is that I was somewhat disturbed at how fast the Council adopted a resolution submitted by a Conservation Council on land management. Anytime there's a move to lock up lands, we should analyze the resolution very carefully to see if the words are compatible. Glacier Bay, the Department of Interior guarantee them, reassure them that they'll always have access to Glacier Bay for their subsistence needs. You all know what happened at Glacier Bay that Hoonah people cannot get into Glacier Bay. We have to look after all these things.

22

23 That's all I have, Mr. Chairman, thank you for your time.

25

26 CHAIRMAN THOMAS: Thank you, much, Harold. You've covered many area very eloquently that we've considered and your expression of support are also appreciated and you've repeated some of the language we've mentioned at the Board level. Thank you very much. Anybody else from the public except for BIA staff? Mr. Borbridge.

32

33 MR. BORBRIDGE: Thank you for reconsidering, Mr. Chairman. I don't know whether I qualify as semi-public or what, Mr. Chairman. Call this for the good of the order. As we all appreciate there have been meetings recently to deal with what is regarded as an inadequacy of the terms subsistence to describe a way of life that is timeless and comes with us and our people from time immemorial. And at the same time it is a term that inadequate as it seeks to describe the feeling that non-Native people who enjoy this lifestyle, as they practice it and as they value it, the term subsistence does not begin to describe the feeling we have about it or its importance.

45

46 And as you know, Mr. Chairman, there have been discussions to come up with a new term. And the process of engaging in that effort has begun with the meetings of the Traditional Knowledge workshop and the work that they have done

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and the fact that they are taking the work that they have done to come up with a better term than subsistence. And they are submitting that to the elders and youth conference and ultimately it is anticipated that the people in those two conferences will come up with a better term than subsistence. And also, as I recall, they hope to come up with a better term than resources. There's no way that they can happily accept the fact of having resources apply to the source of the Native and other subsistence foods that are taken.

10

11 I would like to suggest to the Regional Advisory Council that you consider this as an added opportunity and that 13, when the customary and traditional process is engaged in, of course, you'll be looking at basically two things in the long term. One is the process, how it will actually function and what kind of process you're going to follow. And the other will be the customary and traditional determination as to the specific species as to which there is a c&t use made.

19

20 A very important part of that process, Mr. Chairman and members, will be the participation of not only the Regional Advisory Councils, but of a very knowledgeable people in the village throughout the state. They will be contributing some of the most important information of all. I have been personally disturbed because I am unable to come up with an alternate to the terms I have heard, I've heard the term traditional knowledge, tribal knowledge. I've heard the term, which I find particularly offensive, antidotal knowledge. Antidotal from my knowledge of the English language is sort of a pat on the back, you know, we're glad that you threw these little stories, you share with us your Native knowledge or your knowledge from being in rural Alaska.

33

34 I would like to ask that the Regional Advisory Council consider the kind of a term that might gain widespread acceptance that would describe the particular dignity and the historic and the customary and traditional knowledge that subsistence users have. I know that it's going to have to stand side by side with scientific knowledge and if we aren't careful, Mr. Chairman, we're going to say, let's have the scientific knowledge, the kind that can be tested and weighed and then let's have the other.

43

44 I think we need, Mr. Chairman -- my suggestion to all of you is that we need another term that will gain acceptance and that will treat this type of knowledge with the dignity that it deserves. And, too, by having such a term it'll keep the rest of use from using all kinds of phrases to describe this. So I offer that, Mr. Chairman, for the good of the

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order.

2

3 CHAIRMAN THOMAS: Appreciate that, John. You know,  
 4 it's interesting and I appreciate your foresight in coming up  
 5 with a term that would give -- a term that would represent all  
 6 the dignity that you suggested. When you stop and think just  
 7 recently they found this basket in Thorne Bay that dated back  
 8 8500 year B.C., I don't know any terms in the English language  
 9 that could come up with adequately to represent that, you know,  
 10 in every other language you can, but not in the English  
 11 language.

12

13 But I appreciate your comments and I have to advise you  
 14 that this Board had a special session to come up with exactly  
 15 that term and we wound up with subsistence. Thank you,  
 16 Ms. Chairman (sic), but we will take it under advisement.  
 17 Appreciate your advice, thank you.

18

19 MR. BORBRIDGE: Thank you.

20

21 CHAIRMAN THOMAS: Further public? We used up all the  
 22 public. I got a place here for staff/agency. If we don't have  
 23 you categorized, please list it and include it. What I'm  
 24 trying to say is that we're really happy that you're hear and  
 25 we sincerely invite your reaction or input at this meeting.  
 26 And while this looks kind of slipshod, we like to have fun  
 27 while we're being productive, so if you want more time to think  
 28 about it, we'll move to Council comments. Carol.

29

30 MS. JORGENSEN: Mr. Chairman, I just wanted to add real  
 31 quickly that agencies across the nation now, the Federal  
 32 agencies are looking at ecosystem management and integrated  
 33 human resources into the whole management scheme and one of the  
 34 points that I think is very valid is that -- I share where I  
 35 work that we're finally starting to talk the same language that  
 36 Native people have always looked at the -- how one species is  
 37 related to another, how a tree or the water or whatever is  
 38 related to resource and how it all integrated and affects one  
 39 another. And so we're starting to come together a little bit  
 40 in understanding how the holistic point of view works.

41

42 And with Mr. Borbridge's comments I think it's just  
 43 so important that antidotal not be used any more, it offends  
 44 us. And what I wanted to say earlier and I realize that it  
 45 wasn't meant to offend us, but it does because the knowledge  
 46 that our people do have is immense and they know how, you know  
 47 again, a biologist looks at a species specific and they look  
 48 perhaps that individual animal, but they don't see how  
 49 everything else is connected in the food chain, in the

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environment, in everything else. And our people live out there and know those things.

3

4 So I think it is important to just kind of think about these things because as I sit at the feet of my elders many times they open my world, they expand my world to knowledge that I never dreamed of knowing and I couldn't get in a Western world. So I just wanted to emphasize Mr. Borbridge's comments and I'm really glad that they're starting to meet on the additional knowledge and all of those things, because I think it needs to be address. And as we talk ecosystem management -- ecosystem management means how do we fit the human dimension into this. So we have an opportunity, the agencies, to participate in the best of both worlds and get our knowledge into this so that our brothers and sister, as we say resources and we don't like that word are starting to get the best of our knowledge too.

18

19 MR. SKAN: Mr. Chairman.

20

21 CHAIRMAN THOMAS: Dewey.

22

23 MR. SKAN: I'd like to say I'm sorry I got here late, but I would like the members to know, the staff to know and the Bureau of Indian Affairs to know and Mr. Martin from SENSE to know that in this capacity, representing Klawock, that I'll work positively so that we come to sort of conclusion on all the matters that affect people in Southeastern Alaska.

29

30 And I'd also like you to know that I talked to Mr. Dalton, I have friends on the Hill, probably Monday when I get a chance I'll try to check into the matter that involves his son. You have my word on that, Richard, that we'll see where we can come to.

35

36 MR. DALTON: Thank you.

37

38 MR. SKAN: Like I say, if you have a problem, then Harold is there, you know, we have a commission that, you know, tries to take care of these matters, so -- I don't like to be caught unaware when you say Klawock people then it makes me look bad because I'm the representative and these things aren't copied to me, so when I see I check in to.

44

45 CHAIRMAN THOMAS: It wasn't the comments that made you look bad.

47

48 MR. SKAN: Oh, and another thing, I wasn't here when the elections were held, so I'm going to call the State Police

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and have the ballot box secured. Thank you, Mr. Chairman.

2

3 CHAIRMAN THOMAS: You know while there's a majority of  
4s here from the Native community we're all very proud of our  
5otem poles, our regalia, our jewelry and everything, but we  
6ave to keep in mind that we are representing this issue as a  
7rural and the rural nowadays has a mixture of a population, so  
8e must always keep that in mind, so whenever we make reference  
9o our people we have to include everybody in the rural areas.

10

11 Richard, do you have any comments? These are closing  
12omments, good of the order. No complaints.

13

14 MR. DALTON: For the good of the order, Mr. Chairman?

15

16 CHAIRMAN THOMAS: Richard.

17

18 MR. DALTON: I'm very pleased to find that dignified  
19ouncil members taking under consideration of painstaking of  
20he time element that they put into from their own energy. And  
21rom the public input and from the staff. Naturally we find  
22urselves in a position we don't always agree with each other,  
23ut we can sure down and talk over these subjects of concern  
24hereby we can elaborate and come to some certain understanding  
25hat we will make that particular thing work. It makes no  
26ifference which color or creed you might be, but we are here  
27o represent the whole Southeast of Alaska. I appreciate the  
28embers of the Council and I know that they will do a good job  
29ad I see them doing it already. Thank you.

30

31 CHAIRMAN THOMAS: Thank you, Richard.

32

33 MR. DALTON: You coming to Hoonah?

34

35 CHAIRMAN THOMAS: I'm coming to Hoonah.

36

37 MR. DALTON: I'm going to save one dry fish for you.

38

39 CHAIRMAN THOMAS: Vicki.

40

41 MS. LeCORNU: I would like to comment on the terms  
42ed, Bill, I don't agree with the word subsistence either, but  
43think that's what we're here for is to determine what those  
44es are. And I keep hearing these terms that are really not  
45fined, commercial and food, for instance. Like the Forest  
46ervice when they have their subsistence hearing they are not  
47onsidering food, they're considering a use of a resource and  
48's not confined to food.

49

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1           And my customary and traditional use of it doesn't  
 2 always coincide with somebody else's. Certainly the difference  
 3 Between Hydaburg and Teller, Alaska would be wide. And there  
 4 might even be differences in between the Council members, but I  
 5 think that's why were here is to define those terms for the  
 6 best possible uses of those users and we can't deny the use by  
 7 confining the definition to terms like food. For instance, on  
 8 the Sea Otter Commission, I had real problems with the way they  
 9 dealt with the resource as food. It's not food, it's a use  
 10 other than food, so I think there's some real errors made and  
 11 not real fine clear definitions. Thanks.

12

13           CHAIRMAN THOMAS: Thank you, Vicki. Mim.

14

15           MS. ROBINSON: Well, I'd just like to say that it's a  
 16 privilege to be on this Council, I think it's made up of an  
 17 excellent caliber of people and knowledgeable of their area and  
 18 Southeast and I've been learning a lot. And it's -- I'm just  
 19 really glad to be a part of this Council. And also I just want  
 20 compliment staff, I think you guys are just exceptional.  
 21 You're very easy to work with, you're helpful, always willing  
 22 help us through a crunch and lots of good ideas and I just  
 23 really appreciate all the effort that you put into your job and  
 24 just want to thank you for what you're doing.

25

26           CHAIRMAN THOMAS: John.

27

28           MR. VALE: Thank you, Mr. Chairman, I don't have much.  
 29 I guess I'd just say that it's been a pleasure to work with  
 30 the Council members and the members of the staff. I especially  
 31 appreciate the cooperative nature of everybody involved in the  
 32 process here and I know that we're going to have great success  
 33 in the future because of that cooperation.

34

35           CHAIRMAN THOMAS: Skan. Skan Dewey.

36

37           MR. SKAN: I only had one problem with today and that's  
 38 I'm not going to eat any more ungulate stew. Sounds terrible.

39

40           CHAIRMAN THOMAS: Mr. Feller.

41

42           MR. FELLER: Thank you, Mr. Chairman. Yeah, I'd made  
 43 quite a transition coming here, getting of a black cod boat in  
 44 the fall and getting my land legs and coming into the meeting.  
 45 It's a lot better than last year when I started out on  
 46 butches and came to the first meeting at the Centennial Hall  
 47 in Sitka and I think you made a comment at the end of the  
 48 meeting that I gave my all. That I was one of the ones that  
 49 gave my all to the people. But I, too, would like to commend

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the staff and their excellent work and their going one step farther all the time. And it makes us all look good and the spirit of unity is great.

4

5 And I really enjoy that, especially commend Carol for all the extraordinary effort and work that she has to put forth and somehow we always manage to communicate through messages or whatever. A lot of times we're all so busy that we're hard to get a hold of. I enjoyed meeting the new members and seeing the older people that were here and the distinguished guest and our President from SENSC, Mr. Martin and his assistant, Jeff Barlow here. So with that I'll just close.

13

14 CHAIRMAN THOMAS: Thank you, John. I'd like to also compliment and thank staff for all their help. It'd be hard to share that in measurable terms, but it's been enough to not only make us feel sophisticated in what we do and we feel like our traditions are helping develop our sense of pride that we used to know. I sense that the staff is sharing in that pride in the traditions that we are able to teach you about and to express to you. For that we thank you very much.

22

23 And, Harold, and I have never met your assistant, but I am glad that you guys are here. We represent the hopes and desires and the outcomes of many people in Southeastern Alaska. There's a lot of people that's depending on our cooperation and on our aggressiveness on getting what we need to get down for the people in this area. I'm glad you guys were here and I'm sure we'll be maintain a strong cooperative effort as we go through all of this.

31

32 And to the Council I would like to thank you, again, for electing me once again as you Chairman. It gives me a lot of courage, confidence when I'm at the Board meetings to know who I'm speaking for and who authored the language that I bring to the Board. The Board has been very receptive, our win/loss record is pretty good and we've gained recognition and appreciation from other councils in the region and it's a well deserved thank you very much.

40

41 If there's anybody else that would like to comment from the public or from the audience we'll give you time to do so.

43

44 MR. SKAN: Mr. Chairman.

45

46 CHAIRMAN THOMAS: Dewey.

47

48 MR. SKAN: Our friend from Hoonah is getting married tonight so I'd like to have a moment of silence for his wife.

50

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Mr. James Jack is getting married, 6:00 o'clock.

2

3 CHAIRMAN THOMAS: I have to go back to my room and  
4 practice crying, yet, the wedding is off. I'll entertain a  
5 motion to adjourn.

6

7 MR. SKAN: So moved.

8

9 CHAIRMAN THOMAS: Moved that we adjourn. Second?

10

11 MS. ROBINSON: Second.

12

13 CHAIRMAN THOMAS: Moved and second. We are now  
14 adjourned.

15

16 (Off record)

17

18 (END OF PROCEEDINGS)

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20 \* \* \* \* \*

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

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and Reporter for R&R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 177 through 284 contain a full, true and correct Transcript of the Southeast Regional Subsistence Advisory Council, Volume III, meeting taken electronically by me on the 7th day of October, 1994, beginning at the hour of 9:00 o'clock a.m. at Centennial Hall, Juneau, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by me to the best of my knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 14th day of October, 1994.

\_\_\_\_\_  
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