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SOUTHEAST REGIONAL ADVISORY COUNCIL
PUBLIC MEETING

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Saxman Community Hall

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Saxman, Alaska

12

March 9, 1998 - 2:00 p.m.

13

14

VOLUME I

15

16 COUNCIL MEMBERS PRESENT:

17

18 Mr. William C. Thomas, Sr. - Chairman

19 Ms. Dolly Garza - Vice Chairman

20 Ms. Patricia A. Phillips - Secretary

21 Mr. Herman Kitka, Sr.

22 Ms. Mary Rudolph

23 Ms. Mim McConnell

24 Mr. John Vale

25 Mr. Gabriel D. George

26

27 Mr. Fred Clark - Coordinator

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P R O C E E D I N G S

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(On record - 2:00 p.m.)

MR. THOMAS: Well, it's good to see everybody. My clock says 2:00 o'clock straight up. And I'm glad that those over here got here safely and I hope those that are coming in have a safe trip. When they do get here -- even if you're disappointed a little bit, I want everybody to look excited to see them when they get here. We have a new and good twist at this meeting, whereas, I've asked Dolly to preside over the meeting for the duration. She's been my vice chair for awhile, I couldn't have had a better choice to do that with. So I would hope that you would give her your best support and cooperation as she tries to, for her first time, to go through an entire agenda. I won't be too far away so it won't be that easy to get carried away. But with that, I'll turn it over to Dolly, Madame Chairman.

CHAIRMAN GARZA: Thank you, Bill. So the meeting has been called to order. First on our agenda is a roll call to establish that we have a quorum. Patti, do you have the list in front of you?

MS. PHILLIPS: Do you want me to read it off?

CHAIRMAN GARZA: Yes.

MS. PHILLIPS: William Thomas.

MR. THOMAS: Here.

MS. PHILLIPS: Gabe George.

MR. GEORGE: Here.

MS. PHILLIPS: Jeff Nickerson.

(No response)

MS. PHILLIPS: John Vale.

MR. VALE: Here.

MS. PHILLIPS: Herman Kitka.

(No response)

MS. PHILLIPS: John Feller.

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1 (No response)

2
3 MS. PHILLIPS: Mary Rudolph.

4
5 MS. RUDOLPH: Here.

6
7 MS. PHILLIPS: Patricia Phillips. Here. Mim
8 McConnell.

9
10 MS. McCONNELL: Here.

11
12 MS. PHILLIPS: Lonnie Anderson.

13
14 (No response)

15
16 MS. PHILLIPS: Marilyn Wilson.

17
18 (No response)

19
20 MS. PHILLIPS: Dolly Garza.

21
22 CHAIRMAN GARZA: Here.

23
24 MS. PHILLIPS: Vicki LeCornu.

25
26 (No response)

27
28 MS. PHILLIPS: Seven present.

29
30 CHAIRMAN GARZA: Thank you, Patti, we do have a quorum.
31 We understand that Jeff Nickerson is on his way here. Herman
32 Kitka is on his way here. John Feller and Lonnie Anderson have
33 been both snowed into their communities. Marilyn Wilson.....

34
35 MR. CLARK: Marilyn is unable to attend, she's
36 traveling and can't -- hasn't been able to make it back in
37 time.

38
39 CHAIRMAN GARZA: And have we heard from Vicki?

40
41 MR. CLARK: My understanding is that Vicki is still
42 trying to make it but there have been weather problems.

43
44 CHAIRMAN GARZA: Okay. So welcome and introductions.
45 Do we have members from Saxman community? Do we have anyone
46 from Saxman IRA? Saxman ANB? ANS? The Saxman Fisheries
47 Advisory Committee?

48
49 MR. THOMAS: Madame Chairman, if I may?

50

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1 MR. WILLIAMS: Madame Chairman.

2

3 CHAIRMAN GARZA: Yes.

4

5 MR. WILLIAMS: My name is Joe Williams. I am the
6 community liaison.....

7

8 CHAIRMAN GARZA: Joe, could you come up and use the
9 mic?

10

11 MR. WILLIAMS: No.

12

13 CHAIRMAN GARZA: If he's too mean I'm going to tell him
14 if he doesn't want to he doesn't have to.

15

16 MR. WILLIAMS: My name is Joe Williams. I'm the
17 community liaison with the organized village of Saxman,
18 Tlingit-Haida. And not giving any real official welcome here
19 other than I believe our mayor of Saxman is snowed in.

20

21 CHAIRMAN GARZA: Down the street.

22

23 MR. WILLIAMS: Actually, I'm kidding. I'd just like to
24 take this opportunity on behalf of the community of Saxman, the
25 IRA, Tlingit-Haida and also the City to welcome such a group of
26 people to discuss some of the challenges that may be coming
27 before us. What an opportunity for our community to be able to
28 participate in this. And we do hope that the weather outside
29 won't deter any of your decision-making process here today or
30 in the next couple of days. And we trust all that will go on
31 here today will truly -- and in the next couple of days will be
32 truly be the benefit of the Alaska Native people, within the
33 community of Saxman as well as Ketchikan.

34

35 Thank you.

36

37 CHAIRMAN GARZA: Thank you, Mr. Williams, we appreciate
38 that. Is there anyone from Ketchikan ANB or ANS, KIC. Is
39 there a motion to adopt the agenda as a guide?

40

41 MS. McCONNELL: So moved.

42

43 MR. THOMAS: Second.

44

45 CHAIRMAN GARZA: It's been moved and seconded to adopt
46 this agenda as a guide. All in favor signify.....

47

48 MR. VALE: Just a comment first. With regards to the
49 agenda on old business, Item D, our annual report. What I was
50 going to suggest on this was that since we have proposals

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1 coming first and they could be lengthy working through them
2 all, I was going to suggest perhaps a subcommittee be formed to
3 work on the annual report during the course of the meeting and
4 then we could take it up at -- maybe by the time we get down to
5 it on Item D. And so what I was going to suggest is before we
6 get too far along in the meeting, perhaps tomorrow morning when
7 maybe there's a couple more people here, we could form this
8 subcommittee of interested parties and maybe have a real quick
9 discussion of what items people would like to see in an annual
10 report. And then the subcommittee could work on drafting up
11 language, you know, over the course of the meeting and in our
12 spare time and then we could act on it, perhaps, you know, the
13 last day. I just bring that up because I think it best that we
14 not wait until we get there to take that action.

15
16 CHAIRMAN GARZA: Okay. So the intent would be to have
17 a subcommittee meet tomorrow afternoon or tomorrow evening?

18
19 MR. VALE: To form one that could meet perhaps in the
20 evening and draft up some comments for an annual report.

21
22 CHAIRMAN GARZA: Okay.

23
24 MR. VALE: And perhaps a brief discussion about what
25 should be in that annual report for the subcommittee's benefit.
26 So tomorrow morning might be a good time for that, I'd suggest.

27
28 CHAIRMAN GARZA: Okay, thank you.

29
30 MR. VALE: That's all, thank you.

31
32 CHAIRMAN GARZA: Okay, are there any additions to the
33 agenda?

34
35 (No responses)

36
37 CHAIRMAN GARZA: Okay, all in favor of the agenda as a
38 guide signify by saying aye.

39
40 IN UNISON: Aye.

41
42 CHAIRMAN GARZA: Opposed.

43
44 (No opposing responses)

45
46 CHAIRMAN GARZA: Okay, we have an agenda. Next is
47 review and adoption of the minutes from the September public
48 meeting.

49
50 MR. VALE: Move to approve the minutes.

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1 MR. THOMAS: Second.

2

3 CHAIRMAN GARZA: The meetings that were held in
4 Yakutat. Okay, there's a motion to approve September 30th to
5 October 2nd, 1997 public meeting in Yakutat. Are there any
6 corrections to the minutes?

7

8 (No responses)

9

10 MR. THOMAS: Question.

11

12 CHAIRMAN GARZA: Question has been called. All in
13 favor signify by saying aye.

14

15 IN UNISON: Aye.

16

17 CHAIRMAN GARZA: Opposed.

18

19 (No opposing responses)

20

21 CHAIRMAN GARZA: Item 6 is Council members reports,
22 Chairman or other members who may have been working on issues
23 since our last meeting in Yakutat. Mr. Chairman.

24

25 MR. THOMAS: Thank you, Madame Chairman. Before I get
26 to my report I want to take a moment to greet everybody that's
27 here. I was hoping for a better turn out; it's already getting
28 better here comes Herman. But thank you for all being here.
29 Those of you that haven't had the opportunity to attend these
30 meetings will find them very informative, very focused and very
31 productive.

32

33 It is always a pleasure to report to you in this forum.
34 It gives you a chance to reflect on circumstances and issues
35 dealt with at previous meetings.

36

37 Some of you may have known that I had major surgery in
38 November and another health set back in February. There are
39 some personal adjustments I need to make with that regard. I
40 will include you in future plans with regard to my involvement
41 in Federal Subsistence management.

42

43 Subsistence remains a mystery to many people. That
44 mystery leads to controversy, controversy is an issue that
45 seems not able to attract a solution or any interest in a
46 solution.

47

48 Our role as an Advisory Council capacity was supposed
49 to be ad hoc in nature. That means we should have been
50 relieved as soon as the State of Alaska assumed management of

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1 subsistence.

2

3 We can only wait to see what and when the legislature
4 will show any serious effort to manage subsistence again.
5 Removing funds from the department that manages does not show
6 much interest in or commitment to that part of the resource.

7

8 It is my wish that the state of Alaska can arrive at a
9 solution that is at least acceptable to the requirements
10 spelled out in ANILCA. I continue to contend that ANILCA's
11 intent from the beginning was to be responsible to natural
12 resources management when it was written. I feel while it may
13 not be a perfect document, it certainly is not the only
14 congressional document that needs help.

15

16 Now for my report. At our fall meeting in Yakutat we
17 were introduced to the prospect of a memorandum of agreement
18 from the State. We had some questions around that idea. I
19 forwarded those questions to Commissioner of Alaska Department
20 of Fish and game, as well as to the Chairman of The Federal
21 Subsistence Management Staff Committee Chairman.

22

23 The underlying question was to see any virtue of a
24 memorandum of agreement between two governments that have their
25 own constitutions. The State Constitution forbids any support
26 to any provisions of ANILCA while the Federal government
27 demands total adherence to the language of ANILCA. This
28 applies to anyone involved in Federal subsistence management in
29 Alaska including this Advisory Council. It is a built-in
30 conflict. As it turned out, the State is firm on not
31 supporting ANILCA in its present language and the Staff
32 committee does not see that as a reason not to have the
33 memorandum of agreement. So I suggest we let any wisdom bear
34 itself out.

35

36 I was also asked to serve on a task force to explore
37 the possibility of changing the structure of the Federal
38 subsistence Board. It turned out to be a sensitive challenge.
39 Regional Advisory Councils have had the opportunity to review
40 our progress and offer input for us to consider at any
41 subsequent task force meetings. We discussed this at our
42 Yakutat meeting in October. At our last meeting in January, we
43 reached a conclusion that restructuring the Board would not
44 address the concerns from some Advisory Councils. It was
45 determined that the process and different level
46 responsibilities were not adequately understood by all. So I
47 offered to attempt by drafting language to further explain that
48 part of the process to see if that would accurately address
49 concerns of Board restructure a draft of that project is in
50 your packet for your review and comment.

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1 With regard to allowing the hunt to include on
2 antlerless deer in Game Management Unit 2 and attempting to
3 find supporting evidence and data to ensure the proper
4 management of deer in that unit. There has never been a more
5 studied and scrutinized regulation than the regulation that
6 allows to include one antlerless deer in the taking of deer.
7 It has one of the largest deer populations and habitat and this
8 is a customary and practice of people of that game management
9 until prior to statehood. So it is not a new provision by any
10 stretch of the imagination.

11
12 Taking from sketchy notes taken at a workshop held at
13 the Ted Ferry Civil Center on December 10, 1997. It was a
14 workshop of introduction to Federal Management subsistence.
15 One of the dynamic presentations was given by Mr. Mike Brown of
16 the USFS based on information he had, 134 does were taken in
17 Game Management Unit 2. 20 were taken by Ketchikan hunters.
18 Who incidentally are ineligible to participate in the
19 antlerless provision offered by ANILCA. ANILCA's sole
20 commitment to subsistence users is to provide the opportunity
21 for use of wildlife available. The population in this
22 presentation is estimated to be 30,000 to 40,000. If that is
23 the case, the doe take is less than one percent. Plenty
24 adequate to sustain a doe hunt at its present level. He also
25 mentioned that some road access has been removed and that could
26 account for the lesser amount of sightings. I also wrote a
27 note of inquiry to Mr. Doug Larsen of the Ketchikan office of
28 the Alaska Department of Fish and Game asking for information
29 his office might have with regard to the deer and wolf
30 population GMU 1 and 2.

31
32 In an attempt to be more thorough, I asked what numbers
33 he had for population for the last day of 1996. I asked how
34 those numbers were arrived at, and how accurate do they feel
35 they are. Rather than limiting his reply to numbers and
36 methodology. He gave me a crash course in biology. But I
37 appreciate the response, Doug, thank you. I am grateful for
38 the response and cooperation. Unless someone tells me
39 different, I would suggest the information in his reply
40 supports the content of Mr. Brown's report which results in no
41 reason to eliminate the doe hunt on Prince of Wales Island.

42
43 My reason for this approach is to address the great
44 level of interest expressed in proposals each year that had
45 concern for a serious decline of deer because of this
46 regulation. Especially since the harvest of one doe was
47 included to the bag limit of those residents deemed eligible
48 subsistence users.

49
50 Not all subsistence users are interested in shooting

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1 does. The provision is an opportunity for an eligible user in
2 crease the opportunity for a successful hunt. Which in turn
3 would provide for his/her family nutrition needs. In 1995,
4 6,755 hunters hunted Prince of Wales Island. In 1996, 7,117
5 hunters hunted Prince of Wales Island. 2512 total deer were
6 taken. Of that were 134 does. This represents less than one
7 percent of the total population. Any corrections to this
8 information will be included to ensure the protection of a
9 sustainable harvest level. I thank the USFS and the ADF&G for
10 their kind assistance in providing this information.

11
12 I hope you can all stay for the rest of the meeting.
13 We thank you for taking time from your busy schedule to be
14 here.

15
16 That concludes my report. And I hope you folks can
17 stay for the rest of the meeting. Thank you, Madame Chairman.

18
19 CHAIRMAN GARZA: Thank you, Bill.

20
21 MR. CLARK: Madame Chairman.

22
23 CHAIRMAN GARZA: Fred.

24
25 MR. CLARK: Do you have extra copies of this, Bill,
26 what you just read?

27
28 MR. THOMAS: My legislation or this bill?

29
30 MR. CLARK: Bill legislation. We're just going to make
31 some extra copies for distribution if that's okay.

32
33 CHAIRMAN GARZA: It's okay. Are there reports from
34 other Council members?

35
36 (No responses)

37
38 CHAIRMAN GARZA: Okay. So Item 7 is proposals to
39 change Federal subsistence regulations, custom and traditional
40 use determinations, and seasons and harvest limits.

41
42 MR. THOMAS: Madame Chairman.

43
44 CHAIRMAN GARZA: Bill.

45
46 MR. THOMAS: Earlier, before we got here, I asked the
47 Salvation Army if they would come and do an invocation before
48 our meeting. If that's permissible, Mr. Thomas is here, I
49 think now would be a good time to do that. Joe; invocation.

50

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1 CAPTAIN THOMAS: Are you folks just starting?

2

3 MR. THOMAS: Yeah.

4

5 CAPTAIN THOMAS: Let's bow our heads. Heavenly Father
6 we thank you for this opportunity to gather together to share
7 and speak about our needs. Heavenly Father you've given us an
8 abundance of knowledge, Lord, and we need to share this today
9 in how to take care of these needs of ours. Lord, there are
10 many things that are happening that are getting out of control
11 and we -- and we don't want to be caught up in it. In the name
12 of Jesus Christ, let us all be sharing our wisdom with each
13 other in Jesus' name. Amen.

14

15 CHAIRMAN GARZA: Thank you. Okay, in terms of looking
16 at the process for today, we have two people who have signed up
17 to testify and I'd like to ask both of you if you wanted to
18 testify before we started on a particular proposal or at the
19 end, which is where it is on the agenda, whatever you want, we
20 can work out. Tillie, did you want to testify early today.

21

22 MS. KUSHNICK: There is some others ahead of me.

23

24 CHAIRMAN GARZA: I had you first and then Tom. Did you
25 want Tom to be first? Tom.

26

27 MR. ABEL: Well, Madame Chair, is there a place to
28 provide testimony on the management plan because that is what I
29 intended to speak.

30

31 CHAIRMAN GARZA: On the fisheries?

32

33 MR. ABEL: On the Forest Service reg -- Proposed Rule.
34 I got a draft agenda some time ago and I didn't see it on this
35 one. Is there a place for that? And if that's the case I
36 prefer to wait until I can kind of see what.....

37

38 CHAIRMAN GARZA: Yeah. It's not on the agenda now so
39 we'll figure something out.

40

41 MR. ABEL: Thank you, Madame Chair.

42

43 CHAIRMAN GARZA: Okay.

44

45 MR. VALE: The Proposed Rule is on old business, Item

46 A.

47

48 CHAIRMAN GARZA: That's on subsistence fisheries and
49 Tom's talking about Forest Service; is that correct, Tom?

50

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1 MR. CLARK: Madame Chairman.

2

3 CHAIRMAN GARZA: Fred.

4

5 MR. CLARK: What he's referring to is the Proposed Rule
6 which is the Federal subsistence fisheries management
7 jurisdiction issue. It's not specific to the Forest Service,
8 though it's Southeast, it's almost as if it were specific to
9 the Forest Service.

10

11 MR. ABEL: Forest Service regs?

12

13 MR. CLARK: Yeah, but it's technically not the Forest
14 Service Proposed Rule, it's the.....

15

16 CHAIRMAN GARZA: So are you talking about managing
17 fisheries for subsistence uses on navigable waters; is that
18 your interest?

19

20 MR. ABEL: Right.

21

22 CHAIRMAN GARZA: Okay.

23

24 MR. ABEL: I'd like to wait to make comment.

25

26 CHAIRMAN GARZA: Okay. I just don't want you to think
27 you have to wait until the end if your intent is to testify
28 earlier. So Tillie, maybe when we have a break you could tell
29 me when you'd like to testify.

30

31 MR. THOMAS: Madame Chairman, I had two other people
32 that expressed interest, SEACC that want to TLMP, and Mimi from
33 the State wants to talk on the Migratory Bird Act.

34

35 CHAIRMAN GARZA: You've got to learn to write better if
36 you want me to read your notes.

37

38 MR. THOMAS: Well, I'm a doctor.

39

40 CHAIRMAN GARZA: Okay. And SEACC, do you have a time
41 when you want to testify or a subject to speak on?

42

43 MR. GEORGE: Madame Chair, I'd rather wait.

44

45 CHAIRMAN GARZA: Okay.

46

47 MR. THOMAS: Mimi, you want to wait?

48

49 MIMI: Whenever it's convenient.

50

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1 MS. STEVENS: I think I'd like to hear what you folks
2 all have to say first in case I have an opposing view.

3
4 MR. THOMAS: Madame Chairman.

5
6 CHAIRMAN GARZA: Bill.

7
8 MR. THOMAS: One of the restrictions about public
9 comment, it can't reflect on anything that was said by the
10 Chair.

11
12 CHAIRMAN GARZA: Okay. And the other thing that we
13 were proposing is that we take up all of the proposals, which
14 are 9, 10, 11 and 12 that have to deal with Unit 2, deer
15 season; is that okay with you Jeff or do you know if people are
16 coming in on the ferry tonight?

17
18 MR. NICKERSON: In the morning, I know of one person
19 coming in for sure.

20
21 CHAIRMAN GARZA: Okay. So that morning ferry doesn't
22 come in until 10:00.

23
24 MR. NICKERSON: 9:00 o'clock.

25
26 CHAIRMAN GARZA: Until 9:00?

27
28 MR. NICKERSON: Yeah.

29
30 CHAIRMAN GARZA: Okay. So if we started the process --
31 well, it depends on how fast they get off the ferry.

32
33 MR. NICKERSON: Was there notices put up that it was
34 going to be at 10:00 o'clock?

35
36 MR. CLARK: I believe the notices said 9:00 o'clock.

37
38 MR. NICKERSON: Was it 9:00 o'clock?

39
40 MS. McCONNELL: It says 9:00 on the agenda here.

41
42 MR. CLARK: Right.

43
44 MR. NICKERSON: Okay.

45
46 CHAIRMAN GARZA: Okay. But if we have a bunch of
47 people from Prince of Wales getting off the ferry tomorrow
48 then.....

49
50 MR. CLARK: Well, we could use the initial time period

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1 to have some additional remarks or some background information
2 presented, things like the information on migratory birds --
3 the Migratory Bird Treaty Act. I thought we were going to have
4 some of the Forest Service leadership here to provide a welcome
5 to the Council and to the members of the public, but it looks
6 like they had to leave, so I'm assuming they'll be back
7 tomorrow so they could say a few words at that point. So we
8 could push back Proposals 9, 10, 11 and 12 a little bit in the
9 morning to give more people time.

10
11 CHAIRMAN GARZA: Okay. So then what we will do now is
12 start with the Proposals 1 through 8 and see how far we get,
13 the intent would be 9 through 12 would be done tomorrow.
14 Depending on how it works out it will fit in tomorrow morning
15 so that if people are coming in on the ferry, they certainly
16 have the opportunity to testify before we make a decision.

17
18 MR. NICKERSON: Thank you.

19
20 CHAIRMAN GARZA: Okay.

21
22 MR. CLARK: Madame Chairman.

23
24 CHAIRMAN GARZA: Fred.

25
26 MR. CLARK: I'd just like to remind people who want to
27 testify or speak to the Council to please come up and use the
28 microphone. We'll keep repeating this over the course of the
29 meeting just as people trickle in or whatever, just to ensure
30 that people come to the microphone. It makes it so much easier
31 to hear and so much easier to record for the transcripts.

32
33 CHAIRMAN GARZA: Right. The entirety of the meeting is
34 transcribed and is available in written form but if you're not
35 up by a mic, then your part of the testimony will be a blur.

36
37 Okay, so how do we start looking at the proposals?

38
39 MR. CLARK: Madame Chair.

40
41 CHAIRMAN GARZA: You have regional team analysis?

42
43 MR. CLARK: What I would propose is that we just start
44 at the top of the list and get as far as we can this afternoon
45 starting with the RFR and then work down, Proposal 1, Proposal
46 2, on down to through that route. And then get as far as we
47 can tonight, and then tomorrow pickup with Proposal 9, finish
48 off the Unit 2 deer stuff, and then go back to where we started
49 -- or left off, excuse me.

50

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1 The order for each proposal, the procedure is given on
2 the agenda with the introduction and biological socioculture
3 analysis from the regional team, kind of starting the
4 presentation. And then any technical information agencies,
5 whether they be Federal, State, Tribal, and then a summary of
6 the written comments if there are any. And then open floor to
7 public comments. Then finally Council deliberation and
8 recommendation. That's the process to follow for each of the
9 proposals analysis.

10
11 CHAIRMAN GARZA: Okay. Before we start that process
12 since we will have presentations from various Federal agencies,
13 perhaps we can have an introduction of the agency members so
14 that if you have questions of them during breaks you know who
15 you're talking about. So to our right here is Fred Clark, he's
16 the one who keeps us all together. And we'll start with Ida.

17
18 MS. HILDEBRAND: Ida Hildebrand, Staff Committee member
19 for BIA.

20
21 MR. WILSON: Curt Wilson, Staff Committee member for
22 the BLM.

23
24 REPORTER: My name's Tina, and I'm the Court Reporter.

25
26 MR. WILLIS: Robert Willis, Wildlife Biologist with the
27 U.S. Fish and Wildlife Service, Office of Subsistence
28 Management.

29
30 MS. MASON: Rachel Mason, Anthropologist with the Fish
31 and Wildlife Service and working with the Regional Council.

32
33 CHAIRMAN GARZA: Okay. And we'll start over here,
34 we'll just introduce everyone. Tillie.

35
36 MS. MASON: What about Bill?

37
38 CHAIRMAN GARZA: Excuse me, Mr. Knauer.

39
40 MR. KNAUER: I won't bring you your checks next time.
41 I'm Bill Knauer with the Fish and Wildlife Service, Office of
42 Subsistence Management. I deal with regulations and policy.

43
44 CHAIRMAN GARZA: Okay. Millie.

45
46 MS. STEVENS: I.....

47
48 CHAIRMAN GARZA: You don't have to testify now, we're
49 just introducing ourselves.

50

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1 MS. STEVENS: Well, you guys all know me.

2

3 MS. KUSHNICK: I'm Matilda Kushnick, Tillie to my
4 friends. I represent the Haida local chapter of Saxman and a
5 subsistence user.

6

7 MR. LLANOS: James Llanos. I'm with the U.S. Forest
8 Service, Native liaison.

9

10 CHAIRMAN GARZA: Mr. Guthrie.

11

12 MR. GUTHRIE: William Guthrie.

13

14 CHAIRMAN GARZA: Roadkill.

15

16 MR. JOHNSON: Are you going around the room?

17

18 CHAIRMAN GARZA: Yeah.

19

20 MR. JOHNSON: Yeah, Dave Johnson, Craig. Also
21 Ketchikan Subsistence Coordinator for the Forest Service.

22

23 MR. WHEELER: I'm Mark Wheeler with the Southeast
24 Alaska Conservation Council, SEACC.

25

26 MS. HOGAN: I'm Mimi Hogan. I'm with Fish and Wildlife
27 Service in Anchorage under the Migratory Bird Division.

28

29 CHAIRMAN GARZA: Tom.

30

31 MR. ABEL: I'm Tom Abel. I live in Hoonah. I've from
32 Craig. I'm here representing Shaan-seet Incorporated. I also
33 have authority to speak from the remaining Haida elders in
34 Craig, Klawock and Ketchikan. And I'm the newly appointed
35 member of the Hoonah Subsistence Council, although I'm not here
36 in representation or capacity of that position, just observing.
37 I will be providing testimony. Thank you.

38

39 CHAIRMAN GARZA: Thank you. Tom.

40

41 MR. MILLER: Tom Miller, Ketchikan Daily News.

42

43 CHAIRMAN GARZA: Okay. Joe.

44

45 MR. WILLIAMS: Joe Williams, Saxman IRA, community
46 liaison.

47

48 CHAIRMAN GARZA: Joe.

49

50 CAPTAIN THOMAS: I'm Captain Joe Thomas, Salvation Army

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1 Saxman Corp.

2

3 MR. MESHEW: I'm Larry Meshew with Wildlife Fish
4 Ecology Watershed and Subsistence Staff Officer from the
5 Ketchikan area, Forest Service.

6

7 CHAIRMAN GARZA: Uncle George.

8

9 MR. GARDNER: I notice all these paid employees, they
10 don't stand up, um? It must be all right. Yeah, I'm George
11 Gardner, I'm Chairman of the Subsistence KIC and representing
12 4,000 strong. Thank you.

13

14 MS. GARZA: Corrine Garza, I'm Dolly's sister. And I
15 represent the Tlingit-Haida local council from Ketchikan.

16

17 MR. SUMMERS: Clarence Summers, National Park Service,
18 Alaska Regional Office.

19

20 MR. SCHENCK: Ted Schenck, Chatham Area Wildlife and
21 Subsistence.

22

23 MR. DINNEFORD: I'm Bruce Dinneford with Department of
24 Fish and Game, Wildlife Conservation from the Douglas office.

25

26 MR. LARSON: I'm Doug Larson with the Alaska Department
27 of Fish and Game, Wildlife Biologist here in Ketchikan.

28

29 MR. PETERSON: I'm Steve Peterson, Alaska Department of
30 Fish and Game, Juneau headquarters office.

31

32 MR. HOFFMAN: I'm Steve Hoffman with the Alaska
33 Department of Fish and Game, Sport Fish.

34

35 MR. TUREK: I'm Mike Turek, Alaska Department of Fish
36 and Game, Division of Subsistence, Douglas office.

37

38 MR. SCHROEDER: Bob Schroeder, Division of Subsistence
39 in the Douglas office, Alaska Department of Fish and Game.

40

41 CHAIRMAN GARZA: Okay, and back there at the table.

42

43 MR. CLARK: Michelle.

44

45 MS. CHIVERS: Michelle Chivers, Fish and Wildlife
46 Service.

47

48 CHAIRMAN GARZA: Okay. So now that we know who
49 everybody is there is a request by Robert to make a
50 presentation on Subpart D, which is the biological information

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1 on a couple of the proposals. And you have a time schedule so
2 you would like to make your presentation now?

3
4 MR. WILLIS: What we'd like to do, Dolly, is since I
5 have to leave tomorrow afternoon to present the analysis for
6 the proposals for which I am the team leader which would be the
7 Subpart D proposals in order, except for the deer proposals
8 which we're going to do first thing tomorrow morning. So that
9 would -- we would start with Proposal 1 and then skip to 13,
10 14, 15, and 16, if we get that far today, if that's okay.

11
12 CHAIRMAN GARZA: Okay. So you will start now with
13 Proposal 1?

14
15 MR. WILLIS: Yes.

16
17 CHAIRMAN GARZA: Okay, please.

18
19 MR. WILLIS: Proposal 1 was submitted by the U.S.
20 Forest Service, the Petersburg Ranger District. It's sort of a
21 housekeeping proposal. It would open a subsistence season for
22 moose in the area described as the remainder of Unit 1(B). You
23 have a map in your book which shows an outline of Unit 1(B)
24 with the area north of the LeConte Glacier across that, that's
25 the area we're discussing.

26
27 The State regulation is currently more liberally than
28 the Federal subsistence regulation in that area. Moose
29 populations in that area have been expanding for several years,
30 particularly in the Thomas Bay area. ADF&G has modified its
31 regulations over the past several years to accommodate that
32 expanding moose population and the increasing hunting pressure
33 that has taken place. The current State regulation has a
34 regulation has a season of September 15 to October 15, with the
35 harvest limit of one antlered bull with spike-fork for 50-inch
36 or greater antlers or with three or more brow tines on either
37 side, commonly called the spike-fork-50 regulation. We don't
38 currently have good moose population data for that area, it's
39 such a dense area that it's very difficult to census so rarely
40 do we get a good census. ADF&G reports, however, that the
41 population is thought to have reached the carrying capacity of
42 the habitat up there. There were a total of 18 bull moose
43 harvested in that area during the 1997 season.

44
45 This current proposal would open a season for moose in
46 this area which duplicates the State season which is already in
47 place. And the preliminary conclusion of the Staff is to
48 support this proposal. The spike-fork 50-inch antler
49 regulation is sufficient to protect the breeding bull segment
50 of the population. Establishing a Federal subsistence season,

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1 which duplicates the existing State season is not expected to
2 have any biological impact on the population. It would,
3 however, reduce the confusion and provide for consistence
4 between State and Federal regulations.

5
6 That concludes the Staff analysis.

7
8 CHAIRMAN GARZA: Okay, are there questions for
9 Mr. Willis regarding the biological information for Proposal 1
10 regarding moose?

11
12 MR. THOMAS: I do.

13
14 CHAIRMAN GARZA: Bill.

15
16 MR. THOMAS: Yeah, Robert. With regard to that, with
17 the harvest this year -- they felt that the harvest this year
18 was greater than what should have happened?

19
20 MR. WILLIS: No.

21
22 MR. THOMAS: We'll assume stable, 18 moose hunt?

23
24 MR. WILLIS: I'm sorry, Bill, I guess I misunderstood
25 question, did you say.....

26
27 MR. THOMAS: I didn't hear your analysis very well so
28 I'm trying to piece it together. Between your soft voice and
29 my deafness, we're not making a real good combination. But I
30 guess, was there any hunting activity from hunters from other
31 game management units in that unit in 1997?

32
33 MR. WILLIS: I don't have a list of the people who
34 hunted there, Bill. There was no Federal subsistence season in
35 the area last year. Under the State season, which was open to
36 anyone, there were a total of 18 bulls harvested. That hunt up
37 there is almost entirely a local hunt. It's a fairly
38 restricted area. It's hunted by the people who live close to
39 it. All this proposal would do would be to create a Federal
40 subsistence regulation which duplicates the State regulation.
41 Currently there is no Federal subsistence season in that area.

42
43 MR. THOMAS: If my memory serves me, Madame Chairman,
44 we were meeting in Sitka, and this question was brought up then
45 to not exclude because typically subsistence use areas have
46 resources that some other areas don't have. And so there's a
47 transient activity going back and forth from users going to a
48 place where there is a resource that they want and could use
49 since there is none in their own area. I haven't heard a
50 request for this to happen, they just wanted the availability.

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1 I guess some people there have read the language in ANILCA --
2 ANILCA does say to make the -- to create the opportunity for
3 subsistence use. And in that discussion, it's always been
4 carefully mentioned to say that if anything they were doing
5 caused that to become in peril, then they would do whatever --
6 they'd err on the side of proper management.

7
8 So that was the reason that I could remember for going
9 ahead and considering that to be that expanse. So I am still
10 not real sure if my sharing with you -- is that relevant to
11 your report because I couldn't hear what you said so well.

12
13 MR. WILLIS: I don't believe that's relevant to this
14 proposal, Bill.

15
16 MR. THOMAS: Would you go over that again for me,
17 please?

18
19 MR. WILLIS: Sure.

20
21 MR. THOMAS: Because if this is going to continue then
22 I won't be able to hear.

23
24 MS. McCONNELL: Why don't you clip the mic on your
25 shirt.

26
27 MR. WILLIS: Is anyone else having trouble hearing?

28
29 CHAIRMAN GARZA: I can hear you now.

30
31 MS. PHILLIPS: Madame Chair.

32
33 CHAIRMAN GARZA: Patti.

34
35 MS. PHILLIPS: Robert's discussing Proposal 1 and he's
36 not discussing the RFR. Does Mr. Thomas understand that
37 we're.....

38
39 MR. THOMAS: No.

40
41 CHAIRMAN GARZA: So what Mr. Willis is doing is going
42 through and providing the biological information for a number
43 of proposals that he's the team leader on because he has to
44 leave tomorrow. So we will come back to Proposal 1, provide
45 more of the background information and make a decision at that
46 time.

47
48 MR. THOMAS: Oh, okay.

49
50 MR. WILLIS: No, Dolly, that's not exactly correct.

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1 CHAIRMAN GARZA: Okay.

2

3 MR. WILLIS: I thought we worked this out some weeks
4 ago between Fred and Rachel and myself since I would be leaving
5 tomorrow afternoon, we were going to do the Subpart D proposals
6 which are Proposals 1, 9 through 12, 13, 14, 15 and 16 first
7 because of that. I thought Bred had passed this on to all the
8 Council members, apparently he hasn't. So anyway, that's what
9 we were going to do. That's why we didn't start with RFR 97-
10 03. And everybody was in agreement that we would wait until
11 tomorrow morning, we had a scheduled time for Proposals 9
12 through 12 because we had so much public interest in this area.
13 Those will take up tomorrow morning as scheduled.

14

15 The other Subpart D proposals, that is, those which
16 deal with harvest and harvest limits and seasons as opposed to
17 c&t analysis, I'd like to do those first if that's okay.

18

19 MR. THOMAS: Now, that we're on the other page, I have
20 no comment.

21

22 CHAIRMAN GARZA: Well, now, I'm confused. So we will
23 take up Proposals 1, 13, 14, 15, 16 in entirety?

24

25 MR. CLARK: Yes.

26

27 MR. WILLIS: Yes.

28

29 CHAIRMAN GARZA: Okay. So in regard to Proposal 1, are
30 there other comments from Staff?

31

32 MR. WILLIS: That's all the comments from Staff.

33 CHAIRMAN GARZA: Okay. Are there any questions from
34 the Council regarding Proposal 1? It would be an expansion of
35 the area, the area that it is expanded to would fairly meet the
36 State regional -- the State area for moose hunting?

37

38 MR. WILLIS: The State has expanded its hunting
39 regulations into that area north of LeConte Glacier. The
40 Federal subsistence regulation has not expanded into that area
41 and this proposal would expand it into that area.

42

43 CHAIRMAN GARZA: Okay.

44

45 MR. THOMAS: Madame Chairman, I'm ready for a motion.

46

47 CHAIRMAN GARZA: Okay.

48

49 MR. THOMAS: Madame Chairman, I move that the Southeast
50 Regional Council adopt the Staff recommendation on Proposal 1

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1 -- Proposal 2 and 3 -- 3 and 4.

2

3 CHAIRMAN GARZA: Just 1.

4

5 MR. VALE: Are we specific to Proposal 1?

6

7 CHAIRMAN GARZA: Yes.

8

9 MR. VALE: I second that.

10

11 CHAIRMAN GARZA: Okay, being specific to Proposal 1,
12 there is a motion to accept the recommendation of Staff to
13 expand that area as defined in our packets on Page 15. Is
14 there any discussion on the motion?

15

16 MR. THOMAS: Question.

17

18 CHAIRMAN GARZA: Quest -- John.

19

20 MR. VALE: I just had a question for ADF&G, I was just
21 wondering what they estimate the total population size to be in
22 that area?

23

24 MR. DINNEFORD: Thanks, John.....

25

26 CHAIRMAN GARZA: Please state your name again.

27

28 MR. DINNEFORD: This is Bruce Dinneford with the
29 Department of Fish and Game and Madame and Mr. Chair -- co-
30 Chairs, as Mr. Willis pointed out, it's impossible to census
31 and it's even difficult to get a survey in there. It's
32 somewhat similar to Yakutat with even less open area and real
33 dense spruce forest. Our estimate's, I believe, are around 250
34 animals perhaps. But it's real -- it's not clear how many
35 moose we have in there. With the spike-fork 50 regulation that
36 we have in there, we feel that the population is in real good
37 shape to allow, you know, recruitment of young bulls in the
38 population -- continue to have that type of hunt.

39

40 MR. VALE: Okay, thank you.

41

42 MR. DINNEFORD: You bet, John.

43

44 CHAIRMAN GARZA: Any further questions on the proposal
45 or the motion?

46

47 MR. VALE: Call for the question.

48

49 CHAIRMAN GARZA: Question has been called. All in
50 favor signify by saying aye.

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1 IN UNISON: Aye.

2
3 CHAIRMAN GARZA: All opposed.

4
5 (No opposing responses)

6
7 CHAIRMAN GARZA: Motion passes. We will now move on to
8 Proposal 13. Mr. Willis.

9
10 MR. WILLIS: That spot in the book is at Page 99.

11
12 MR. CLARK: Madame Chairman.

13
14 CHAIRMAN GARZA: Fred.

15
16 MR. CLARK: While people are looking for that, if you
17 need additional copies of the regulation booklets to look at
18 the maps or anything, just let me know and I'll dig those up
19 for you.

20
21 CHAIRMAN GARZA: Thank you. Mr. Willis.

22
23 MR. WILLIS: Proposal 13 was also submitted by the U.S.
24 Forest Service, the Petersburg Ranger District. And it's very
25 similar to the proposal we just dealt with in Unit 1(B). This
26 proposal applies to the area designated as the remainder of
27 Unit 3. It would create a season for moose in this area from
28 September 15 to October 15, again with the limit of one
29 antlered bull under the spike-fork 50-inch regulation. And
30 again, this would duplicate the State season which currently
31 exists in that area.

32
33 The current customary and traditional use for moose in
34 Unit 3 for Mitkof and Wrangell Islands, rural residents of
35 Units 1(B), 2 and 3, and Unit 3 remainder is all rural
36 residents have c&t for moose. Moose have been slowly expanding
37 their range into Unit 3 for several decades now and as the
38 population has expanded, the State has expanded hunting
39 opportunity to allow people to take advantage of that
40 population. The population first reached harvestable levels on
41 Mitkof and Wrangell Island and a State season was established
42 there. In 1995, a Federal subsistence season was also created
43 duplicating the State season in that area. In 1996, ADF&G
44 determined that the population in the remainder of Unit 3 had
45 expanded to the point where a moose season was justified and
46 created a State hunting season in that area. So this
47 regulation would duplicate the one created last year by the
48 State.

49
50 As in Unit 1(B), there is no good estimate of the

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1 number of moose available due to the density of the vegetative
2 cover which makes an accurate census impossible. Again,
3 however, the State and Service -- and the Forest Service feel
4 that the spike-fork 50-inch regulation which is in place and
5 State regulation is sufficient to protect a breeding bull
6 population.
7

8 In that area there were a total of nine moose harvested
9 during 1997 under the State season. Eight of those on
10 Kupreanof Island and one on Zarembo Island. A total of 10
11 moose were taken on Mitkof Island and two on Wrangell Island
12 during the same period.
13

14 Again, the Staff recommends supporting this proposal.
15 It would have no biological impact but it would create a
16 Federal subsistence season for moose where one does not now
17 exist duplicating the existing State season. One other thing
18 that I might mention is that there is a different customary and
19 traditional use determination for those two parts of Unit 3.
20 Unit 3, remainder, is for all rural residents, whereas, the
21 part that's open now, which is Mitkof and Wrangell Islands is
22 for only the rural residents of those areas. So the Council
23 may wish to consider submitting a proposal for the next
24 regulatory cycle to make all of Unit 3 the same if that's your
25 desire.
26

27 That concludes the Staff analysis.
28

29 CHAIRMAN GARZA: Are there any questions from the
30 Council to the Staff? Gabriel.
31

32 MR. GEORGE: Yeah, Madame Chair, I remember a meeting
33 that we had -- where was it, Juneau, I believe, when we talked
34 about the antlers and the subsistence use thereof. And I said
35 at that time that I didn't know if I would vote for anything
36 that added more restrictions or the same restrictions on the
37 subsistence hunters versus the sport hunters, and I'm at that
38 point again. I don't know if there is historical information
39 that pertains to taking a moose in an area for subsistence use
40 that complies with the current regulations on antler size. And
41 I don't know if that's a legitimate thing that we should be
42 voting on in terms of a subsistence resource. And right now
43 I'm bothered by the fact that we are.
44

45 CHAIRMAN GARZA: So the intent of this proposal is to
46 do two things. One is to expand the area, but the other is
47 that it establishes or it maintains the size of the rack?
48

49 MR. WILLIS: No, this proposal would only create a
50 season which duplicates the State season in the remainder of

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1 Unit 3. It doesn't -- it would have the antler restriction in
2 it, duplicating the current State regulation. There was not a
3 proposal to do that any differently. I might address that
4 antler restriction situation and maybe ease Gabe's mind a
5 little bit.

6
7 There is no sport hunt in that area. There aren't
8 enough moose there for anyone to go there to hunt moose. It's
9 entirely local hunting and it's entirely subsistence hunting
10 because all of the residents of that area are, by law,
11 subsistence hunters. There's a small number of moose and a
12 significant number of people who like to hunt them, subsistence
13 hunters, and the antler restriction is necessary to maintain a
14 healthy population in that area.

15
16 CHAIRMAN GARZA: Thank you. Are there other further
17 questions regarding Proposal 13? Mim.

18
19 MS. McCONNELL: I just wanted to make a point that
20 there is some public comment on Page 101. That probably needs
21 to be read into the record; is that correct? I also had a
22 comment on that, public comment.

23
24 CHAIRMAN GARZA: Okay.

25
26 MS. McCONNELL: Should I just read it?

27
28 CHAIRMAN GARZA: Sure.

29
30 MS. McCONNELL: I have a problem with the inconsistency
31 between subsistence and non-subsistence hunters. Mike Sallee
32 from Ketchikan. And my comment on that was, also some
33 frustration, we -- my husband and I just received a survey form
34 on, I think it was from ADF&G for sport fishing, and this
35 reminds me of the discussion my husband and I had about this
36 issue. And he found it frustrating to be -- he doesn't mind
37 buying a license to go get the fish that we eat, but he finds
38 himself in a no-man's land, he's not -- he doesn't go out for
39 sport, he doesn't like killing animals for sport. He kills
40 them when we need to eat them, so he's not really a sport
41 hunter or sport fishermen. But he also doesn't qualify under
42 subsistence license type stuff either. So it's just -- it's
43 like there needs to be another category for the people that go
44 out and get these -- the fish and game for their food but on
45 very small quantities, I don't know. Anyway, it's just
46 something for consideration for future discussions. Maybe
47 we'll bring a proposal to the State boards or something, but
48 this made me think of that.

49
50 I'm not sure if that's what Mike here was talking about

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1 or not, but it made me think of it. That's all I had.

2

3 CHAIRMAN GARZA: Thank you, Mim. A question to you,
4 Robert. For the other areas where there are moose hunting,
5 there are regulations on the rack size for both sport and
6 subsistence?

7

8 MR. WILLIS: That's correct in all the areas I'm
9 familiar with. We have ADF&G here who could maybe correct me
10 if I'm wrong. It seems that I recall one small population in
11 Southeast that does not currently have an antler restriction on
12 it. ADF&G watches these populations pretty carefully, as does
13 the Forest Service, and as the hunting pressure reaches a point
14 where it's necessary to put the antler restriction in place,
15 they are put in place. Typically seasons opened up, in the
16 past anyways, been opened up for any bull, but as the number of
17 people hunting has increased and then it reaches a point where
18 you need a restriction to protect the population. The Stikine
19 area, the Thomas Bay area, and Unit 3 all have antler
20 restrictions. I would defer to Department of Fish and Game to
21 advise us if there are any areas that do not have the antler
22 restriction at this time.

23

24 MR. DINNEFORD: Yeah, Dolly, there are.....

25

26 CHAIRMAN GARZA: Okay, identify yourself again.

27

28 MR. DINNEFORD: Name again, Bruce Dinneford with Fish
29 and Game.

30

31 CHAIRMAN GARZA: Okay.

32

33 MR. DINNEFORD: There's several populations in Southern
34 Southeast, Unit 1(A), the limit is one bull. And in the
35 Yakutat area, it's also a one bull bag limit, there's no antler
36 restrictions there. And perhaps helping Gabe with his
37 wrestling with what this antler restriction is for, it's not
38 any type of trophy management, but more, as I said earlier, to
39 protect a segment of the bulls coming into the population to
40 get them through those first few years to allow just a selected
41 harvest on bulls. And over time, it actually allows an
42 increase in the population, so we find it to be an effective
43 conservation measure.

44

45 CHAIRMAN GARZA: Apparently I'm using the wrong
46 procedure here. So we went from the team presentation, agency
47 information, and written comments we've hit; are there public
48 comments regarding this proposal, Proposal 13? Tom.

49

50 MR. ABEL: I'd like to just make a brief comment if I

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1 may, Madame Chair. I'm not sure, but if I could maybe ask for
2 some clarification.

3
4 CHAIRMAN GARZA: Could you identify yourself for
5 the.....

6
7 MR. ABEL: My name is Tom Abel. I have a problem with
8 the State registration permit. It's my understanding that the
9 State's out of compliance with ANILCA. There's a deadline of
10 December 1st for the Federal government to takeover management
11 of subsistence resources and habitat. Yet, at the same time,
12 we still have Federal agencies requiring subsistence users and
13 hunters to register with the State to harvest subsistence
14 resources. And I realize, you know, that there's probably some
15 budgetary problems and management problems, but the whole --
16 we're talking to the Federal Subsistence Regional Council here
17 and it's almost like we're, you know, the Board of Game.

18
19 I'm not sure if I'm just shooting in the dark or what,
20 but that's my general comment. And I will be making more
21 specific comments in my testimony later, but I appreciate the
22 opportunity.

23
24 CHAIRMAN GARZA: Thank you, Tom. That's an issue we
25 have talked about as a Council before, is whether or not we
26 need a separate permitting system. And it's my understanding
27 that the intent from the Federal agencies is until the State
28 decides what they're going to do, they would rather not
29 establish their own permitting system, but if they have to they
30 will. So hopefully at the end of this year we'll know where it
31 falls, but we certainly can't force them to do it now.

32
33 MR. ABEL: Can I ask a hypothetical question?

34
35 CHAIRMAN GARZA: Tom.

36
37 MR. ABEL: When the State fails to comply with ANILCA
38 on December 1st, 1998, will we then be developing management
39 regimes based upon ANILCA and Federal law?

40
41 CHAIRMAN GARZA: Bill.

42
43 MR. ABEL: Let's assume that the State's not going to
44 comply is what I'm saying.

45
46 CHAIRMAN GARZA: Right.

47
48 MR. ABEL: Just as a hypothetical.

49
50 MR. KNAUER: Madame Chair and Tom, the Federal

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1 government is already managing, on Federal lands, the wildlife
2 priority, the subsistence preference. We do, however, utilize
3 systems wherever possible that both comply with the Federal
4 intent of ANILCA and do not infringe -- we do not attempt to
5 setup duplicate systems where it's not necessary. Therefore,
6 if there is a reason to use, for example, a State registration
7 permit which is open to -- it's not a drawing or anything like
8 that and they're usually to track the harvest, then we do so.
9 If there is a need to have some sort of tracking of other
10 permits, then we do have the capability to have Federal permits
11 and we do use those in some areas.

12
13 So this is an attempt to both, collect the valid
14 harvest information that we need without undue expense to the
15 taxpayer.

16
17 MR. ABEL: Well, I understand that and I thank you for
18 that, but my concern remains, and that is that the State has
19 been basically the hostile party in this whole situation and
20 the State remains basically in the hostile posture. So it's
21 only a comment and thank you for the opportunity.

22
23 CHAIRMAN GARZA: Thank you, Tom. Maybe we can jot this
24 down as an option to bring up when we submit our annual report,
25 is a discussion on whether or not we are requesting that
26 Federal agencies develop their own permitting system for other
27 species. Personally, I have issue going in and getting a sport
28 license for king salmon.

29
30 Okay, but now we have to get back to Proposal 13, which
31 is an expansion of the area for moose in the Petersburg,
32 Wrangell, Kake area. We are missing both the Kake and the
33 Wrangell Council members, both because of weather. Gabriel,
34 has your issue been addressed?

35
36 MR. GEORGE: It certainly has been addressed, but it
37 certainly hasn't made me feel any better. I think that the
38 problem I have is whenever we accept, as Tom Abel brought out,
39 whenever we accept some State regulations as a mirror image of
40 subsistence regulations, are we doing the subsistence resource
41 users a disservice in terms of whether they are made to comply
42 with what were once "sports regulations." And now if they
43 don't comply they get cited, they get guns taken away and there
44 are other things that fall within those ramifications of not
45 complying with rules and regulations that were supposed to
46 address subsistence users. And if that's the case, then
47 there's definitely something wrong with -- and I felt that
48 there was something wrong with when we accepted regulations
49 that mirror image -- or Fish and Game regulations, State
50 regulations in different areas without justification, other

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1 than it's a biological tool of management.

2

3 Now, the reports we hear are that these moose are in
4 good shape and we're complying to make them in better shape or
5 less better shape or our management objective is to keep a
6 healthy population? Our objective is to provide for an
7 opportunity for subsistence users to obtain meat for their
8 locker and for their family. And so when I see a 50-inch
9 regulation then I have a problem basically within myself to
10 address that. To sit here and say, I vote for it because it's
11 something that our Staff says it's a good way to move because
12 that's what the State does, and in my heart I think, well, I
13 wonder if there's anybody out there who is not following those
14 regs and they have to provide food, you know, for their family
15 and then are hit in the middle because they're the ones that
16 we're supposed to be addressing. And whenever you come up with
17 some size limits and you're addressing, in my mind, sports
18 regulations, unless there's definitely a biological reason that
19 we need to protect that stock and resource.

20

21 But that's how I feel. I don't know if I've resolved
22 it here or not. I did say to myself the last time that I won't
23 let it by, I'd ask the question why. Thank you.

24

25 CHAIRMAN GARZA: Mr. Dinneford.

26

27 MR. DINNEFORD: In perhaps, hopefully partial response
28 to your comments there, Gabe, and I'm not going to try to speak
29 for the representative from Wrangell or anybody else from
30 Wrangell, but we believe that the people of Wrangell were not
31 happy at first when the Stikine State hunt went from an any
32 bull to a spike-fork 50. But I believe now if you asked most
33 moose hunters from Wrangell how they like that regulation now,
34 they would probably say they like it and the proof being in the
35 harvest level. It has shown that that harvest went steadily
36 down hill year after year to where it was actually closed for a
37 couple of years has now started coming back up to where there
38 are more moose being harvested. So that's one indication to us
39 that it's a wise conservation regulation.

40

41 Thanks.

42

43 CHAIRMAN GARZA: John and then Bill.

44

45 MR. VALE: Yeah, thank you. I guess I understand that
46 -- I guess my question is first, and I know this was mentioned,
47 what communities have c&t on moose in Unit 3, I guess it's
48 Mitkof and Wrangell Islands?

49

50 MR. WILLIS: Mitkof and Wrangell Islands, rural

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1 residents of Units 1(B), 2 and 3 have customary and traditional
2 use. In the area of Unit 3, designated as remainder, all rural
3 residents have customary and traditional use.

4
5 MR. VALE: I guess my question then is if this is under
6 State registration permit, the existing hunt, then that means
7 it's open to all state residents?

8
9 MR. DINNEFORD: It's open to all hunters.

10
11 MR. VALE: Yeah, all hunters. And so I guess what I'm
12 wondering about is how the folks in those communities are being
13 effected by it being open to all state residents and if they're
14 concerned at all about that and they have a c&t determination
15 already under the Federal program? I guess I'd kind of like to
16 hear from our representatives from Kake and Wrangell on this
17 one to answer that question.

18
19 And generally speaking I see this as an expansion of
20 opportunity so I tend to want to support it. But I am
21 interested in that aspect of it.

22
23 CHAIRMAN GARZA: It's my understanding that John Feller
24 and Lonnie Anderson still intend to get here, weather allowing
25 them, so we could postpone the decision on this proposal
26 knowing that we may not have Mr. Willis with us tomorrow
27 afternoon, but that we will have comments from the Regional
28 Council members impacted.

29
30 MR. VALE: I'd like to suggest that, I think that's a
31 good suggestion.

32
33 CHAIRMAN GARZA: Okay. Bill.

34
35 MR. THOMAS: Thank you, Madame Chairman. A few years
36 ago the population in that area with the moose was being
37 threatened and, in fact, in peril. And I got a phone call one
38 evening, a request from the State saying that with the pressure
39 or with the success of hunting in that area and the available
40 resources there, that if they left it open it would really put
41 that area in danger as far as population was concerned and
42 would we support an emergency closure. And so we did support
43 the emergency closure, if I'm not mistaken it was closed down
44 that evening. And I think that these new provisions with the
45 antler size and everything was implemented following that; is
46 that the case, to ensure that that wouldn't happen again? Am I
47 anywhere's close with my recollection?

48
49 MR. DINNEFORD: I'm trying to recall, Mr. Chairman,
50 when the closure was on Thomas Bay and it's been quite a while,

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1 but yes, the antler restrictions were subsequent to years of
2 closure.

3
4 CHAIRMAN GARZA: Fred.

5
6 MR. CLARK: If my memory serves correctly, Madame
7 Chairman, it was two years ago that there was the emergency
8 closure. But what I don't recall is if it was this particular
9 unit that was closed.

10
11 MR. THOMAS: It seems to me like it was the Stikine.

12
13 MR. CLARK: It was in the Stikine.

14
15 MR. DINNEFORD: The Stikine.

16
17 MR. CLARK: Yeah, right. But was it Unit 3 or Unit
18 1(B)?

19
20 MR. DINNEFORD: 1(B).

21
22 MR. CLARK: 1(B).

23 CHAIRMAN GARZA: 1(B). Gabriel.

24
25 MR. GEORGE: I guess I have another question about size
26 regs and all that. Are there very many citations, you know,
27 for less than a 50-inch? Are there people cited for the antler
28 restriction? You said that a lot of people, you know, are glad
29 that it's in place and that the population is growing and is
30 healthy and all this. Are there people cited for getting a
31 moose with bad antlers.....

32
33 MR. DINNEFORD: That's a fair question, Gabe?

34
35 MR. GEORGE:and good meet?

36
37 MR. DINNEFORD: And those who have been cited don't
38 necessarily like the regulation. But there have been some and
39 it's -- our experience has been it's not necessarily the 50-
40 inch antler that is the problem, but it's often the hunters who
41 perhaps take a quick shot or don't look at the antlers close
42 enough to make sure if it's a spike or a fork or the three-brow
43 tines seems to be the problematic area. And there have been
44 some citations over the years and I won't be able to remember
45 this 100 percent accurately so please don't hold me to that,
46 but I'm going to estimate that last year there were, in all of
47 Unit 1(B) and 3, so this includes Stikine, Thomas Bay and the
48 Unit 3 islands, I believe there might have been three to five
49 citations last year. In the history of those hunts, there have
50 been two times when we have found it necessary to close the

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1 season early because hunters are -- or were not complying with
2 that regulation. What we do now, this will be, I believe, the
3 third year that hunters are required to take a look at a video
4 before they get their registration permit that describes the
5 different antlers and what they look like and what's legal and
6 what is not. So that orientation tool has really cut down on
7 the number of moose shot that don't comply.

8
9 CHAIRMAN GARZA: Any further Council deliberation?
10 Should we wait for action until tomorrow? Okay, is there a
11 motion to wait for action until tomorrow?

12
13 MR. THOMAS: So moved.

14
15 CHAIRMAN GARZA: Is there a second?

16
17 MR. VALE: Second.

18
19 CHAIRMAN GARZA: Okay. It's been moved and seconded to
20 table the decision on.....

21
22 MR. THOMAS: No, we already had it.

23
24 CHAIRMAN GARZA: Okay. All in favor signify by saying
25 aye.

26
27 IN UNISON: Aye.

28
29 CHAIRMAN GARZA: Opposed.

30
31 (No opposing responses)

32
33 CHAIRMAN GARZA: Tabled until tomorrow and hopefully
34 John Feller and Lonnie Anderson will be here. So realizing
35 we're doing all the non-controversial proposals today, we'll
36 just move right along to 14 and 15. Mr. Willis.

37
38 MR. WILLIS: Thank you, Dolly. A rather tongue and
39 cheek introduction there, if my memory serves me. Proposal 14
40 may seem very familiar to this Council. The identical proposal
41 was submitted last year by this group, the Tongass Hunting and
42 Fishing Coalition Sitka Chapter. It would shorten the deer
43 season in Unit 4 by one month. Rather than running from August
44 1 to January 1, it would extend from August 1 to December 31.
45 And it would reduce the harvest limit from six deer to four
46 deer, with an antlerless deer harvest allowed during the period
47 September 15 to December 31.

48
49 You have a map, again, in your book which defines the
50 Sitka local use area as best we can define it. It's considered

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1 to be all the shoreline and interior range on Baranof Island
2 between Goddard Hot Springs to the south and Peril Strait to
3 the north. Includes the Kruzof Islands and that portion of
4 Chichagof Islands through the Sergis Narrows.

5
6 The proposal was submitted out of a concern that the
7 deer population has been dropping in this area for the last 10
8 years. Our historical records indicate that we've had variable
9 harvest limits and variable seasons going all the way back to
10 1925 in this area. Deer numbers fluctuate with the severity of
11 the winters, rather than with the hunter harvest generally.
12 Weather has been the most significant factor in determining the
13 annual fluctuations. The population peaked in the mid-1980s.
14 There was some severe winters around the end of the 1980s and
15 early 1990s which dropped the population significantly,
16 however, a couple of mild winters then brought it back up.
17 There's also a table in your book there which shows the harvest
18 on Baranof Island from 1987 to 1996. And what you'll see is
19 that there is a rather significant variation from year-to-year,
20 but there's no particular pattern to it. What we find is that
21 during years following severe winters, the deer population is
22 down. A lot of people don't hunt, those that do hunt don't
23 shoot as many years and so we have a lower harvest. On the
24 other hand, when we've had a mild winter or two and a good
25 reproduction, deer numbers are up and conditions are suitable
26 for hunting in the fall, everybody goes deer hunting, they
27 shoot a lot of deer and the harvest level goes up.

28
29 Certainly the timber harvest in that area is going to
30 have a significant effect on the deer population in the future.
31 There's been a lot of the old growth timber that serves as the
32 winter range for the deer that's been harvested. At this
33 point, most of those clear-cuts have not yet reached what's
34 called the pole exclusion stage, where they no longer provide
35 habitat for deer, however, they certainly will reach that area
36 within the next eight to 10 years. This will have a
37 significant impact on the deer population at that time.
38 However, we don't see that it's happening now.

39
40 Non-subsistence hunters take only about 10 percent of
41 the harvest in that area and a lot of these hunters we find are
42 hunters who used to live in the Sitka area and moved to Juneau
43 or some similar place and come back to Unit 4 to hunt with
44 family and friends. We had a total of 59 persons who obtained
45 their designated hunter permits in the Sitka area during
46 1995/96. We got only 23 hunter reports back from those
47 individuals and they reported harvesting 52 deer for their own
48 use and 43 deer for other persons. We can't really tell how
49 many of those came from the Sitka local use area because the
50 permits are specific only to the unit level. In 1996/97, we

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1 had 57 persons from Sitka and one each from Admiralty Island
2 and Hoonah who obtained our designated hunter permits, but
3 we've not yet gotten any hunter reports back from those people.

4
5 Persons having customary and traditional use of deer,
6 Unit 4, are rural residents of Unit 4 and residents of Kake,
7 Gustavus, Haines, Petersburg, Point Baker, Klukwan, Port
8 Protection, Wrangell and Yakutat. Sitka, obviously, is by far
9 the largest community. Deer go back a long way in the use by
10 subsistence hunters in that area. Traditionally, people
11 cruised up and down the coast from community-to-community
12 visiting relatives and along the way they harvested a lot of
13 deer. Currently, most of the deer hunters use larger and
14 faster boats, they can cover a larger area and stay out longer.
15 Also, there's been an increase in the number of charter boats
16 taking out clients for deer hunting.

17
18 What we believe we're seeing here is not really a true
19 decline in the number of deer but rather a perception that
20 there is a decline caused by a couple of changes in
21 regulations. One of which is shooting from boats which was
22 legalized a few years ago. We have a lot of people in Sitka
23 who are not experienced deer hunters, they hunt only when
24 conditions are good and the deer populations are high. They do
25 it the easy way by cruising the beaches and of course, this
26 puts a lot of pressure on the local populations of deer and
27 forces them back into the woods. We find that the pellet
28 counts have not declined significantly in that area. We find
29 that the harvest area again varies with the weather patterns
30 rather than with any trends in hunter harvest, and therefore,
31 we don't agree with the premise of this proposal that the
32 population is declining in that area to the degree that it
33 requires shortening a subsistence season by a month and
34 reducing the harvest limit by two deer.

35
36 Therefore, our preliminary conclusion is to reject this
37 proposal. We don't think that it's necessary. It would not be
38 detrimental to the deer population, certainly, since it would
39 serve to reduce the harvest, however, the testimony on the need
40 to reduce the season harvest limit is conflicting and it's not
41 supported by the biological data that we have.

42
43 That concludes the Staff analysis.

44
45 CHAIRMAN GARZA: Thank you, Robert. On Agency
46 information, Ted.

47
48 MR. THOMAS: Oh, boy, oh, boy.

49
50 MR. SCHENCK: I'm Ted Schenck, Chatham Area, Forest

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1 Service. I'd like to invite Bruce Dinneford to come up here
2 and sit with me, strength in numbers.

3

4 I'll just give a couple of updates. One is that the
5 winter in Sitka has been fairly open. Hunting conditions were
6 relatively good during January and there was a bit of hunting
7 that took place then. I did get reports just last week that
8 people continued to find deer that were shot and not retrieved
9 back into the woods, carcasses are starting to show up.

10

11 And that's about all I have to say, except that right
12 now there's not an ADF&G biologist in Sitka full-time, but Jim
13 Ferrell's been continuing to go out and I've had continuing
14 dialogue with him about the hunting season.

15

16 MR. DINNEFORD: Bruce Dinneford again. As the table
17 that Robert referred to on Page 107 of your book shows the
18 harvest in '96, appears to be at the lower end -- the second
19 lowest in that nine year period. And as Ted just mentioned
20 about the '97 fall, the '96 fall was also a winter --
21 fall/winter was also very open. So our belief is is that not
22 that there were necessarily unit wide fewer deer, but that they
23 were more disbursed during the hunting season and not as easy
24 to get to by some hunters.

25

26 At the same time, some of our pellet count areas,
27 notably I believe it was the Nagesina transect, one of the ones
28 closest to Sitka, did show a decline in the spring of '97. and
29 with the decline of that area, it was still among the very
30 acceptable high end of range of pellet counts that we see in
31 Southeast. So Unit wide, throughout Unit 4, we're not
32 necessarily concerned about the health of that population.

33

34 Close to the Sitka area, especially as Robert was
35 pointing out, shooting from boats to where -- and particularly
36 localized areas there could be impacts and that's one reason
37 why the State continues to not be in favor of the shooting from
38 boat regulations. That there can be, not necessarily
39 population wide effects, but localize effects that could effect
40 a certain drainage or group of drainages that get hit close to
41 population centers.

42

43 I guess that's about it.

44

45 CHAIRMAN GARZA: Okay, the next in the order is the
46 written comments and we have five of them.

47

48 MS. STEVENS: Madame Chair, can I speak on the
49 proposal?

50

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1 CHAIRMAN GARZA: Yeah, right after the written
2 comments, I'm trying to follow the correct procedure, but come
3 on up Tillie if you want to speak on this proposal.

4
5 MR. CLARK: Madame Chairman, I'd be happy to read those
6 in if you'd like.

7
8 CHAIRMAN GARZA: Okay, Fred.

9
10 MR. CLARK: There were five written comments for
11 Proposal 14. The first is from Zeb Strong from Tenakee
12 Springs. He says that the proposed regulation change appear to
13 affect all of Unit 4. However, the accompanying discussion
14 only refers to deer shortages in the Sitka local use area. I
15 am confused about whether the proposer wants the regulation to
16 cover Unit 4 in its entirety or only that part adjacent to
17 Sitka.

18 The second comment is from Sitka Tribe of Alaska.
19 They're opposed to the proposal. They believe this proposal
20 would violate Title VIII as subsistence harvest has a priority
21 over sport and personal use.

22
23 The third comment is from Petersburg Fish and Game
24 Advisory Committee in Petersburg. They say, we support
25 reducing the season and harvest limit because it brings it in
26 line with the State regulations. Very few deer are harvested
27 in January and reducing the limit from six to four would not
28 place any hardship on any subsistence user.

29
30 The next one is from Sitka Fish and Game Advisory
31 Committee in Sitka. They say support the season change; no
32 comment on the harvest limit change. A six deer limit in
33 January, giving access to deer forced to the beach by snow
34 increases the possibility of wanton waste.

35
36 The final comment is from Mike Sallee in Ketchikan.
37 What makes the evaporation/transpiration in high volume old
38 growth better for deer than in closed canopy second growth? My
39 guess is the scattered openings allowing sunlight promoting
40 higher quality deer forage. Also, there's not much relief from
41 deep snow in the widely dispersed trees in thinned second
42 growth. How accurate is the 88 percent figure?

43
44 That concludes the summary of written public comments.

45
46 CHAIRMAN GARZA: Okay, public comments. Tillie.

47
48 MS. STEVENS: Madame Chair, and Council members, I'm
49 speaking on shortening the deer season. And the reason I'm
50 saying shortened because I'd like to see our hunting season in

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1 our area, this whole area, open up September 1st instead of
2 August for one reason. We have a lot of sports fishermen, a
3 lot of out of state fishermen up here hunt our areas. And they
4 just take the hind legs and the backstrap and leave the rest of
5 the deer there. Our Native people, we never waste our food,
6 and we do things in season.

7
8 During August we're already drying fish and pretty soon
9 we go into hunting which is in September. Now, the season's
10 open August 1st, and by the time we go out to hunt there's no
11 deer. You know, why, because all these out of state boats are
12 up here and sports fishermen are out there and our Fish and
13 Game and Forest Service don't keep track of all these people,
14 what they're doing. Us, that's on a boat, we go ashore here or
15 there to make coffee, you see all this evidence. You report it
16 to the Fish and Game, they can't do nothing until you catch
17 them in action. Even pictures are taken, they won't accept it,
18 they have to see in in action. So something's got to be done.
19 That's why our food is being depleted here so bad. Nobody
20 thinks about the outsiders that's coming in here to cleanup our
21 resource here. There's food there, but it's being cleaned up
22 before we get there. And shortening the season will help a lot
23 and open our hunting season September 1st. This will eliminate
24 all the outsiders from cleaning up our subsistence food here in
25 Alaska. This is our non-Natives and Natives alike here in
26 Ketchikan, especially, we all work together. We seem to have a
27 hard time together and have happy times together. And
28 something's got to be done, not just what -- an outsiders, they
29 come here 90 days a year and then they're resident and then
30 they're controlling our state. We got to look at full born
31 people that are born here, raised in Alaska, we know what our
32 life is all about; that's the kind of people you folks better
33 start thinking about putting in office.

34
35 Thank you.

36
37 CHAIRMAN GARZA: Thank you, Tillie.

38
39 MR. VALE: Tillie.

40
41 MR. THOMAS: Millie.

42
43 MR. VALE: Tillie.

44
45 MR. THOMAS: Millie.

46
47 MR. VALE: Just for your own information on this
48 proposal for Unit 4 here, around Sitka, the season date starts
49 September 15th.

50

00037

1 MS. STEVENS: Over here?

2

3 MR. VALE: Yeah.

4

5 MS. STEVENS: It's August 1st.

6

7 MR. VALE: Here in Sitka, it's September 15th.

8

9 CHAIRMAN GARZA: No, that's the proposed.....

10

11 MR. VALE: What?

12

13 CHAIRMAN GARZA: September 15th is doe, the season
14 starts August 1.

15

16 MR. VALE: Over here around Ketchikan, August 1, but
17 this proposal just dealing with the Sitka area.....

18

19 MS. STEVENS: Well, I might leave so I don't want to
20 miss out on the deer talk.

21

22 MR. VALE: Okay, appreciate your comments. I just
23 wanted to make sure you knew that.

24

25 MS. STEVENS: Yeah, I read it.

26

27 MR. THOMAS: Madame Chairman.

28

29 CHAIRMAN GARZA: Bill.

30

31 MR. THOMAS: Now, this allowing shooting from a boat
32 then is what, now two years old?

33

34 MR. WILLIS: I believe that's correct, Bill.

35

36 MR. THOMAS: Has there been a significant, noticeable
37 change in the areas of finding carcasses on the beach that
38 didn't occur prior to that time?

39

40 MR. WILLIS: I would defer to comment on that to Ted
41 Schenck since he lives in Sitka. I think he has some
42 information along that line.

43

44 MR. THOMAS: Okay.

45

46 MR. SCHENCK: Ted Schenck from Chatham Area. Since
47 1995, when we started to track deer mortality along the
48 beaches, it's varied. 1995 that was a good year for deer to be
49 on the beaches, a lot of snow. And in one mile of beach we
50 found six deer that had been shot and not retrieved by

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1 following the blood trails. This took place in January. Jim
2 Ferrell and his boy looked, we found 13 carcasses the following
3 year, ahead of our deer pellet transects. And we -- like I
4 said, we continued to get sporadic reports from hunters that
5 they're finding deer that have been apparently shot and not
6 retrieved. Now, this isn't an uncommon situation. Many other
7 states report crippling losses. However, it is disconcerting
8 under fresh snow conditions to go out and find blood trails
9 with no footprints associated with them.

10
11 My conclusion then would be that whoever did the
12 shooting was on a boat and had not taken time to come to the
13 beach to see the blood trails. That's the only conclusion that
14 I can come to. And whether or not it's significantly more than
15 in the past, I can't say. It's being reported more since the
16 Council proposed this regulation.

17
18 MR. THOMAS: The reason for my question, was because
19 when we met in Sitka before that was brought to us by the Sitka
20 Tribe. They were really in despair with regard to the big buck
21 contest held in Juneau annually. And sometimes when you shoot
22 a buck from a distance, it's not as large as you hoped it to be
23 by the time you get there to retrieve it. So rather than use
24 up your tag, leave it there and go for a bigger one. So I'm
25 wondering if this proposal was adopted, would this type of
26 waste and mortally wounding activity decrease with any
27 significance? If it's not, what's the point? It's not that I
28 am looking for a controversy, but I'm trying to err on the side
29 that has some sense about it.

30
31 MR. SCHENCK: As you may or may not be aware, the Sitka
32 Tribe -- the Sitka local Fish and Game Advisory Board, Forest
33 Service, ADF&G and the troopers got together to try to discuss
34 what can we do about this concern for wanton waste and deer
35 that are being wounded and subsequently dying but not
36 retrieved. And the group was pretty unanimous that a change in
37 the season probably wouldn't do anything about that. What they
38 were concerned about that was improving the knowledge and the
39 ability of the sportsman to teach him when to shoot, when not
40 to shoot and that kind of thing.

41
42 MR. THOMAS: How the hell do you do that?

43
44 MR. SCHENCK: Well, we could provide information but
45 I'm not sure that we can do anything about whether it's used
46 adequately.

47
48 But in the last two years we've had articles in the
49 newspapers. We've talked on local radio stations. There's
50 been a lot of discussion regarding this issue in the Sitka

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1 local use area. In regard to the big buck contest, there was
2 discussion with the sponsors of both of the big buck contests
3 in Sitka, they had not changed, although they have made a point
4 that the people who get the deer need to be bringing in more of
5 the deer and they're working towards a change. They haven't
6 made it yet.

7
8 MR. THOMAS: Madame Chairman.

9
10 CHAIRMAN GARZA: Bill.

11
12 MR. THOMAS: Some of the most qualified and sincere
13 testimony I've heard since I've been involved in this process
14 has come from Sitka. Very qualified information. Everybody
15 with sincerity, but it's one of these situations where the
16 people that are effected don't seem to be able to arrive at a
17 conclusion that would help themself [sic] that they could offer
18 us in an unanimous presentation so we could support something
19 that would be really effective and significant in improving
20 their management. So I think a yes vote is proper and I think
21 a no vote is proper. I'm thinking about running for office
22 again.

23
24 That concludes me, Madame Chairman.

25
26 CHAIRMAN GARZA: Okay. I guess I should offer my
27 remarks. Ted and I sat on the -- oh, Herman's going first.
28 Herman.

29
30 MR. KITKA: For your information, I represented Sitka
31 Tribe when the charter boats put in the proposal, they wanted a
32 guide license along with their charter license. And we opposed
33 it because the out of state hunters, they're only after the
34 horns they see on the deer. They're not interested in the
35 game. And in trying to stop it, we recommended a resolution
36 that was going to State Fish and Game hearings in Anchorage
37 that the registered guide take deer hunters out included along
38 with the bear as big game. And that will put an end to the
39 sport charter boats killing off the deer just for their horns.
40 I don't know what will become of that recommendation that was
41 sent up there, and that's where we're at with that problem to
42 date.

43
44 CHAIRMAN GARZA: Thank you, Herman.

45
46 Well, I think you're right, Bill, you know, Unit 4 is a
47 very large area and people from different communities certainly
48 have different position in regard to this proposal. And I
49 certainly have changed my position since I got clobbered by
50 Sitka a couple of years ago when this proposal was brought

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1 forward and I'm much more careful about my opinion now. But
2 it's true that Sitka has not come to grips with identifying the
3 extent of this problem. There certainly are groups of people
4 who have worked on it, understand the issues, there's a larger
5 community that doesn't see it as a problem. And because of
6 that there is not a concerted effort from Sitka to respond to
7 it.

8
9 I guess over this winter I have not gotten the same
10 calls that I have in the past from people talking about the
11 deer carcasses either being left somewhere around the Sitka
12 road system or being left up north of Sitka where boats tend to
13 shoot from skiffs.

14
15 I don't think that this proposal will make it through
16 because there is not support from the biological level. And in
17 regards to the dates, you know, we went through that discussion
18 and I hope that Gabriel and I don't have to go through that for
19 another couple hours either today or tomorrow, but I guess I
20 was convinced that the number of deer that were taken in
21 January was insignificant enough that if we continued to have
22 the longer season we would not put deer in jeopardy. But I
23 don't -- I don't know about the reducing the size of deer
24 because -- or the number of deer, that seems to be an issue in
25 regard to, as Herman was saying, more along the lines of party
26 boats where you have a group of four or five guys going out for
27 the weekend, each one of them can take six deer and they come
28 back with, you know, 20 or so deer hanging from their fishing
29 gear in the back and that certainly causes concern. Whether or
30 not reducing the limit from six to four will solve that issue,
31 I'm not that convinced it will.

32
33 So at this time those are my comments to the proposal.

34
35 MR. THOMAS: Do you wish for us to defer all these
36 until Mr. Willis leaves?

37
38 CHAIRMAN GARZA: Just until I leave.

39
40 MS. PHILLIPS: Madame Chair.

41
42 CHAIRMAN GARZA: Patti.

43
44 MS. PHILLIPS: First, I'd like to recognize that with
45 the mild winter the deer are staying in the deep valleys. And
46 I don't like the singling out of the shooting from the skiff
47 concern because we have road access on the logging roads that
48 allow four-wheelers to go back into those deep valleys. And
49 it's not just an issue of shooting from the boat, you also have
50 the issue of shooting from four-wheelers and there's possibly,

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1 you know, deer mortality going on there.

2

3 And I perceive the Staff bias against shooting from
4 boat provision. The SERAC and the Federal Subsistence Board
5 has recognized the shooting from the boat as a customary and
6 traditional practice and it is a recognized way to take deer.
7 And for it to becoming -- it's not just in this proposal but in
8 other proposals the bias against shooting from the boat
9 provision just seems to really stand out and I take offense to
10 that.

11

12 CHAIRMAN GARZA: I agree with you, Patti. John.

13

14 MR. VALE: A couple questions. One, these deer are
15 still harvested under the State deer tags, correct?

16

17 CHAIRMAN GARZA: Yes.

18

19 MR. VALE: And two, I guess a question to you Dolly is,
20 how you want to proceed on these proposals if after public
21 comment, do you want a motion to adopt the proposal and then
22 let it go where it will? And then carry on our discussion as a
23 Council; is that how you want to proceed? We haven't got a
24 motion on the table yet with this proposal and I'm wondering if
25 one is in order.

26

27 CHAIRMAN GARZA: Yes, one would be in order.

28

29 MR. VALE: I would move to adopt this proposal.

30

31 MS. McCONNELL: Second.

32

33 CHAIRMAN GARZA: Okay. It's been moved and seconded to
34 adopt Proposal 14, which would do two things. Reduce the bag
35 limit from six deer to four deer and reduce the season from
36 January 31st back to December 31st.

37

38 MS. McCONNELL: Actually, can I withdraw my second
39 because I want to speak against it?

40

41 CHAIRMAN GARZA: Well, you can second for the sake of
42 putting it on the table and then speak against it.

43

44 MS. McCONNELL: Is that okay?

45

46 CHAIRMAN GARZA: Yes.

47

48 MS. McCONNELL: All right.

49

50 CHAIRMAN GARZA: So it's been put on the table for

00042

1 discussion.

2

3 MS. McCONNELL: Okay.

4

5 CHAIRMAN GARZA: Bill.

6

7 MR. THOMAS: Madame Chairman, I want to speak against
8 the adoption of this for the information that's been brought to
9 us, and the preliminary conclusion rejecting the proposal. I
10 think I've discussed all around that, so I will not support the
11 proposal to adopt.

12

13 CHAIRMAN GARZA: Mim.

14

15 MS. McCONNELL: I think as has been discussed in the
16 past, I know in the Port Alexander area, six deer is a
17 perfectly adequate number. I wouldn't recommend less in that
18 area. And I know last year we had looked at -- on the map and
19 were thinking about drawing some lines and having things go
20 with just the Sitka use area. I'm not sure -- I don't remember
21 whatever happened with that. It's apparently not on here. I
22 thought that was part of the proposal that we had sent in
23 there, something, I don't know. Maybe someone could help
24 clarify that for me or refresh my memory.

25

26 But anyway, I mean if Sitka needs four deer, a take of
27 four deer in that area, then it should just be in the Sitka
28 local use area, not the rest of Unit 4. Because the rest of
29 Unit 4 is really different from the Sitka use area and it
30 should be handled in a different fashion if that's what's
31 required to keep things at a good level there. So I'm speaking
32 against the proposal unless it were modified.

33

34 CHAIRMAN GARZA: Okay. I just got a note, we are
35 running past when we're supposed to be recessing for today.

36

37 MR. THOMAS: Um-hum.

38

39 CHAIRMAN GARZA: I didn't understand Bill's comments
40 earlier, so we should recess and take up this proposal for
41 tomorrow. I think that we've heard enough that we can all
42 think about it. It is an issue and it takes a lot of thought
43 and hopefully we'll come to some kind of a conclusion tomorrow.

44

45 MR. THOMAS: I'm happy.

46

47 CHAIRMAN GARZA: So tomorrow we will take up 14, 15, 16
48 and then go to Unit 2.

49

50 MR. THOMAS: Madame Chairman.

00043

1 CHAIRMAN GARZA: Mr. Thomas.

2

3 MR. THOMAS: I'm on nerve pills to hold me together
4 through this, and the longer we postpone it the more doses I
5 got to take.

6

7 CHAIRMAN GARZA: Just one more dose tomorrow morning
8 and then you're set. Okay, so we are recessed until 9:00 a.m.
9 tomorrow morning. Please be here and ready to start at 9:00
10 because we do have a long day. Since Bill's not chairing, we
11 won't be running on Indian time.

12

13 (Off record - 5:15 p.m)

14

15 (HEARING RECESSED)

16

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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 and Owner of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 02 through 43 contain a full, true and correct Transcript of the Southeast Federal Subsistence Regional Advisory Council, Volume I, meeting taken electronically by Salena Hile on the 9th day of March, 1998, beginning at the hour of 2:00 o'clock p.m. at the Saxman Community Hall, Saxman, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed under my direction and reduced to print by employees to the best of their knowledge and ability;

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

DATED at Anchorage, Alaska, this 22nd day of March, 1998.

JOSEPH P. KOLASINSKI
Notary Public in and for Alaska
My Commission Expires: 04/17/00