

**SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING**

October 9, 1998

AMERICAN BALD EAGLE FOUNDATION BUILDING
Haines, Alaska

VOLUME II

COUNCIL MEMBERS PRESENT:

William C. Bill Thomas, Chairman
Patricia Phillips, Secretary
John F. Vale
Gabriel George
Herman Kitka, Sr.
Mary Rudolph
Mim McConnell
Lonnie Anderson
Alan Sorum
Marilyn R. Wilson
Vicki LeCornu

Regional Coordinator:

Fred P. Clark

P R O C E E D I N G S

(On record - 9:00 a.m.)

CHAIRMAN THOMAS: Let's get the show on the road. You know, I had a real nightmare last night I've got to share with you before we start. I was walking on the way home, you know, and I took a shortcut through a cemetery and there was an open grave that I didn't know about. I fell in there. So I tried to reach the top to get out, I couldn't and I couldn't jump high enough to reach the top. And I realized that my hand marks were getting lower and lower on the side of the dirt. So pretty soon I just accepted futility, sat down in the corner of the open grave. Yelling and hollering didn't do any good. So I sat down at one end of the grave there to kind of ponder things over when here came another guy and fell in. It was Bob Schroeder. And he didn't see me already huddled up in one end of the grave. So he's jumping up and down trying to get out, almost making it, almost making it. And pretty soon he was getting tired and you could see the hand marks on the side of the grave. He wasn't getting out either. So then he finally stopped and I didn't know whether he was going to give up or take a rest. And then I said, boy, you almost had it the first time. And he was out of there with the next leap, you know, and took off running and left me in the hole. So that was a pretty bad nightmare I had.

Yeah, so I want to try and remember that was only a dream, Bob. Okay, now that I feel better about sharing my vision with you, we can get going. Was the forest service finished with their reports yesterday? If you think you were and find out that you weren't, we can always come back to them. Next on the docket is park service. Come on up.

MR. ANDERSON: Mr. Chairman, I want to distribute these American Bald Eagle Foundation quality review sheets. The people who run this outfit here would like the council members and all the attendees to take a minute and evaluate their facilities and services.

CHAIRMAN THOMAS: Mim?

MS. McCONNELL: Yeah, I'd like to put something on the agenda. Yesterday Bob Schroeder and Mike Turek brought up -- I guess it was mostly Bob, brought up about the Alaska Board of Game meeting coming up. And I took a look at the proposals and there are definitely some in there that are worthy of our attention. And, specifically, there's a number of them that I'd like to comment in favor of. But there are three of them that are proposing that black bear on Kuiu Island that you

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1 shouldn't have to take the meat out. And I think -- I really
2 think it's important that we comment on those three proposals.
3 They're very much -- it's by people that do trophy hunting and
4 I just -- I really do think that we should take the time to
5 make some comments on these proposals. I don't think it would
6 take very long. It's all pretty clear cut and dried.

7
8 And then I would request that Bill -- that you'd be
9 able to attend the meeting. I believe it's in Ketchikan
10 October 23rd and 28th. Yeah, it's at the Westmark. And
11 actually physically be there and present our comments to the
12 Board of Game so that you can be there for the discussions. So
13 I just request that we put that on the agenda for sometime
14 today and maybe the other board members could get copies of
15 these.

16
17 CHAIRMAN THOMAS: I've got it on my agenda on 9B23,
18 right after regional council proposal.

19
20 MS. McCONNELL: Okay.

21
22 CHAIRMAN THOMAS: So if those of you that don't have
23 them down there, that's fine. It's the only thing legible I
24 have on my paper. Yeah, we'll submit this resolution that's
25 listed for response and attend the state board meeting.

26
27 MS. McCONNELL: There's just another couple of short
28 little things. I've been kind of jotting down things as we've
29 mentioned them and just wanted to make sure we got back to
30 them.

31
32 CHAIRMAN THOMAS: Make a note of those and when we get
33 to the point we'll bring it up.

34
35 MS. McCONNELL: Sure.

36
37 CHAIRMAN THOMAS: Okay, you can begin.

38
39 MR. CAPRA: Okay, Mr. Chairman and council members, for
40 the record I'm Jim Capra with Glacier Bay National Park. First
41 of all, I guess I'd like to relay my apologies from Clarence.
42 He was -- I'm not quite sure how because I haven't talked to
43 him but I found out he dislocated his shoulder three days ago
44 and couldn't make the meeting. I don't know what information
45 he was going to bring with him.

46
47 CHAIRMAN THOMAS: Does that affect his walking or
48 something?

49
50 MR. CAPRA: I don't know but he left a message to send

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1 his apologies along to you all.

2

3 CHAIRMAN THOMAS: That's not the Clarence I know, a
4 little thing like that.

5

6 MR. CAPRA: He must have broke a leg too.

7

8 CHAIRMAN THOMAS: Tell him we missed him.

9

10 MR. CAPRA: In Glacier Bay I know the topic has come up
11 a few times with the -- the work with the folks from Hoonah and
12 the park has been trying to work with the Hoonah board, I hope,
13 it sounds like successfully at least working towards some
14 resolution to the problems there. It is outside of Title VIII
15 subsistence so it's some new solutions that we're trying. And
16 hopefully with -- when we can get -- work through these
17 solutions with Hoonah, we can work with the other tribes in the
18 area and the other people involved.

19

20 CHAIRMAN THOMAS: How is that going that dialogue with
21 Hoonah?

22

23 MR. CAPRA: As I was talking with Mary, I'm out in the
24 field until November so I'm probably behind on the news. But
25 it sounds like -- but on the commercial fishing and the taking
26 of eggs, migratory bird issues, it sounds like they're working
27 towards solutions. I can't say right now where they are just
28 because I don't know. Two other things I'd like to pass on
29 from at least the Yakutat end of the park. We gotten this fall
30 people who've wanted to thank the board for the efforts in
31 getting C&T determinations for 6A. Whether they've used it or
32 not, the folks who hunt up in that area were -- most of them
33 didn't even know until we showed them the rule book but we're
34 thankful that they could at least have the option to hunt both
35 sides of Icy Bay up there. We've had seven people come in. I
36 don't -- only two or three had taken advantage of hunting over
37 there but they've just been relieved to have -- not have to
38 worry about different areas, boundary lines that they wouldn't
39 have really recognized before as to where they'd hunt.

40

41 And the ceremonial moose and ceremonial deer this year,
42 that program has been working well and not as much as in years
43 past. But when it's needed it's worked very well.

44

45 CHAIRMAN THOMAS: I have a question that's going to go
46 back a ways. When we first started there was quite a bit of
47 anxiety being expressed from Hoonah with regard to
48 accessibility to Glacier Bay. And Sandy Rabinowitch was at
49 that meeting. And at that time I requested a copy of the
50 management plot for Glacier Bay. And when they made a copy

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1 available to me they said it was a pretty antiquated set of
2 plans but it was the only one they had. I was wondering has
3 any work been done on that to update it toward and in reference
4 to some of the ambitions that Hoonah's expressed in the past 20
5 years.

6
7 MR. CAPRA: I think that was in '95, the first meeting
8 I attended.

9
10 CHAIRMAN THOMAS: Yeah.

11
12 MR. CAPRA: We came out with a new vessel management
13 plan for the bay proper in '96.

14
15 CHAIRMAN THOMAS: Oh, you did.

16
17 MR. CAPRA: So that plan was probably just in the
18 process of being rewritten. I don't know if it identifies
19 Hoonah specifically but it has provisions for local entries. I
20 know at the time it was a pretty -- it was driven by actions
21 from congress and done rather quickly and I don't believe it
22 recognized subsistence or any special reasons for entry, just
23 reasons -- just local area residents coming in and allowing for
24 more entries of that type.

25
26 CHAIRMAN THOMAS: Did they define local area residents?

27
28 MR. CAPRA: I believe they had Elfin Cove, Pelican,
29 Hoonah and Gastavus outlined in that area.

30
31
32 CHAIRMAN THOMAS: Do you think a copy of that will be
33 available?

34
35 MR. CAPRA: I'll make sure one gets forwarded to you.

36
37 CHAIRMAN THOMAS: Would you. Anybody else have any
38 questions?

39
40 MR. ANDERSON: Mr. Chairman, I was wondering about the
41 status of Glacier Bay, are you involved in that? I see new
42 stipulations coming out continuously.

43
44 MR. CAPRA: It depends on what you mean as far as the
45 status?

46
47 MR. ANDERSON: Fishing, bird taking

48
49 MR. CAPRA: The commercial fishing have been asked by
50 the chief ranger -- he's still in the process of doing --

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1 they're still in the process of doing informational meetings
2 and public hearings. And I've been asked to refer all
3 questions to him or some member of the -- some of those three
4 people. They're dealing with it. There's a lot of contention
5 over the issue. Hopefully they've got a consensus or they will
6 have one. I do have a copy of the executive summary of all the
7 options they have available right now except for the -- I don't
8 believe the Hoonah option would be in that paper. And I have
9 the complete write up of everything with me. Unfortunately I
10 only have one copy.

11
12 CHAIRMAN THOMAS: I think at some point they'll get
13 this resolved. I was looking to see why it didn't get resolved
14 now, you know. I want to see if it's impeachable or not but I
15 appreciate the effort that the park service is putting into
16 bringing that, at least, up to date.

17
18 MS. RUDOLPH: Mr. Chairman, right now I think we're
19 working towards three meetings all the way up to November 15th
20 and Molly Ross has been attending these meetings from
21 Washington D.C. and very helpful with the Hoonah tribe in
22 trying to guide us. A lot of times our tribe has been moving
23 in the direction of ownership of Glacier Bay and it seemed to
24 have slowed us more than for us to move forward. And now we're
25 trying to work with the park service within the guidelines of
26 law so that we are working together and, like I told Jim a
27 little bit ago, that I feel right now there's enough people in
28 the right places so that they're able to start working with us.
29 But whether the tribe will keep moving forward on there without
30 feeling -- feeling like they have to work with the guidelines
31 of what belongs to them.

32
33 I know if you came to my mother today and asked her
34 what her position was on Glacier Bay, she'd tell you exactly
35 where she stayed, what was hers, what was her father's and
36 mother's, where they stayed, where she grew up at. There'd be
37 no doubt in her mind that it belongs to us. But we've tried to
38 work with the park service. There's a lot of -- I think we're
39 a little divided on making the decision because a lot of our
40 tribal members are still comprehensive about giving any
41 information out without feeling they're selling themselves
42 short. It's been like trying to pull your child to the dentist
43 and let them know that it's in their best interest of working
44 with the park. I don't think that this opportunity will be
45 open for us too long. The possibility of a whole changeover
46 could happen in a few days and all that possibly can be taken
47 from us. So we are working within the guideline of yesterday
48 and trying to work towards a solution for our tribe.

49
50 I figure we could at least make a stand and work with

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1 this problem and it would be a stepping stone for our tribe to
2 show that we are sincere about our fight on Glacier Bay. 1924
3 I think was the first phase out of our people we have allowed a
4 study that was done by Mike Turek before he came to Alaska that
5 got the information for us from the archives in Washington. So
6 we've been using that as kind of a guideline without getting
7 too angry and hurt about what happened to our people out at
8 Glacier Bay. And a lot of assumptions had been made that we
9 had given up our right to subsistence in that area but we
10 hadn't. It was almost a tacit approval of fear for our people
11 to move into Glacier Bay. So now we're working hard and --
12 with a good board and a good staff I think we can make it to at
13 least put a little niche in there to at least let congress know
14 that we are sincere about our concerns on Glacier Bay because
15 of the sacredness of that area. And doing this alternative now
16 for our tribe I think it's not going to be really a trick for
17 the park because we really don't have that much fishermen
18 anymore.

19
20 My husband and I were doing a study and found out in --
21 when we got married he was the youngest fisherman and today
22 with only five fishermen working out of Hoonah, he's the
23 oldest. And the boats have been sold, the permits have been
24 given up and so there's not that much crab fishermen too but we
25 still have the sacredness of moving into Glacier Bay. So
26 hopefully with this, what we're putting together and working
27 towards not a commercial fishery but a barter and trade for our
28 people that will be protected for our kids. And not only that,
29 we're working on the migratory bird so that we can start having
30 a working relationship with them with the intention of not
31 being abusive to what's in there. Some of the stories that
32 came out, 20 to 30 or 40 young people go in there to ransack
33 the eggs of the nests and stuff, which isn't true. There is a
34 lot of sacredness. They move in there and -- but some of that
35 tradition is being lost because we're not training our kids and
36 showing how we did things and what we took out of there and not
37 being abusive of what's in there.

38
39 And so it -- we are working a real delicate area and we
40 are sincere about how we're doing this without putting up a
41 tacit approval and going back and just taking whatever's given
42 to us. We are doing our homework and we are working towards a
43 solution to a real problem that's been with our tribe forever
44 and finally starting to work a little bit with the park. It's
45 something they've tried before and the anger always took over
46 most of the time. For our people it was, okay, we gave you
47 this and you took this from us. Now we did again and we told
48 you this and that was taken from us. So it's with a little --
49 a lot of hesitation that our tribe is moving on this. So
50 hopefully for our next meeting we'll have more positive and

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1 better news on where our tribe is on this. Thank you.

2

3 CHAIRMAN THOMAS: Okay. Thank you. John?

4

5 MR. VALE: Mary, are you seeing much movement on behalf
6 of the park service towards allowing you to take your
7 traditional foods out of Glacier Bay?

8

9 MS. RUDOLPH: Well, they're asking more positive
10 questions. And, you know, before it was -- like I said, it's
11 been hard trying to get our tribe involved into giving the
12 information of what they know about the place. In a lot of
13 sense it always seems like they want us to come with a
14 sacredness of why we got the sea gull eggs and the stuff we got
15 out of there. But it was part of our lives growing up so it's
16 more of putting it together. And now they're working towards a
17 deadline which I understand was an issue before, that if they
18 did the study, then they did it. But now they are working
19 towards a deadline and wanting to get that deadline in place.

20

21 MR. VALE: Jim, I'd kind of like to pose that question
22 to you too. Are you aware of what the park is doing towards
23 moving towards allowing traditional harvest in Glacier Bay?

24

25 MR. CAPRA: Like I said, I haven't been involved
26 directly with what's going on with the Hoonah tribe. But from
27 what I've seen, they are moving in a more positive direction.
28 Glacier Bay is an old park, a hard park, where traditionally as
29 in the Lower 48 and Yellowstone, you aren't allowed to take
30 resources. And they don't recognize the prior uses of the
31 park, the cultural history of the park in some cases. There's
32 efforts to work, I won't say around that, but to work toward
33 allowing the prior uses of the park while still maintaining the
34 integrity of why the park was created to protect the natural
35 resources there. As -- Mary probably said it best. It's -- I
36 haven't seen any concrete results but there are more positive
37 questions being asked.

38

39 MS. WILSON: I have a question. Can the park service
40 issue special permits for the people of Hoonah as a rural
41 community or as a community, as a tribe?

42

43 MR. CAPRA: No, there is no -- there's no provision for
44 that.

45

46 MS. WILSON: I know the park service is hard to deal
47 with in all places in the U.S. And I guess it's not only here.
48 It's all over the country. It's like the park service is
49 another government or something and I'm -- I just -- I want to
50 express the thought that Mary explains everything so well. And

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1 thank you, Mary, for explaining it so that we all could
2 understand. And I wish Hoonah and the tribe luck in dealing
3 with the park service.

4
5 MS. RUDOLPH: Mr. Chairman, one of the things they're
6 working with on Glacier Bay now is putting up a spirit camp for
7 our youth. And one of the things that was suggested by Steve
8 Langdon was to work towards working with the state on getting a
9 beach-save permit so that we're able to start teaching our kids
10 the use of beach save and how our people used it before. So
11 we're working towards a solution of trying to get a spirit camp
12 in there to teach our youths some of the things we took out of
13 Glacier Bay. So we're working towards that towards the year
14 2000. So I kind of feel that this particular time is very
15 important to our tribe towards working towards a solution where
16 there will be alternatives for the migratory bird act and also
17 putting up a spirit camp where we're working with them. And
18 now there has been some allotments in questions -- and
19 questions there in Glacier Bay. So now they've been coming out
20 to Hoonah and talking with the (Tlingit) clan, which I'm part
21 of the (Tlingit), and letting us know some of the things that
22 are arising in Glacier Bay.

23
24 So it's -- we're more -- I think we're more visible to
25 the park service now than ever before. And I know for a fact
26 that when I first got involved with tribal council in the early
27 '90s, maybe '91 or '92, they did come out. I think it was Jim
28 Brady that came out to Hoonah and worked with us and was trying
29 to work towards a problem of fishing in Glacier Bay. And the
30 next time he came out was with a lot of anger from our tribe
31 because the things we had talked to him about had not been
32 taken care of. But he told me that the reason why that -- you
33 go through bureaucratic problems getting your information to
34 Washington. What he put together could be a folder of all the
35 things he had talked with us about and putting all his concerns
36 in there and by the time it got to the person in Washington
37 D.C. it wasn't at all what he wrote.

38
39 So his problem was what he put down for the tribe of
40 Hoonah was kind of deleted from what he started off with. But
41 still it was a lot of apprehension from our tribe and felt that
42 we hadn't been dealt with. And with that it was a lot of anger
43 that the tribes proceeded in. There still was a lot of anger
44 that when the park service came into Hoonah that they were not
45 well received. But through my position this year I've made a
46 point of sitting down with the -- Randy King and Wayne Howell
47 and during my meetings in Juneau with the parks and the state
48 I've made sure I've singled out people to ask them questions
49 and concerns and let them know how we felt as a tribe. And
50 like I said before, there has been a lot of helping hands that

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1 have come out, whether it's been from the park, the federal or
2 the state, there has been a lot of hands moving toward us to
3 help us during this critical time. We're very hopeful that
4 we'll finally come to some kind of understanding by November
5 15th. Thank you.

6
7 CHAIRMAN THOMAS: Okay. Anybody else? Herman?

8
9 MR. KITKA: Are you aware that Glacier Bay was used by
10 the whole Tlingit nation? Things that you do in Glacier Bay
11 you don't do every place else. And three years ago the
12 University of Alaska doing research with the park service
13 people, they took me to Glacier Bay. And I testified into the
14 tape on that issue, the whole salvation that the Tlingit used
15 it. And Mary's grandfather is also my grandfather. So I know
16 quite a bit about Glacier Bay, even though I'm from Sitka. We
17 used to have homes there and smoke houses. We went to that
18 area. Tom Hardin was the representative at the University of
19 Alaska at that time with the park service people, went to
20 Gunder's (ph) Bay. And when we went to where our cabins were,
21 it's grown over with small trees but you can still see where
22 they were. Those buildings were burned up by forest service.
23 When they took Glacier Bay for a park they told my grandfolks
24 that they will forever leave the cabins alone, we can use it
25 whenever we want to. So the next year we came there, it was
26 all burned down. And there was other families from the old
27 salvation there, all one people, Coho clan.

28
29 That's what the Coho clans were named first and they
30 were the dominant people in Glacier Bay with them other clans.
31 So different families owned different places in there.

32
33 CHAIRMAN THOMAS: Well, what I learned about Glacier
34 Bay when I went off the cruise ship -- that's where you get the
35 education now, the cruise ship. Thank you, Jim.

36
37 MR. CAPRA: Thank you, Mr. Chairman.

38
39 CHAIRMAN THOMAS: Other agencies or groups? Do you
40 want to tell us who you are; are you an agency or a group?

41
42 MR. WALDO: I guess I'm a group. My name is Tom Waldo
43 and I'm an attorney with Earth Justice Legal Defense Fund. We
44 used to be called Sierra Club Legal Defense Fund but we changed
45 our name to Earth Justice so that people didn't get us mixed up
46 with the Sierra Club any more. We're a national non-profit
47 public interest environmental law firm. And I represent -- I'm
48 the attorney for Hoonah Indian Association, Angoon Community
49 Association and organized village of Kake on various matters
50 involving protection of subsistence uses in the Tongass

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1 National Forest. I also work closely with the in-house
2 attorney for the Sitka Tribe of Alaska on related matters and
3 also with the Klawock Cooperative Association's private
4 attorney on various of these matters. And I just wanted to
5 spend a few minutes letting you folks know what we're working
6 on.

7
8 CHAIRMAN THOMAS: How come you don't bring any good
9 guys?

10
11 MR. WALDO: Beg your pardon?

12
13 CHAIRMAN THOMAS: How come you don't bring any good
14 guys? Just teasing, go ahead.

15
16 MR. WALDO: Thanks. We have -- there's a lot going on
17 right now. We have two administrative appeals and two lawsuits
18 pending right now regarding subsistence uses on the Tongass.
19 The biggest one is an appeal by all five of these tribes of the
20 whole Tongass Land Management Plan revision that was adopted
21 last year challenging the failure to protect subsistence uses
22 adequately in the overall plan. There is also more recently an
23 appeal we did on behalf of the organized village of Kake
24 involving a timber sale on North Kuiu Island.

25
26 CHAIRMAN THOMAS: I'm not jotting these down. Would it
27 be too interruptive if I ask questions on each point as you got
28 through expressing them?

29
30 MR. WALDO: That would be fine with me. I was going to
31 do sort of an overview too. I have some maps up there that
32 display some of our work.

33
34 CHAIRMAN THOMAS: Maybe my questions will enhance your
35 presentation.

36
37 MR. WALDO: Okay.

38
39 CHAIRMAN THOMAS: Now the appeal by the Five Tribes
40 with regards to not enough subsistence protection, is that how
41 you worded that?

42
43 MR. WALDO: Yes. And the issue is logging.

44
45 CHAIRMAN THOMAS: I understand. I'm on the same side,
46 same side now. But the reason for my question is that the
47 council had recognized this problem several years ago. And we
48 requested a special meeting with the TLMP people to go back and
49 revisit some of that. We did that. And in doing so we did
50 consult with the same tribes that we're talking about now in

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1 doing that, letting them know that we're going to do that. And
2 they all gave us their good blessings on that. So now I'm
3 wondering, a two-part question, with the results of our meeting
4 with the TLMP people specifically to address habitat and
5 opportunity, do the tribes feel like we didn't go far enough in
6 that -- in that particular direction and have they offered
7 alternatives and limits that they would like to see? Do we
8 have a target, in other words, to look at to compare with?

9
10 MR. WALDO: I'm not aware of what took place in that
11 meeting and so I can't speak specifically to that meeting. But
12 I can certainly say that the tribes are very concerned about
13 what impact the plan that was actually adopted will have on
14 subsistence. And they feel that the plan didn't really make a
15 serious attempt to protect subsistence uses. Can I go around
16 to the map right now and talk about that a little bit?

17
18 CHAIRMAN THOMAS: Sure. Do they give something to chew
19 on, something specific they could look at so they could make
20 the adjustments?

21
22 MR. WALDO: Do you mean did the appeal do that? Did
23 the

24
25 CHAIRMAN THOMAS: Yeah.

26
27 MR. WALDO: Well, what it mostly does -- it says you've
28 got to go back and revisit this. We don't have like a
29 subsistence alternative. We don't have here's what your plan
30 should look like to protect subsistence.

31
32 CHAIRMAN THOMAS: Well, what's the point in revisiting
33 it unless we're going to come up with something like a second
34 thing.

35
36 MR. WALDO: Well, the idea is to get that to be
37 revisited with directions from the chief of the forest service
38 to provide protection for subsistence uses and it includes
39 arguments, legal arguments, about what that means.

40
41 CHAIRMAN THOMAS: We need direction from the chief of
42 the tribe not the forest service. But anyway, go ahead.

43
44 MR. WALDO: Unfortunately, it's the chief of the forest
45 service that gets to decide about these things. That's the
46 problem.

47
48 CHAIRMAN THOMAS: You've got a lot of good helpers like
49 us.

50

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1 MR. WALDO: This is the map for the Tongass Land
2 Management Plan, the final alternative that was adopted. And
3 it's a hodge podge of colors and really hard to understand
4 because it uses so many different colors. But the color I'm
5 going to ask you to focus on is green because green,
6 ironically, is the color that they adopted for the intensive
7 timber production land use designation. And so where you see
8 green, that's where you're going to see most of the logging.
9 Incidentally, just a sort of background that everybody's
10 probably aware of, the Forest Service and tribes and everybody
11 agrees that logging, at least the way it's traditionally been
12 done in Southeast Alaska, has a really devastating impact on
13 deer populations.

14
15 So our subsistence arguments have focused on
16 subsistence uses of deer and the impacts of logging plans on
17 those uses. Now look at where most of the green is
18 concentrated on this map if you can see it from where you're
19 sitting. And you see big areas of green, most of Chichagof
20 Island, and north and to some degree northwest, Baranof Island.
21 Huge expanses of it on North Kuiu and Kupreanof Islands, some
22 of the smaller islands here and of course lots on Prince of
23 Wales. For many of the villages this is seen as being really
24 devastating. If you look at where Hoonah is located, it's
25 surrounded mostly by green. Kake is surrounded mostly by
26 green. Even Angoon, which is blessed by being on Admiralty
27 Island and having that area protected, the traditional-use area
28 also includes the other side of Chatham Strait, which is mostly
29 solid green. Sitka to some degree is a little better off but
30 still quite a bit in areas of concern to folks in the tribe.
31 And then of course Klawock is on Prince of Wales Island and you
32 all know what that's like down there.

33
34 What is equally instructive in looking at this map is
35 where there is not green. And if you look for example at
36 Juneau, there's no virtually no green to be found anywhere
37 around Juneau. Those areas are all protected from logging.
38 It's not because there's not any trees there to log. I think
39 it's very clear that the reason the Forest Service has done
40 this is because Juneau is where half the people in Southeast
41 Alaska live and if they started having timber sales on Douglas
42 Island or the Mansfield Peninsula, you'd have 30,000 new
43 committed anti-logging activists in Juneau. And so in purely
44 response to political concerns, they're focusing the logging in
45 the rural areas, the villages, and not doing it in the urban
46 areas where -- that aren't dependent on subsistence uses.

47
48 If you really wanted to seriously adopt a plan that was
49 focused on protecting subsistence uses, you would do that just
50 the opposite. I wanted to share with you -- I was talking to

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1 Mike Jackson in Kake on the phone the other day and he told me
2 he had this map up on the wall of the tribal offices down there
3 in Kake and a resident of the village walked in and looked at
4 it for a little bit and said, wow, they're really nailing the
5 villages aren't they. And I thought that just kind of summed
6 it up. Let me say one other thing about this map. All these
7 colors you see, each color represents a different land use
8 designation.

9
10 Like I said, green is the intensive timber production
11 but they also have land use designations for wilderness and
12 old-growth reserves and research areas and recreation and
13 municipal watersheds and experimental forests and wild and
14 scenic rivers. You name it, everything you could think of
15 except subsistence. There's not a single land-use designation
16 that has the intent of protecting subsistence uses. And in my
17 view subsistence has unique needs geographically and unique
18 kinds of concerns about where you would want to protect
19 subsistence uses and it's not reflected in a land-use
20 designation in this plan at all. And I think that also
21 reflects the lack of attention that was given to subsistence in
22 this planning project.

23
24 The Forest Service has a deer habitat capability model
25 in which they project what impacts logging will have on the
26 long term habitat capability for deer. And this map displays
27 the results of their model under the new Tongass Land
28 Management Plan revision. This map shows the cumulative total
29 loss in deer habitat capability from 1954, before serious
30 industrial scale logging got underway on the Tongass, and
31 projects it through to 100 years out into the future, which is
32 what will happen if logging takes places in all the areas that
33 are authorized under the plan in the long term into the future.
34 The red on this map is areas that have greater than 40 percent
35 of deer habitat capability lost over that time period.

36
37 The light yellow is less than -- white is no change.
38 Light yellow is less than 10 percent and then the different
39 shades of yellow on up into red are the different gradations by
40 10 percentage point brackets. So as you can see, this display
41 is sort of the same pattern that you would predict from that
42 map, you get these really severe -- just severe declines in
43 deer habitat capability over the long term in the rural areas
44 out here, Chichagof Island, North and Northwest Baranof, Kuiu,
45 Kupreanof and of course Prince of Wales probably being the --
46 and some of the smaller islands being some of the worst hit
47 areas over the long term.

48
49 MS. PHILLIPS: Tom?

50

0132

1 MR. WALDO: Yes?

2

3 MS. PHILLIPS: That is assuming that it's clear-cut
4 timber harvest?

5

6 MR. WALDO: Mostly. The plan right now assumes that 80
7 percent of all the logging under the plan will be clear-
8 cutting.

9

10 MS. PHILLIPS: But you would have different shadings if
11 alternative management techniques were used?

12

13 MR. WALDO: Yes, I think so. I think they are
14 increasingly learning about alternatives to clear-cutting,
15 different kinds of selection logging methods. And obviously
16 the more of the structure of the old-growth forest you can
17 retain, the better job it will do of protecting deer habitat.
18 But they're really just still experimenting with those and not
19 using them very much yet. And I don't think the research is
20 really complete on what effects -- what they can do, how well
21 they can combine logging with subsistence uses, how well they
22 can protect habitat while still logging from an area. But when
23 I'm asked by people, well, what could the Forest Service do to
24 protect subsistence uses better on the Tongass and still have a
25 timber sale program. My answer is basically two things.
26 You've got to protect the areas that are closest -- or that are
27 most important to the villages for subsistence uses.

28

29 And so that's going to mean defining some areas that
30 are either off limits to logging or use techniques of logging
31 that are less destructive to habitat. And that's the second
32 thing that could be done, is move away from clear-cutting and
33 into selection logging methods that better protect habitat.
34 But one answer that I don't shy away from that's clear, is if
35 you're going to have a plan that's really going to avoid this
36 kind of severe loss over the long term, you're going to have to
37 reduce the amount of logging that you're going to have. Or at
38 least reduce the amount of logging that's authorized under the
39 plan.

40

41 There is a conflict here between logging and
42 subsistence and I don't shy away from it. Let me say one other
43 thing about this map because as bad as this map looks to the
44 long term for deer in the Tongass, I don't think it even tells
45 the whole story. At least in the south part of the Tongass on
46 the islands where you have wolves, Prince of Wales, Kupreanof
47 and Kuiu for example, the current plan has a standard for
48 protection of wolves, to maintain minimum viable populations of
49 wolves. Wolves prey on deer and so they may need at least a
50 certain number of deer in order to maintain populations wolves.

0133

1 So they have a standard in the plan that says, you can't let
2 the deer habitat capability in areas of wolves go below the
3 level that is needed to maintain minimum viable populations for
4 wolves. So you're allowed to reduce the deer habitat down to
5 the level that is the absolute minimum needed to maintain a
6 viable wolf population.

7
8 Well, if you only have enough habitat, deer habitat,
9 available to support minimum number of wolves, how many deer
10 are left over for human hunting? None. And so I think that is
11 foreseeable at some point in the future, I don't know when that
12 point would be, but if you keep logging on the same kind of
13 plan that they have in place now, eventually you could see a
14 complete ban on deer hunting on these islands with wolves, like
15 Prince of Wales, Kupreanof and Kuiu. Did you have a question,
16 Vicki?

17
18 MS. LeCORNU: Oh, I was just wondering what the Forest
19 Service response is if you ask them how they determine the
20 human capacity for deer or -- I mean we have a standard here
21 that we have to meet, that we have to meet their needs. And
22 apparently the Forest Service isn't following through on that
23 part of the deal.

24
25 MR. WALDO: Let me return to the mic and give my
26 response to that question. The Forest Service does these
27 projections into the future where they project how many deer
28 there are going to be and what the demand for those deer is
29 going to be from hunters. So they do a supply projection and a
30 demand projection. And of course what those projections show
31 is that the supply keeps going down as you log more and more of
32 the habitat over time. And the demand keeps going up as
33 population grows. And so they admit freely in the plan that
34 this plan will cause a significant restriction to subsistence
35 uses. Actually what they say to hedge themselves very
36 carefully, is they say it may have a significant possibility of
37 a significant restriction to subsistence uses.

38
39 MS. LeCORNU: Uh-huh.

40
41 MR. WALDO: But if you look at their own projections,
42 you can see that the restriction is there.

43
44 MS. LeCORNU: So when you offer an alternative is that
45 -- that would be like contingent, like you said, on the
46 political will of the people. So, you know, I'm saying that --
47 let's advocate to log the Cleveland Peninsula in favor of
48 Prince of Wales Island.

49
50 MR. WALDO: Because Cleveland is used mostly by an

0134

1 urban community instead of by a rural community

2

3 MS. LeCORNU: Right.

4

5 MR. WALDO: Right. Well, that's exactly kind of the
6 point that I was trying to make apparent

7

8 MS. LeCORNU: Is that the alternative that you
9 suggested to the Forest Service?

10

11 MR. WALDO: As I said, we have never put forward a
12 subsistence alternative. Now that's something

13

14 CHAIRMAN THOMAS: Do you know what that's going to do
15 to my

16

17 MS. LeCORNU: I just can't wait. I can't wait.

18

19 MR. WALDO: You know, the rural communities of
20 Southeast or the tribes or the regional advisory council or
21 whatever forum you chose to do, could get together and put
22 forth a subsistence alternative and say this is what we think
23 the Tongass Land Management Plan should look like if you were
24 going to adequately protect subsistence uses. No one's ever
25 undertaken that effort before but it could be done.

26

27 MS. LeCORNU: I guess what I need to express here is
28 the fact that we as a council are supposed to come out with
29 those projections and I don't think we've done that. And I
30 kind of put that onus on the Forest Service for not helping us
31 in that regard.

32

33 MS. McCONNELL: Bill. Yeah, I was noticing again in
34 the Sport of Game packet, there's a proposal in there, Proposal
35 15, that is -- apparently they're implementing human
36 consumptive use goals for ungulate populations in Southeast
37 Alaska. And they -- it's on Page 10, whoever picked up any of
38 those packets from Fred yesterday. It has, for example, Unit 3
39 where Kuiu Island is, a population objective of a little bit
40 over 63,000 deer. And the harvest subjective says not
41 established. And it says that for either all the deer or n/a,
42 not applicable.

43

44 MS. LeCORNU: That is my point. We haven't established
45 a need. And that's one of our goals, to review our annual
46 report and suggest there what the anticipated needs are. So
47 I'm suggesting that that hasn't been done.

48

49 MR. WALDO: And I think something like that could be
50 really helpful, for example -- I think you picked a good

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1 example of Kuiu. It's one of the issues that came up in this
2 appeal that I'm doing on behalf of the organized village of
3 Kake of the crane and roe sale on North Kuiu Island. In that
4 sale, unlike almost any of the other sales recently that the
5 forest service has done, they actually found that there will be
6 no significant restriction to subsistence uses. And to me that
7 just doesn't make any sense at all. Look at the deer habitat
8 map over there. North Kuiu is bright red. That's one of the
9 major nuked areas on the whole forest. It's right in the core
10 of the traditional use area of Kake. How can they say there's
11 going to be no significant restriction there? And their answer
12 to that was that they think demand from Kuiu is really low.

13
14 Well, what are they looking at to get that number. The
15 deer season on Kuiu Island was closed for 20 years, from 197-
16 -- well, almost 20 years, like 1975 to 1993. So they went back
17 to numbers from the 1960s to say that they thought that
18 residents of Kake were taking about 30 deer per year from Kuiu
19 Island and they based that on hunter interviews. This was
20 numbers from the Alaska Department of Fish and Game. Well, I
21 went and talked -- I asked the folks down there in Kake, is
22 that right? And I got about six or seven declarations from men
23 in Kake who had hunted on Kuiu Island in the '60s and the '50s
24 and they said, no, we took a lot more than 30 deer a year. We
25 were taking 100 deer a year and more every year from Kuiu
26 Island back in those days. And besides that nobody from Fish
27 and Game ever used to interview us about how many deer we took.
28 We didn't even like them. We used to call them the (Tlingit).
29 One of the men put that in the declaration we submitted in with
30 the appeal. So there's some real questions about the adequacy
31 of some of the data they're using.

32
33 MS. LeCORNU: That has been my objection to TRUCS that
34 they don't show any anticipated. They lock us into history and
35 it's a bad history and it's not something I'm proud of.

36
37 CHAIRMAN THOMAS: Fred.

38
39 MR. CLARK: I'd just like to refresh the council's
40 memory that the council did write a resolution, submit a
41 resolution in support of the Five Tribes Appeal. So this is an
42 issue that's been before the council before and that you've
43 thought about a great deal and support generally what Mr. Waldo
44 has been talking about. The TRUCS update, the series of
45 updating information from communities, my understanding is
46 they're really trying to get at the need issue. You might want
47 to ask the people that are doing those surveys a little bit
48 more about how they're trying to get that information. I think
49 that they've heard what you've been saying, that we need to be
50 able to say something about need. That's what it says in Title

0136

1 VIII. We have to assess need as well as use.

2

3 CHAIRMAN THOMAS: Well, would the AFA plan be of any
4 improvement?

5

6 MR. WALDO: I'm afraid that would make things quite a
7 lot worse. In fact, you know the AFA has filed a lawsuit
8 actually. They're the first ones to file a lawsuit challenging
9 the Tongass Land Management Plan and they're -- they want to go
10 back to a plan that would, I think, maybe double the amount of
11 logging that's allowed under this plan. And so I think there's
12 a real role for the regional advisory council to provide a
13 counter balance for that.

14

15 CHAIRMAN THOMAS: We'll fix it. We'll take care of
16 that.

17

18 MR. WALDO: Let me say a few more things about what
19 we're doing in the -- to follow through on these problems. I
20 mentioned to you we've got the appeal of the Tongass Land
21 Management Plan. We've got this appeal of this one timber sale
22 on Kuiu Island pending right now. We also have two lawsuits
23 pending right now. One -- they're both joined together as
24 consolidated kind of into one case. One is where on behalf of
25 the Hoonah Indian Association we're challenging the eight
26 fathom (ph) project on North Chichagof. And the other is a
27 case brought by the Sitka Tribe of Alaska challenging the
28 Northwest Baranof Project. Those cases we lost in the district
29 court and appealed to the Ninth Circuit Court of Appeals and
30 they're currently pending before that court. We had oral
31 argument way back last February. We completed the briefing
32 last year, had the oral argument in February and they still
33 haven't come out with a decision. That's a really long time
34 for them to take to decide an appeal.

35

36 And it might indicate that they're struggling somewhat
37 with the issues. That case will probably -- will answer some
38 of the important legal questions but it won't by any means
39 resolve the -- all the issues that need to be resolved on this.
40 It's not the end of the road by any stretch. And in addition
41 to all of these things that we've got going on with the appeals
42 and the lawsuits, we have an ongoing educational effort
43 underway with policy makers in Washington, D.C. I've made two
44 trips to Washington, D.C. this year, one in April and one
45 earlier this month -- last month, excuse me, September. We
46 went out with people from Hoonah and Kake and Sitka and we've
47 met with officials of the Forest Service, the Department of
48 Agriculture, the Interior Department, the Department of Justice
49 and the White House Council on Environmental Quality, showing
50 them these maps and talking about these issues and trying to

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1 urge them towards adopting a policy in the Tongass that is more
2 protective of subsistence.

3
4 We have prepared an extensive written legal and policy
5 analysis arguing that there's an inconsistency in the way that
6 the agencies are addressing these subsistence habitat
7 protection issues under Section 810 right now. In that the
8 Interior Department on issues in interior and northern Alaska,
9 has generally taken a more protective approach than the Forest
10 Service has in Southeast. We're arguing for a strengthened and
11 consistent inter-agency approach to Section 810 of ANILCA. As
12 Fred said, the regional advisory council wrote a letter on --
13 in support of the tribes' appeal and we really appreciate that.
14 If you are interested in taking this issue on and getting more
15 involved, there are more opportunities for things of that
16 nature and I'd be happy to work with you on that. In fact I
17 would appreciate your support. Yes?

18
19 CHAIRMAN THOMAS: Mim.

20
21 MS. McCONNELL: Could you expand on that a little bit?
22 Like in what way?

23
24 MR. WALDO: Well, I can -- I was thinking about that.
25 I think that more letters, letters for example to the Secretary
26 of Agriculture, the Secretary of Interior, the white house, I
27 think maybe to the governor. The next thing that I'm thinking
28 about and have started to talk to the tribes about is
29 requesting a meeting with the governor to educate the governor
30 on these issues and try to get his support. The governor last
31 week wrote a letter to the Secretary of Agriculture on behalf
32 of SeaAlaska and Louisiana Pacific, who want to open veneer
33 mills in Southeast and are saying they need more timber and
34 long-term contracts and things like that to do that, he -- the
35 governor requested on their behalf that the Secretary of
36 Agriculture meet with these corporations. And I thought, well,
37 if the governor can go to bat for the timber industry, he ought
38 to go to bat for the tribes. We tried to get a meeting with
39 the Secretary of Agriculture and we couldn't get it. And maybe
40 if the governor came to our support, we could. I haven't
41 talked to the governor's office about that yet so I don't want
42 to jump the gun here on it. But I -- it is something that I'm
43 hoping to get to next week if I can.

44
45 CHAIRMAN THOMAS: Patty.

46
47 MS. PHILLIPS: Chairman Thomas

48
49 MR. WALDO: I'm sorry, maybe if I could finish
50 answering the question. Letters, I think letters could be

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1 written and I haven't thought more about what else beyond that
2 might be helpful to get more directly involved. I can think
3 more about that. I'd like to have more discussions about it.

4
5 MS. PHILLIPS: Mr. Waldo, I reviewed the Five Tribes
6 Appeal and highlighted pertinent points that I agreed with and
7 came up with ideas on what this regional council could do to
8 show support for the Five Tribes Appeal. And I submitted a
9 copy of the summarized report that I had written up and I'd
10 like to quickly read over that. The Tongass Planning
11 Implementation Team is in the process of developing -- and I
12 found out over our work section that they're clarifying,
13 they're not developing, new standards and guideline languages.

14
15 The current standards and guidelines are written to
16 maintain current forest management practices rather than to
17 perpetuate and protect ANILCA Section 810 requirements.
18 There's a lack of regional council input in the clarification
19 of the standards and guidelines. A subsistence focused
20 representative, be it a council member or a member of the
21 staff, should be a part of the Tongass Planning Implementation
22 Team to identify standards and guidelines important to
23 subsistence. That's one way that this council can help with
24 the Five Tribes Appeal and with protecting and maintaining
25 subsistence priority. The Five Tribes Appeal requests adopt
26 standard and guidelines to protect habitat capability for deer
27 in areas under greatest pressure from rural hunters. There is
28 a projected increase in demand for deer. Adopt standard and
29 guideline to blend clan boundaries as subsistence corridor
30 boundaries. Recognize high subsistence use areas in close
31 geographic proximity to rural communities. Place more high
32 subsistence use areas in existing protective prescriptions.

33
34 The Forest Service can choose among various site-
35 specific plans provided it follows procedural requirements.
36 Timber volume goals cannot take priority over customary and
37 traditional uses. Alternative Three in the EIS included a deer
38 winter range standard. This would require land management
39 projects to maintain all current deer habitat capabilities in
40 area where deer harvest exceeds 20 percent of habitat
41 capability and seeks to maintain deer winter range in areas
42 where deer harvest is between 10 and 20 percent of habitat
43 capability. And as you mentioned today, that the wolf
44 populations changed the amount of habitat capability needed for
45 deer populations. Those were just highlights of what I read
46 from the appeal.

47
48 The customary and traditional use designations, under
49 TLMP revision all alternatives permit moderate to intensive
50 logging in the areas for customary and traditional subsistence

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1 uses of the communities involved. It is possible to reduce
2 acreage open to logging, protect more important subsistence use
3 areas and still provide enough timber to meet market demands.
4 And this could be met by doing more alternative management
5 techniques of timber harvesting. This was the next item, tier
6 land management is customary and traditional use alternative is
7 an idea that I was kind of thinking about seriously. Identify
8 areas most important for subsistence uses in close geographic
9 proximity to rural communities. That came out of the Five
10 Tribes Appeal.

11
12 ANILCA imposes an obligation on the Forest Service to
13 consider the availability of all other lands. Old growth
14 habitat must be protected in core areas most heavily used and
15 culturally important for traditional subsistence use.
16 Subsistence has priority over all other uses in these areas.
17 Logging impacts must be minimized within these areas.
18 Adjoining boundary lands bordering Tongass public lands have
19 medium level of priority protection. Adjoining boundary lands
20 will manage second growth to produce the necessary kinds of
21 distribution of habitats for species' diversity, thin logged
22 areas to promote ecosystem restoration. Funding has to be
23 available to do the thinning, other Tongass public lands
24 inherent protections in TLMP provision.

25
26 Subsistence use areas specific to the Five Tribes are
27 already described. The social economic impacts are more
28 precisely described in the Five Tribes Appeal. The TLMP
29 revision lacks an extensive analysis of social, cultural and
30 economic insight. Good and sound information researched by
31 Alaska Department of Fish and Game on historic use patterns
32 were not as thoroughly considered in the TLMP revision. And
33 that was a point that I brought up more than once in our past
34 meetings, that the socioeconomic factors were not seriously --
35 more seriously considered. And that a map should be drawn up
36 overlaying -- a map overlay showing Five Tribes community use
37 areas and color shading maps showing timber harvest levels
38 would be appropriate. And that's basically what you provided.

39
40 MR. WALDO: It doesn't overlay the use areas.

41
42 MS. PHILLIPS: Right. We need to have -- that needs to
43 be developed.

44
45 MR. WALDO: A lot of these things are things that can
46 be done and implementation of the plan -- and I think to really
47 do the kinds of things -- these are all good suggestions and
48 kinds of things that we talked about in the appeal, like you
49 say. And to really have the opportunity to do this work right,
50 what we need is to get the chief of the Forest Service to

0140

1 reverse the current plan and adopt -- start a process that
2 requires the Forest Service to do these kinds of things.

3

4 MS. PHILLIPS: I'd like to say that I didn't have the
5 ability to articulate the things that were said in the Five
6 Tribes and to see it all written out like that helped promote
7 that ability to articulate it.

8

9 MR. WALDO: Good. I'm glad it was helpful. I hope the
10 chief understands it too.

11

12 CHAIRMAN THOMAS: Don't sell our chief short. John.

13

14 MR. VALE: Thank you. Yeah, I want to echo a little
15 bit of what Patty said. You know, when we took up our letter
16 of support for that appeal and I read it, I thought it was a
17 terrific document then. It said everything that I wanted to
18 say about the Land Management Plan that I couldn't articulate
19 myself. And, you know, we struggled over a couple of years in
20 our involvement in that plan and we had problems with it that
21 we just weren't able to, you know, focus our thoughts in the
22 manner in which you did. And so I thoroughly enjoyed reading
23 that appeal and the items you had in there. And, as you know,
24 we asked for a subsistence land use designation quite some time
25 back and I've never been satisfied with the response that we
26 got from the Forest Service, which was basically we don't have
27 enough time to put the subsistence land use designation in
28 there. And that's -- and that was a couple of years before the
29 plan actually reached a conclusion. Though I've never really
30 been satisfied with that answer and it's still not acceptable
31 to me.

32

33 Well, I just wanted to make that comment and then I had
34 one question for you too about the 810 process. And my reading
35 of 810 is that when they do a timber sale or some other --
36 something else that may affect subsistence uses, that they're
37 required to take the least adverse impact alternative and I
38 don't really see that happening in the timber sales that are
39 being promoted, particularly around the communities. And I
40 just wondered if you wanted to comment a little bit about that.

41

42 MR. WALDO: Sure. That is one of the subjects that
43 comes up over and over again. It's a subject that is before
44 the Ninth Circuit Court of Appeals in the two lawsuits right
45 now and it's also a topic that is in the appeal. We've been
46 focusing on the -- let me back up just a second. Under Section
47 810 if the Forest Service finds a significant restriction to
48 subsistence uses, the agency has to make a series of findings.
49 They have to find that it's necessary, that is uses the minimal
50 amount of public lands and that they take reasonable steps to

0141

1 minimize adverse effects. We focused in on the -- used the
2 first two really, necessary, which is kind of a different
3 question. But in response to your question, we focused on that
4 minimal public lands. We're saying if you've got a number of
5 different alternatives, that all are consistent with the
6 purposes of the project that you're undertaking, you should
7 take the one that uses the least public land in the areas that
8 are most needed for subsistence uses.

9
10 And so if you've got an environmental impact statement
11 for a timber sale, let's say, that has an array of
12 alternatives, all of which generally meet the purposes of
13 providing some timber for the timber market and you've got some
14 alternatives that use a lot less of that important subsistence
15 -- those important subsistence use areas than other
16 alternatives, you should pick the one that has the least effect
17 on subsistence uses. The Forest Service doesn't read it that
18 way. Their argument, I think, is just -- is indefensible I
19 think. Although they defended it in court. They're saying
20 that -- it's hard for me to even articulate this in a neutral
21 way. They say we can use the minimal amount of public lands
22 necessary to accomplish the very specific purpose of that
23 alternative that we selected. But the result of that is that
24 since the only choice that will ever meet the purposes of the
25 exact alternative that they selected is that exact alternative,
26 whatever alternative they select automatically meets the
27 requirements of the minimal public lands finding. And so --
28 and that's -- and they don't deny that. They admit that is
29 basically their interpretation, that their interpretation gives
30 no substantive effect to that finding at all. And we're
31 arguing that there should be some substantive effect for it,
32 that they should be required to pick the alternative that has
33 the least impact on subsistence uses. But they're not viewing
34 it that way.

35
36 MR. VALE: In your future dealings with these timber
37 sales, you know, if you can provide us updates on -- similar to
38 the alternatives that are being proposed in these timber sales
39 and your involvement, we'd sure appreciate that.

40
41 MR. WALDO: Sure. I can do that. Yes, can I talk to
42 Fred; is that a good way to do that?

43
44 MR. VALE: Yeah, by all means.

45
46 MR. WALDO: Okay.

47
48 CHAIRMAN THOMAS: Go ahead.

49
50 MS. WILSON: Mr. Chairman. I don't know if this is the

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1 right person to ask this question but the alternative logging
2 research that's being done, once that is finished will it be a
3 mandate for the logging to be done in the alternative manner?
4 I don't know how that would work. So what I'm saying is what
5 is the sense of having this research if the logging companies
6 or whoever's logging, does not use the alternative method?
7

8 MR. WALDO: Well, what we would hope is that the Forest
9 Service when they offer timber sales, they require the
10 selective logging methods instead of the clear-cutting that is
11 the subject of most of the sales nowadays. There's kind of a
12 separate issue out there that we haven't been pursuing so much
13 as a subsistence issue but it's a group that the environmental
14 groups -- or an issue that the environmental groups are working
15 a lot on, is this whole issue of clear-cutting. Under the
16 National Forest Management Act there's sort of a presumption
17 against clear-cutting.
18

19 And you can only use clear-cutting in a national forest
20 timber sale if the decision maker finds that it's the optimum
21 method of logging and it's not supposed to consider primarily
22 economic factors in making that determination. And the Forest
23 Service in the timber sales on the Tongass routinely finds that
24 clear-cutting is the optimum method. They're viewing it as the
25 rule rather than the exception. And they base primarily, I
26 think, on economic factors. And so there's an effort under way
27 by the environmental groups to challenge this widespread
28 practice of clear-cutting on the Tongass and saying that under
29 the National Forest Management Act they shouldn't be doing
30 that, that their findings are illegal. And I would not be
31 surprised if you see litigation in the future aimed at that
32 problem.
33

34 CHAIRMAN THOMAS: Mim.
35

36 MS. McCONNELL: Just sort of in response to Marilyn's
37 question there, I read -- I received the plan for the Rowan Bay
38 sale and read through quite a bit of it. And what I noticed in
39 there was there was some alternative cutting methods that are
40 supposed to be applied in various areas of that sale and it was
41 encouraging to see that. I'm not happy about any of it
42 happening on North Kuiu. I'd like to see North Kuiu -- or all
43 of Kuiu Island just left alone the way it is right now today.
44 I would really like to see that happen. But anyway I was
45 encouraged to see that they are coming up with alternative
46 methods for cutting now in places in Southeast.
47

48 MR. WALDO: Yes, that's true. We're seeing more of it
49 and it's an encouraging sign that they're slowly moving in that
50 direction a little bit. What you said just reminded me of one

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1 other thing I wanted to mention about the work that we're
2 doing. In a number of these sales there is some cultural and
3 historical issues that come up under the National Historic
4 Preservation Act as well. For example, in that sale on North
5 Kuiu Island, the crane and rowan that you're talking about, the
6 Forest Service plans to cut 249 culturally modified trees in
7 two units that total 30 acres. It's really just a very small
8 part of the sale and yet they're cutting what is really quite
9 an extraordinary concentration of these culturally modified
10 trees.

11
12 And that was also one of the issues that we raised in
13 the sale. We asked for protection of those areas in addition
14 to the subsistence uses. Another example of the cultural and
15 historical uses, in the Sitka Tribes lawsuit on the Northwest
16 Baranof project they're asking for protection for the Tiksadi
17 (ph) Survival March Trail Route, which is the retreat route
18 that the Sitka Tlingit followed from Sitka to Rodman Bay and I
19 think it was 1803 when they were attacked by the Russians or
20 something. I'm not real strong on the history of that but it's
21 one of the issues that was raised by the Sitka Tribe in that
22 lawsuit. So a lot of these issues where we're pursuing
23 litigation and appeals on the subsistence issues, they're all
24 so closely bound up -- because they're all the same places with
25 cultural and historic issues as well.

26
27 CHAIRMAN THOMAS: Mim.

28
29 MS. McCONNELL: You mentioned about the trees, I
30 remember reading in the Crane Rowan thing there, answers to
31 people's letters and comments from the Forest Service office
32 there for that region, that district, that they could not --
33 that those trees were not listed I think. I don't remember the
34 exact wording but they weren't listed as historical.

35
36 MR. WALDO: Not eligible for listing

37
38 MS. McCONNELL: Yeah. Could you talk about that a
39 little bit?

40
41 MR. WALDO: I'm not the big expert on the National
42 Historic Preservation Act.

43
44 CHAIRMAN THOMAS: Well, talk about it anyway.

45
46 MR. WALDO: Jude Pate with the Sitka Tribe has actually
47 done a lot more research in this area and actually helped me
48 write that section of the appeal that dealt with that. But,
49 yeah, they're saying that those culturally modified trees are
50 not eligible for listing on the national register of historic

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1 places or something like that. And I think that reflects kind
2 of a narrow ethnocentric European point of view about what's a
3 significant historical place.

4
5 MS. McCONNELL: It's not Ft. Seward.

6
7 MR. WALDO: Right. There's no building or structure,
8 which is the same kind of argument they raised about the
9 Tiksadi Survival March Trail. You know, there's no -- there's
10 not a trail there and there's not any buildings. It's just a
11 place kind of and they don't recognize the Native traditional
12 way of looking at it. And I think they're kind of saying the
13 same thing about these culturally modified trees. They just
14 kind of dismissed that issue and didn't take it very seriously.

15
16 MS. McCONNELL: So how does one change that? Do you
17 have any idea or would Jude Pate be the one to talk to about
18 how you get something like that listed?

19
20 MR. WALDO: Yes, he can tell you a lot better about
21 that than I can. It's a dual -- I know that one of the
22 problems is is that there's a dual process where the federal
23 government is supposed to make their determination about
24 eligibility and about whether it should be listed and the state
25 historic preservation officer is supposed to make their
26 determination. And what has been happening I think, both with
27 these culturally modified trees and with the Tiksadi Survival
28 March Trail, is that the Forest Service kind of stepped back,
29 let the state historic preservation officer take the lead. The
30 state historic preservation officer says, no, they're not
31 eligible and so the Forest Service just says, well, state says
32 they're not eligible so we'll defer to the state on that. And
33 they're not exercising their own independent duty to make that
34 determination. They're just deferring to the state. I think
35 that's one of the problems that's going on.

36
37 CHAIRMAN THOMAS: Now we're dealing with a lot of noise
38 from the other room over there. They were going to break at
39 10:30 and we were going to do the same thing. They broke a few
40 minutes before and they're making a hell of a lot of noise. We
41 either make just as much noise or we take a break.

42
43 MS. LeCORNU: Can I make one comment?

44
45 CHAIRMAN THOMAS: It's got to be noisy.

46
47 MS. LeCORNU: I just wanted to say I think one of the
48 things that is missing is the requirement of ANILCA and that is
49 meeting for participation. And this board is supposed to be
50 that meeting for participation but I don't think it's involved

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1 enough with the people. So I'm thinking a collaborative
2 stewardship could be a really good thing for getting the
3 community to say this is our community. We want the say in it
4 and we deserve the right and it's supposed to be protected in a
5 meaningful participation role. And another comment was the
6 Forest Service likes to say significant. Well, that is
7 something that is in the eye of the beholder. So I'd like to
8 remind people of that.

9
10 MR. WALDO: On that participation issue, that's an
11 issue that I hear come up over and over and over again. It's a
12 chronic problem. They're required under Section 810 when the
13 action may have a significant restriction on subsistence uses,
14 to hold a hearing in the communities that are going to be
15 affected by that restriction. And so the Forest Service does
16 that. They go out to these communities, they hold these
17 hearings and what do they do? They plop a microphone down on
18 the table like this and they let people come up and testify.
19 And for the most part people just get up and speak and the
20 Forest Service sits there and doesn't do anything and then they
21 go home. And they don't -- it's not a real hearing. It's not
22 a give and take. There's no discussion. There's no talk
23 about, well, how can we do this to protect your subsistence
24 uses. It's just kind of a proforma, talk into a microphone
25 kind of a hearing for the most part. You also increasingly
26 hear more acknowledgement being given to the idea of government
27 to government relationships with the tribes. And I think the
28 Forest Service thinks that it's genuinely making an attempt to
29 do more of that.

30
31 They're more often sending their real decision makers
32 out to the communities and speaking with the tribal councils.
33 I know that happened last week -- or a week or two ago in Kake
34 with regard to this North Kuiu project. But, again, there's
35 this discussion taking place. There's communication going on
36 to some degree but we're not seeing that reflected in the
37 decisions that they're making. And so I have to keep chipping
38 away at that.

39
40 CHAIRMAN THOMAS: John.

41
42 MR. VALE: No. I'm just nodding affirmatively here.

43
44 CHAIRMAN THOMAS: Mary.

45
46 MS. RUDOLPH: I want to elaborate on when the Forest
47 Service was meeting with us, Gary Morrison was coming out to
48 meet with the tribes. And they did come up with all kinds of
49 alternatives and we just couldn't agree on it. And the
50 importance of trying to come up with an agreement was not

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1 wanting any logging because of the amount of the sweep the
2 corporations already did to the land. So we really felt any
3 more logging was going to be devastating to the tribe so we
4 totally disagreed with any more logging on -- anywhere in our
5 area because of all the logging that was already done there.
6 So we couldn't come up with any real solid agreement. Being a
7 poor tribe, I think all the tribes are facing the same problems
8 of not having the funds to get lawyers and stuff so we couldn't
9 have anyone help us set up any kind of wording of what we
10 really wanted and what our concerns were until it came to the
11 point of -- where we didn't make any decisions anymore.

12
13 And this is where Tom Waldo and all of them came in and
14 finally heeded to our concerns and our cry for help. So it was
15 kind of a drawn out meeting with all the alternatives that were
16 being put up and the tribes totally disagreed, didn't want to
17 have any more logging done. Thank you.

18
19 MR. WALDO: Can I just make a quick response to that
20 too. This is -- sometimes that happens. That's very common
21 but sometimes there are even examples where they talk and they
22 can come up with an alternative that the tribe might agree to.
23 This happened to Sitka on the Northwest Baranof Project. They
24 actually had an alternative in the EIS in that project that the
25 tribe supported. It would keep the logging up farther from
26 Sitka so it wasn't in the places that are most important and
27 most heavily used for subsistence uses. It was a feasible
28 alternative. It met the goals of the project and it could have
29 been selected. And the Forest Service admitted all that but
30 they wouldn't select it because they wanted to have more timber
31 sales closer to Sitka and that was the reason they gave for
32 rejecting it. So even where you have this communication, this
33 discussion that goes on, this identification of an alternative
34 that could adequately protect subsistence uses from the
35 perspective of the local residents, they still don't pick it.

36
37 MS. RUDOLPH: One of the things we were concerned over
38 as a tribe when we were discussing this is that we had never
39 identified our sacred areas and our campsites and nothing had
40 been documented yet. A lot of information was out but we
41 couldn't get the tribes to come forward to give the information
42 of where they lived. And that had never been -- that had never
43 ever come forward to -- so it was almost like the cart was
44 before the horse. We were trying to slow things down to work
45 so that the tribe can at least get a footing in trying to
46 identify our areas. And we just couldn't do it. So that was
47 part of the argument. We had not identified any of our areas,
48 our burial sites or anything. And we knew by the time we
49 introduced it and thought of it, it was already too late. So
50 that was one of our concerns as they moved on this logging.

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1 CHAIRMAN THOMAS: Let's see, the soda pop provided by
2 Chilkoot Indian Association and/or the Haines IRA. No MREs
3 today. Soda pop provided. We're on break. It's 10:30.

4
5 (Off record)
6 (On record)

7
8 CHAIRMAN THOMAS: We'll now hear from Kathleen Menke.
9 Go ahead.

10
11 MS. MENKE: My name's Kathleen Menke and I live here in
12 Haines. And I guess first of all I just want to thank all of
13 you and the council for the work that you do and for the
14 professional and participatory tone that you set. I really
15 appreciate you having your meeting here in Haines so that those
16 of us who live here can now understand better who you are and
17 think about new and creative ways that we can interact in the
18 future to support cultural and traditional ways of living. Our
19 community of Haines, Chilkoot is an area where many of us
20 depend upon the land and water around us for a way of life.
21 Marilyn Wilson is well suited to represent our community on
22 this board. I appreciate very much the work she is doing.
23 Marilyn and Paul Wilson represent truly in my view the full
24 meaning of subsistence and traditional and cultural ways of
25 living in today's modern world and in our rural valley. And I
26 have a great respect for them and know that Marilyn represents
27 our community well on this important council. I can see that
28 each of you brings a strength of your own to this forum and
29 that your chair is doing an extraordinary job of moving this
30 group and our region in positive directions on behalf of
31 cultural and traditional ways of life and subsistence
32 resources.

33
34 Our community here has many subsistence and resource
35 issues. I would say particularly fishery and watershed issues
36 that we need to address and I believe that your council has
37 brought a diversity and a strength to our community which can
38 help us deal with these issues as we move into the future.
39 Bill Thomas made a few remarks yesterday that to me were
40 particularly meaningful during the discussion of the deer
41 situation on Prince of Wales Island. Bill said when habitat
42 disappears no matter how big or how small, it has some impact
43 on the critters who live there. So I want to thank you, Bill,
44 for making that comment. I believe that healthy habitat is the
45 concept around which we all must focus our energies if cultural
46 and traditional ways of living are to be preserved in Alaska.
47 If we allow habitat to decline, then our fish and game will
48 decline.

49
50 Fish and game and natural ecosystems do not recognize

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1 political boundaries. The ancestors figured this out a long
2 time ago and most of you and some of us still carry these
3 holistic understandings strongly within our being. If there is
4 uncertainty about populations going up or down or what the
5 precise causes for these changes are, you cannot go wrong by
6 taking care of habitat by insisting on management from
7 agencies that take strong action to protect that habitat in
8 which you live and in which your resources depend. You don't
9 need to wait for next year's population counts or for all the
10 possible variables to be conclusively quantified to know that
11 taking care of habitat is the most right action you can take
12 right now to protect subsistence resources and cultural and
13 traditional ways of life for our children and grandchildren.

14
15 A couple of weeks ago I was privileged to receive a
16 cultural diversity travel award from the Alaska Chapter of the
17 American Fisheries Society to attend their annual meeting in
18 Anchorage. And several hundred fisheries professionals were
19 there representing primarily the Pacific Northwest Region but
20 also included people from Washington, D.C., Russia, Australia,
21 around the world. These were mostly scientific, analytical
22 types and the theme of this year's conference was ecosystem
23 considerations. And for the first time ever the meeting was a
24 joint one between watershed biologists and the marine
25 biologists. And so when Patty Phillips and others here asked
26 the question, why not include marine waters in federal
27 subsistence management or I would say also perhaps under one
28 federal/state tribal co-management system, I believe you're
29 asking a very good question and that you are just a bit ahead
30 of your time as far as the agencies are concerned.

31
32 One of the speakers at the conference in Anchorage was
33 Larry Mercurief, a Native leader from the Pribiloff's, and
34 Larry reminded us all there that diversity is the foundation
35 for survival. And this applies I think to the people working
36 to manage the resources as well as to the resource itself.
37 Larry also reminded -- and I want to say I see much diversity
38 and strength in this room here right now. Larry also reminded
39 us that in this room full of mostly agency professionals in
40 Anchorage that we need to have wisdom as well as knowledge and
41 we must bring our hearts as well as our brains to the work that
42 we do. He was telling the people that it is as important to
43 give as much weight to feminine, indigenous and holistic
44 perspectives as they give to the importance of good science.
45 And you clearly are all doing that here. Recognizing the deep
46 inter connectedness of all things is our spiritual journey is
47 all what Larry said and that is what I see happening here in
48 this room.

49
50 One of the imminent marine scientists there, Dr. James

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1 Kitchell (ph), was asked to sum up marine ecosystems session of
2 the conference on its final day and I think you'll appreciate a
3 few of his remarks. He said our mantra should be
4 sustainability, ecosystem, precautionary -- sustainability,
5 ecosystem, precautionary, just repeat that many times. He said
6 remember that fishing, and I would add hunting, is a
7 manipulation that will create a response always. And that we
8 need diversity of people, ecologists, analysts, optimists,
9 opportunists. Beware he said of save the planet and we can get
10 the surplus without any change philosophies. Experiment and do
11 it now in setting up marine protected areas, and I would add
12 watershed protected areas, as a place to start. Don't attempt
13 to manage the ecosystem. Managing people in the ecosystem is
14 the best approach.

15
16 And so my reason for listening and interacting here
17 these past two days with this group is that I may effectively
18 pursue my own personal goals of promoting sustainable
19 harvestable fisheries in this community where I live on the
20 Chilkoot and Chilkat watersheds in the Lynn Canal and the
21 Southeast Alaska region in our state in the Pacific Northwest
22 and in the world. The subsistence resources on which the
23 people of Haines and Klukwan depend, again, I want to emphasize
24 do not recognize political boundaries. It is good for us that
25 you have held your meeting here. It is good for the resource
26 and for traditional and cultural ways of living that people in
27 this room represent federal agencies, state agencies, tribes
28 and communities collectively together.

29
30 I am hopeful that the leadership this council provides
31 will bring up to greater co-management of all lands and waters
32 in Alaska, that political boundaries and watersheds and marine
33 ecosystems will begin to dissolve. And hopeful that this
34 council will ultimately be recognized as the equal, if not the
35 superior, partner that you are by both the federal and state
36 agencies. And I'm hopeful that together through our strength
37 and diversity we can protect subsistence resources and cultural
38 and traditional ways of living, particularly in our community
39 and in our region. Thank you.

40
41 CHAIRMAN THOMAS: That was very kind. Thank you very
42 much. We have a request from Daniel Brown. What?

43
44 MS. McCONNELL: I jut wanted to thank you for your
45 comments also, very well said and spoken and hope that you'll
46 be able to stay involved with council activities in the future
47 and be able to attend other meetings. Thanks for your
48 involvement.

49
50 CHAIRMAN THOMAS: Go ahead.

0150

1 MR. BROWN: I'm here representing nobody but I come
2 here as an individual, that is a subsistence user and that I'm
3 direct descendent from Glacier Bay and my people also come from
4 Angoon. And I'd like to start off by saying please forgive me
5 for any mistakes that I make in my Tlingit presentation. I've
6 forgot a lot about everything my grandfather taught me about
7 how to gather traditional foods. I remember everything my
8 people have taught me in my 42 years of existence on hunting
9 and gathering of our food. I practice and I pass onto my kids.

10
11 (Mr. Brown gives presentation in Tlingit)

12
13 And, again, I'd like to apologize for my Tlingit. I'm
14 still learning how to speak my language but I do know that --
15 where I come from. And what I just said is that respect is the
16 most important word to our people and our grandfather's spirit.
17 The outer shell of my people, (Tlingit), who are the
18 Thunderbirds came from the house that they lowered from the
19 sky. My father, (Tlingit), his people come from the Iceberg
20 House from Glacier Bay and (Tlingit). My name is Brown Bear
21 Looking At You and I'm a direct descendent from (Tlingit), my
22 great grandfather from Angoon. My people are the (Tlingit) on
23 my mother's side, whose name is (Tlingit). This makes me a
24 brown bear with (Tlingit), a child of the (Tlingit) and a
25 grandson of the Thunderbird people by my grandfather (Tlingit)
26 who comes from this land. I also went on to say that I'm happy
27 to see all of you people here and that I would like to speak on
28 the uncertainty of our food which some people choose to call
29 subsistence. And I also said that I would die if I left this
30 important decision up to the state and federal government
31 because I'm headstrong and determined it's the way we've always
32 been for our people. When the Alaska state government and
33 federal government are confused we hope that they do it right
34 for us all. It is not hard to hear our voices for all we want
35 to do is eat our foods. Yes, our foods that have sustained us
36 from the beginning of time.

37
38 And, you know, on the issues of sea gull eggs, they had
39 an article written up on me on Monday of last week and they
40 interviewed me on the sea gull eggs. When I was a little kid I
41 grew up harvesting this food from Glacier Bay. Amongst other
42 things that we harvested from there was seaweed, salmon, crab,
43 gum boots and all different types of berries, even some that do
44 not grow anywhere else but in Glacier Bay as, for example,
45 silkberry. We can only go to Glacier Bay to get these
46 silkberries because they don't grown anywhere else unless we
47 come up here to your country. And my grandfather hunted
48 mountain goats from there before my time. They taught us many
49 ways to obtain this food and above all respect them so that we
50 can continue to enjoy them forever. I was told to watch out

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1 for many things when we gathered our food. One of the most
2 important lessons taught to me was when we come across a nest
3 with more than three eggs to it, we leave them alone because
4 these are the elders of the group and they're already birds.
5 And my grandfather told me that depending on the time that
6 dictated how much eggs that we can gather.

7
8 Like early spring we usually go in there and we get the
9 first batch of eggs because they continue growing -- laying
10 these eggs. And once we get the first harvest, then we leave
11 them alone for the second harvest and that way it enhances and
12 it also guarantees us that we can continue to enjoy our future
13 -- our food. And I was taught many other skills of hunting and
14 fishing by my grandfather as he was taught by his grandfather.
15 This is how we keep our balance in nature and in our lives for
16 a continuance of food that we can enjoy for generations. And
17 to ensure that my grandkids get to harvest traditional foods --
18 and my grandkids and their grandkids, I ask and I plead with
19 the American and state government to do what is right and I
20 commend this panel here for the job that they're doing because
21 this is needed very much so to keep it -- keep us living in our
22 ways.

23
24 CHAIRMAN THOMAS: John. Do you have a question?

25
26 MR. VALE: Yeah, I appreciate your words. I just want
27 to take this opportunity since you were talking about the
28 (Tlingit), your grandfather's people, you said. And I'm from
29 Yakutat and, as you know, the (Tlingit) people are in Yakutat
30 as well and that's something we share, that clan, the
31 Thunderbird Clan. And I just wanted to mention that for the
32 benefit of our park service people here and to let them know
33 that, you know, we share a common interest in Glacier Bay,
34 particularly through the (Tlingit) people. And also, you know,
35 I've not harvested sea gull eggs myself but many people in
36 Yakutat do get them from our places. And, you know, I was told
37 that that's the method we harvest them. Is when we go to the
38 nest, we go early in the egg season and if there's three eggs
39 in the nest, we leave it alone. But if there's one or two
40 eggs, then we take them because then the sea gulls lay more
41 eggs to replace them. And that was the method that I was
42 always told about gathering the sea gull eggs and I just wanted
43 to express that.

44
45 MR. BROWN: As I said, I'm still learning all of my
46 Tlingit ways and stuff. It was all taken away from me when I
47 was a kid because I was a transitional Native. During the
48 times of my growing up nobody spoke it and nobody -- and I'm
49 proud to be who I am. I'm a full-blooded Tlingit as I stated
50 and I come from a lineage of people that are very strong. And

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1 the more I learn, the more prouder I get and I pass it on to my
2 kids. And they're in dance groups also and they hunt with me
3 and they fish with me. And it's just a way of life for us.

4
5 CHAIRMAN THOMAS: Mary.

6
7 MS. RUDOLPH: I'd like to also make a comment to this
8 young man for being here. His father was from my clan and I
9 knew him very well before he died. And we've always kind of
10 been real close with all our clan members and to see our
11 younger ones coming out and wanting to learn and learn the
12 language makes me feel good because in the early '90s it was
13 predicted that the Tlingit language was the next to be extinct.
14 And that would mean the extinction of our tribe and that became
15 a big concern of mine. And to listen to him try and speak -- I
16 think when I got married in the late '50s my mother always --
17 always challenged me to speak my language. I was 10 when my
18 grandmother died. She didn't speak a word of English and so
19 when I got married my mother challenged me to speak my language
20 again. By then I'd been already forgetting to speak my
21 language. And she always had this little smile on her face
22 because I always fumbled through and he just had me totally
23 recall my fumbling years as he's speaking today. And I
24 compliment him on being brave enough to do it in front of all
25 of you and I am proud of you for coming forward.

26
27 CHAIRMAN THOMAS: Patty.

28
29 MS. PHILLIPS: Mr. Chairman. I'm from Pelican, one of
30 Hoonah's neighbors. And I recognize that Pelican is in the
31 Hoonah clan traditional hunting and gathering area. And most
32 -- more recently in the last few years I have observed more
33 Hoonah people activity in our area because of their coming over
34 to get deer. I've always seen them come over to the area,
35 outside the Koby (ph) area for their sockeye fishing. That's,
36 you know, a traditional thing that happens every year, they
37 come and get their sockeye. But I've seen more and more Hoonah
38 villagers coming into the Pelican area to get deer because of
39 the amount of timber harvest in the Hoonah area is impacting
40 their deer population and so they're -- as we've heard in past
41 testimony they're having to go further away from their village
42 to get deer. But I enjoy seeing the Hoonah people in our area
43 and glad that they're exercising their right to use their clan
44 areas.

45
46 MR. BROWN: Yeah, I'm a full-time student at UAF and
47 I'm pursuing my degree in college for my A.A. to go onto my
48 B.A. And I wrote up a story on Indian Island fishermen. And
49 you know Indian Island's been closed down since 1977, since the
50 Alaska Native Claims Settlement Act. And the times that we

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1 fished out in Indian Islands was the time that we all enjoyed
2 and I know that there's a lot of us in Hoonah that miss this
3 time and period very deeply because that is -- that is a great
4 impact area for us and to be able to go out there and fish and
5 such a short way from home, was always something that we did
6 extensively. And once they took it away we had to go further
7 beyond our fishing areas to go to other places to fish.

8
9 CHAIRMAN THOMAS: Herman.

10
11 MR. KITKA: This man here gave his background from all
12 the different areas in Southeast and all of the families is
13 also in the same position. This is why I always try to protect
14 our subsistence rights from different areas. At one time we
15 were all one Tlingit. This we should remember when we're
16 discussing subsistence areas because our roots go to putting
17 the whole community. Thank you.

18
19 MS. LeCORNU: I just wanted to ask who shut down that
20 fishing? Was that a state regulation?

21
22 MR. BROWN: State and federal regulation as well,
23 Alaska Native Claims Settlement Act. And when they shut it
24 down -- it had to do with the salmon treaty with Canada also.
25 And there was a lot of differences that arised during this
26 time. In other words, just taken away pretty much.

27
28 MS. LeCORNU: So no fishing is allowed?

29
30 MR. BROWN: No purse seining is allowed in Indian
31 Islands and that's where we fished for centuries.

32
33 MS. LeCORNU: Do they allow trolling and charter boats
34 and et cetera, et cetera, et cetera?

35
36 MR. BROWN: They do have -- yeah, they do have boats.
37 Yes.

38
39 MS. RUDOLPH: Mr. Chairman, now that he brought up
40 Indian Islands, he brought up a new subject for me. The Indian
41 Island was a real noted area for the tides. And there was very
42 few fishermen that was able to go through there without getting
43 pulled -- losing their seine in tide areas. Now we have maybe
44 three or four -- my husband being one of them, that has fished
45 in that area that could even begin to teach our younger people
46 today. That area has never been open for us again and so that
47 -- that way of fishing in that tide and in that area is going
48 to be lost once these men stop fishing and that history will be
49 gone with them. So it's always been real devastating for our
50 tribe when you speak of Indian Islands because that's part of

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1 our history that was taken from us also.

2

3 CHAIRMAN THOMAS: I won't fish in it. It's a good
4 place to stay away from.

5

6 MS. RUDOLPH: You have to know how to do it.

7

8 CHAIRMAN THOMAS: Anybody else?

9

10 MS. WILSON: I would like to thank this young man for
11 coming up to speak and I especially liked it when he talked
12 Tlingit because I still have to learn myself and so he put me
13 to shame. And you're a good example. Thank you.

14

15 MR. BROWN: Thank you.

16

17 MS. WILSON: And I also need to thank the other speaker
18 from Haines who said such good words about my husband and I. I
19 thank you Kathleen and thank you.

20

21 CHAIRMAN THOMAS: Thank you very much, appreciate it.
22 We have an unprecedented honor in our midst today. We are
23 blessed with the hierarchy of lawmaking personnel in the great
24 state of Alaska, who represents the largest district in
25 Southeastern Alaska. And he's the only one there who didn't
26 have any inappropriate actions. Let me introduce Al Kookesh.
27 We'll give him two hours and 20 minutes.

28

29 REPRESENTATIVE KOOKESH: Thank you. I was next door to
30 speak to the education forum and I really didn't know you were
31 meeting today but I appreciate a chance just to say a few words
32 to you. Many of you know that the subsistence question, the
33 subsistence lifestyle in Alaska, has been the forefront of the
34 Alaska legislature for the last -- well, let me give you the
35 true historical perspective, three different governors, nine
36 regular sessions and three special sessions and we still
37 haven't been able to come to a solution in the State of Alaska,
38 at least as far as Alaska goes.

39

40 So I really feel good that those of you who are sitting
41 on this board have dedicated the time and effort you have
42 because you may end up being the last line of subsistence in
43 the State of Alaska. And we're going to really look to you to
44 continue to carry the good work because there are all of us in
45 this state and rural Alaska. And that means not just Natives
46 but non-natives who live a rural lifestyle in Alaska are going
47 to count on you to do the good job. Because if those of us in
48 the state legislature can't solve the problem, you're going to
49 carry the whole load on your shoulders.

50

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1 And I want to thank each and every one of you for all
2 of the effort, the contributions you all have made and are
3 going to continue to make. I apologize also that not being in
4 the majority, that we can't carry the day and I feel bad about
5 that also. But I feel good to know that you all, and I know
6 that almost every one of you sitting at this table have
7 dedicated part of your life to working with subsistence, to
8 working on subsistence and to defending the subsistence way of
9 life.

10
11 You know, part of my job has always been to defend
12 rural Alaska. In education we had Senate Bill 36 last year
13 that we were really concerned about as it impacted our rural
14 schools. We had subsistence. We had the question of deferred
15 maintenance. We have questions that are going to continue yet.
16 But I want you all to know that rural Alaska is where I live.
17 Questions that involve rural Alaska I'll still be the champion
18 of but I want you all to be able to come to me and tell me what
19 problems are and offer me solutions. I heard you talking a
20 little while ago about Indian Islands. I fished there for 13
21 years and I know it's closed now. In fact the last time I
22 fished on the boat (indiscernible) was in Indian Islands. I
23 don't like to say this but I don't know whether they closed it
24 because I quit fishing there or because I -- actually I went to
25 law school that year and I never was able to make it back
26 seining.

27
28 But you all know, and Gabriel knows as much as anybody,
29 that I live in Angoon. I live a subsistence lifestyle. I can
30 shoot a seal. I can clean a seal. My wife and I still put up
31 our smoked salmon every year. I know where to get cockles in
32 Angoon. I know how to pickle gumboots and eat gumboots and
33 take care of gumboots. That's part of my life and Gabriel will
34 tell you that. So I just want to reaffirm again how important
35 you all are to me. There's a lot of times that I do work for
36 you in the state house of representatives but I'm going to tell
37 you something. You do more for me by contributing your time on
38 this board. And I, for one, want to thank every one of you for
39 doing that.

40
41 I'm interested in if you have any questions for me, I'd
42 be glad to tell you about it. We're right in the middle of a
43 critical time in subsistence in the state. We know that three
44 congressman we have in D.C., Senator Stevens, Senator Murkowski
45 and Don Young right now are making a deal with the Secretary of
46 Interior that excludes the Natives, that excludes the governor
47 and everybody is up in arms about it. Everybody is
48 mad. There has been a major changeover in Secretary Babbitt's
49 office that you'll hear about the next couple of days. A very
50 high ranking official has resigned because of that,

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1 negotiations that are ongoing.

2

3 Julie Kitka and I met yesterday in Anchorage and had a
4 discussion with some of our people in Washington, D.C. and
5 Juneau. We're really worried. We're really worried about
6 where we are in subsistence for the state but I feel good
7 because you all are here. And no matter what happens between
8 the state, the federal government and our congressional people,
9 I really feel strong about you being one of the last areas
10 that's going to stand up for subsistence. With that, Mr.
11 Chairman, I'd be glad to take any questions you may have.

12

13 CHAIRMAN THOMAS: Thank you, Representative Kookesh.
14 Yeah, we recognized that possibility a couple of years ago and
15 we saw it looming even greater as we speak. But it's difficult
16 to speak with that without being emotional and having to draw
17 an opinion about it. You know, so we're trying to deal with it
18 tactfully and every time we get tactful we lose. And so that's
19 something I'm considering very seriously in this process. We
20 have a management factor to consider before we get through here
21 that we'll have a significant impact on the ability for
22 subsistence to exist depending on what action we and other
23 regions take on this. And that's dealing with customary and
24 traditional use.

25

26 Hopefully our input will result in a good
27 recommendation. Hopefully a recommendation that will be
28 adopted and implemented will avoid further threats to the
29 existence of subsistence. But I see all
30 that as being very real. Even though we talk about subsistence
31 not kicking into effect until a priority has been identified.
32 We're rapidly reaching a point to where there won't be any need
33 to identify a priority if there isn't a use to fill that void.
34 And so that has very serious implications of the subsistence
35 communities of Alaska. But thank you for your being here and
36 taking the time to address us and Lonnie's got the first pencil
37 up there.

38

39 MR. ANDERSON: First of all, I'd like to thank
40 Representative Kookesh for the help that I know that he's done
41 for all of our rural communities since he's been in office. I
42 wander around through the halls and he's becoming one of the
43 more respected representatives that we deal with. The other
44 thing that I might ask is do you have any suggestions that this
45 body could come forth with?

46

47 REPRESENTATIVE KOOKESH: Well, I don't right off hand.
48 You know I work with Alaska Federation -- I'm chairman of the
49 board of Alaska Federation of Natives and subsistence is really
50 high on our priority list. However I always try to emphasize,

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1 and I know you probably do it too, that subsistence isn't a
2 Native question here, not in this state. Subsistence is a
3 rural question and subsistence is an Alaskan question. There
4 are more non-Natives in rural Alaska that subsist than Native
5 now. So we need to protect that lifestyle for Alaska because
6 it's what makes Alaska unique. And I think that we have to
7 protect that uniqueness. We're the only state in Alaska that
8 has subsistence as a way of life -- I mean in the state of the
9 union that has subsistence as a way of life. If we didn't have
10 that, we might as well be Michigan. But I don't have any
11 suggestions, direct suggestions right off hand except to
12 recognize the fact that Alaska is unique because of
13 subsistence.

14
15 MR. ANDERSON: I would like to thank you personally for
16 the work that you've done and keep up the good work.

17
18 REPRESENTATIVE KOOKESH: Thank you very much.

19
20 MS. McCONNELL: Thank you also, Representative, for
21 coming. We appreciate your comments. One thing I wanted to
22 mention, we had a retreat for the first two days. We gathered
23 here in Haines and at the very end of that we came up with kind
24 of a comprehensive plan of action for this council to take that
25 incorporates the four major points in ANILCA that we're bound
26 by. But it goes into detail kind of objectives for those four
27 goals. Steps that we can take to accomplish our mission, which
28 is to protect the life way of the subsistence lifestyle or
29 whatever phrase you want to use, in Southeast Alaska. And one
30 thing that comes to mind with Lonnie's question there is if
31 there are hearings or some way that we can testify through our
32 chairman on bills that are -- that you're dealing with that
33 affect that lifestyle here in Southeast, I think that that
34 would be an appropriate way for this council to be involved and
35 that it could possibly further our mission and our goals.

36
37 REPRESENTATIVE KOOKESH: Absolutely. And I'll make an
38 effort this year when there are questions on subsistence and we
39 -- we will be bringing it up again, that your input is asked
40 for, appreciated and I hope every one of you on the committee
41 besides the chairman, are willing to come to testify. Because
42 we need to hear from all people in rural Alaska, not just the
43 Native folk. And sometimes we get just Native folk testifying
44 and it gives the impression to the rest of Alaska that this is
45 only a Native problem. We need everyone to testify, everyone
46 who's affected. Thank you, I will do that.

47
48 MS. McCONNELL: Thank you very much.

49
50 MS. WILSON: Senator

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1 REPRESENTATIVE KOOKESH: Representative. Senator
2 is.....

3
4 MS. WILSON: Oh, Representative.

5
6 REPRESENTATIVE KOOKESH: He'd get mad at both of us if
7 you called me that.

8
9 MS. WILSON: Yeah, he would. I wanted to ask since we
10 are working underneath ANILCA right here, Title VIII.

11
12 REPRESENTATIVE KOOKESH: Right.

13
14 MS. WILSON: And I want to know if this state and our
15 representatives in Washington, D.C. are trying to make changes
16 to Title VIII?

17
18 REPRESENTATIVE KOOKESH: Not right now except the -- we
19 are not going to seek and nobody has seen the plan that they've
20 come out with on the moratorium. It will not be out -- they
21 said they're not going to give it to any of us until after the
22 session is over. So that means they don't want us to criticize
23 them while they're in session. It's going to be -- it's not
24 going to be a good plan. It will be -- from what we've been
25 able to gather, it will be a moratorium. But a moratorium that
26 the Secretary of the Interior has no authority in Alaska and
27 we're a little bit concerned about it. All we hear is rumors.
28 Julie Kitka and I had a meeting yesterday with our subsistence
29 people. We've called D.C. We're not able to get our hands on
30 a document. We don't know what they're going to do. But we
31 think it will impact Title VIII of ANILCA certainly by maybe
32 taking some of the authority away and we're worried about that.
33 We're worried about that moratorium being extended forever.
34 And that's sad because it was a lawsuit that was won and what
35 you do about that judgement and lawsuit is put off forever.
36 What is the good of winning a lawsuit that gives credence to
37 Title VIII and to subsistence if you're not able to implement
38 it. But we'll know more on Monday or Tuesday.

39
40 MS. ANDERSON: Thank you.

41
42 CHAIRMAN THOMAS: John.

43
44 MR. VALE: Thank you, Mr. Chairman. I have a similar
45 question in that, you know, the governor produced his task
46 force proposal in the last few years. And I know many people
47 were quite alarmed that the proposed amendments to ANILCA,
48 changes and definitions and everything in there, and I was
49 wondering if you and perhaps AFN have had any success making in
50 roads with the governor's office and maybe, you know,

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1 eliminating or modifying some of those changes to Title VIII.

2

3 REPRESENTATIVE KOOKESH: The only good thing that's going to
4 happen is on October 1st, those amendments go away.

5

6 MR. CLARK: December.

7

8 REPRESENTATIVE KOOKESH: October 1st -- is it December?

9 They go away. They do go away though. If nothing happens,

10 they go away because they're one part of a three-legged stool.

11 So if nothing happens in the state statutes or state

12 constitutional amendment, they go away. That's the only good

13 thing that happens. I want to tell you something new.

14 Yesterday the governor called Julie Kitka and I in Anchorage.

15 We were having our meeting. He said, Julie, I want AFN to know

16 that I am not part of the negotiating process in Washington,

17 D.C. I've told the Secretary of the Interior and congressional

18 delegation that I don't like the moratorium they're trying to

19 put together right now and I'm not going to be a part of that

20 process. And I want to tell you how grateful we felt to the

21 governor yesterday for taking the position that if they're not

22 going to talk to the Native community and if they're not going

23 to talk to the governor, that he wants nothing to do with the

24 new moratorium.

25

26 CHAIRMAN THOMAS: Patty.

27

28 REPRESENTATIVE KOOKESH: Hi Patty.

29

30 MS. PHILLIPS: This council relies heavily on expertise

31 that the Alaska Department of Fish and Game gives us, provides

32 us, particularly the subsistence division. And I would request

33 that you do what you can to make sure their budget is adequate

34 enough to meet the needs that we're going to be facing

35 concerning subsistence. And we as a council do our best to

36 promote an increase in budget to Forest Service which will be

37 in co-management with ADF&G to -- on some of the studies that

38 we need to make good decisions on behalf of subsistence.

39

40 REPRESENTATIVE KOOKESH: Absolutely. And there's no

41 question that if we have a subsistence division but we don't

42 fund it, it's an unfunded mandate. And the only unfunded

43 mandate I know that ever worked is when Jesus said go forth and

44 multiply.

45

46 MS. PHILLIPS: Well, you can let them know that on our

47 behalf that they're doing a good job and we continually need

48 their expertise.

49

50 REPRESENTATIVE KOOKESH: Yeah, and I've been very

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1 supportive of the subsistence budget and so has Senator Mackie.
2 If we -- and let me just tell you this. We are looking at the
3 numbers in Alaska right now very closely. The regional
4 corporation in Alaska, in Anchorage, have geared up to get the
5 30,000 Anchorage Natives to vote. If we can even get 5,000 of
6 them to vote, we may change some of those races in Anchorage.
7 We lost five democratic seats in Alaska in the last election by
8 less than 500 votes. That makes a huge difference in the
9 majority. If we can pick up four or five seats, it will make a
10 huge difference in the amount of money we're able to spend in
11 areas that we feel are important. And subsistence obviously is
12 one of them for rural Alaska. That's obviously some place that
13 has to be funded. You can't do good decisions -- you can't
14 make good decisions without adequate scientific background and
15 you need that scientific background. There's no question about
16 it. I'm not just saying that because my brother works for
17 subsistence either.

18
19 CHAIRMAN THOMAS: It's unique. Everything about this
20 council is unique.

21
22 MR. GEORGE: Well, Angoon is kind of unique because we
23 have Al Kookesh as our representative. And I really appreciate
24 you coming and talking to us today. I think you've given us a
25 background in what's going on in the state that was missing, at
26 least in my mind. And I'd like you to know that one of the
27 places that is up for our next meeting spot is probably your
28 motel/hotel there as that's probably the only place that would
29 accommodate us. So that's going to be up for consideration at
30 the end of this meeting of our next meeting place. And the ANB
31 president from Angoon invited the council to meet in Angoon.

32
33 CHAIRMAN THOMAS: For the fall of '99.

34
35 MR. GEORGE: Oh, I guess for the fall of '99, okay.

36
37 REPRESENTATIVE KOOKESH: Well, you'd certainly be
38 welcome in Angoon. Gabriel and I live there and we think it's
39 a great community. We have all our streets paved now so we're
40 proud of that.

41
42 MR. GEORGE: I keep telling them I don't invite anybody
43 to Angoon because I'm afraid some of them will stay. But
44 anyway, I appreciate what you've given us today and I look
45 forward to I guess the fall of next year to have a meeting in
46 Angoon.

47
48 REPRESENTATIVE KOOKESH: Thank you. And I want to tell
49 you right now as a committee that if every time you schedule a
50 meeting, please invite me. I'd be glad to come and talk to you

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1 on -- to update you on where we are on subsistence, not just
2 from the AFN perspective, from the State of Alaska perspective.
3 I'd be glad to come and talk to you every time you have a
4 meeting. Invite me. I'd be glad to come.

5
6 CHAIRMAN THOMAS: We only meet twice a year.

7
8 REPRESENTATIVE KOOKESH: Well, that's twice I'll be
9 here.

10
11 CHAIRMAN THOMAS: Paul.

12
13 MR. WILSON: I have a question on Chilkoots.
14 Chilkoot's state land, at the present time I cannot go in there
15 and fish for subsistence food. When Austin was alive I asked
16 him about it and he said just go in there and get it. And I
17 asked Fish and Game about it and they said you better not.
18 You'll be cited. And I get the feeling that this is just a
19 local regulation. I don't think it's the state so that's my
20 question. If it is state, I think I ought to be able to go
21 into Chilkoot because that's tribal lands to begin with. Is
22 there any such regulation from the state that I cannot go in
23 there and subsist?

24
25 REPRESENTATIVE KOOKESH: You know, if that question's
26 for me, I don't know the answer to that. But I'd certainly be
27 glad to find out.

28
29 CHAIRMAN THOMAS: We've got Fish and Game here.

30
31 REPRESENTATIVE KOOKESH: Good. Well, they can answer
32 that question better than I can and defend it better than I
33 can.

34
35 MR. WILSON: That's all I have.

36
37 REPRESENTATIVE KOOKESH: Well, thank you very much for
38 inviting me. I don't want to take any more of your valuable
39 time. I'm sure you have other people that are going to
40 testify.

41
42 (Off record comments regarding lunch)

43
44 CHAIRMAN THOMAS: Mr. Tlingit here just brought me a
45 bulletin from Secretary Babbitt's office. It would behoove you
46 to hear what they have to say. Tribal leaders, AITC action
47 alert, Secretary Babbitt agreed to another moratorium on the
48 Department of Interior's ability to implement Title VIII
49 priority for subsistence fishermen. Although Secretary Babbitt
50 said he would not seek another moratorium, despite those

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1 promises the Secretary breached both his promise to Alaska
2 Natives by engaging in closed-door negotiations with Alaska's
3 congressional delegation and agreeing to the extension of an
4 interior department funding. AITC has asked the president to
5 veto the moratorium, letters attached. Urge all of your member
6 tribes to fax a letter to the president and the president, Lynn
7 Cutler, demanding that they veto the moratorium. And it's got
8 the addresses and fax numbers here, got a copy of the letter
9 they wrote. Let's see, legislative alert. The U.S. Senate is
10 considering language in the Department of Interior under the
11 appropriation bill to which would permanently prohibit the
12 Indian Health Service -- oh, that's something else. They're
13 getting rid of all Indian participation. But, anyway,
14 according to this the moratorium's been worked out. I'll leave
15 that up to Anchorage to interpret. So, annual report.

16
17 (Off record comments regarding lunch)

18
19 CHAIRMAN THOMAS: We'll work through lunch. Let's hold
20 the noise down, we're still in session, please.

21
22 MR. VALE: Mr. Chairman.

23
24 CHAIRMAN THOMAS: John.

25
26 MR. VALE: Yeah, with regards to annual report, I think
27 our main agenda item, our main topic in the annual report
28 should be the proposed rule and the lack of Title VIII
29 protections for our fisheries should be a main theme. And I
30 would like to see that incorporated into the annual report.

31
32 CHAIRMAN THOMAS: Okay.

33
34 MR. ANDERSON: Mr. Chairman, I second John's motion.

35
36 MS. LeCORNU: John was asking what the annual report
37 requires and it says each Regional Advisory Council shall have
38 the following authority. The review and evaluation of
39 proposals for regulations, policies, management plans and other
40 matters relating to subsistence uses of fish and wildlife
41 within the region. Provision of a forum, encouragement of
42 participation and the preparation of an annual report to the
43 Secretary which shall contain an identification of current and
44 anticipated uses of fish and wildlife within the region. An
45 evaluation of current and anticipated subsistence needs.
46 Recommended strategy for the management of fish and wildlife
47 population to accommodate such subsistence uses and needs. And
48 recommendations concerning policies, standards, guidelines and
49 regulations to implement the strategy.

50

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1 CHAIRMAN THOMAS: Right. If you look under Tab G, Page
2 3, two and three, I think you'll see that. We try to do that
3 each year and each year I'm sure we can improve on it.

4
5 MS. LeCORNU: Uh-huh.

6
7 MR. CLARK: Mr. Chairman.

8
9 CHAIRMAN THOMAS: Fred.

10
11 MR. CLARK: Several years in the past in the annual
12 report, the Council has actually gone through those line by
13 line and used that for the format of the annual report, those
14 four items that -- I think it was four items that Vicki noted.
15 That's the format that we've used in the past for the annual
16 report. We did not follow that format last year in the annual
17 report even though it seemed like the items were, we tried to
18 incorporate those items within the report. So you have some
19 flexibility for how you want to do that.

20
21 MR. VALE: Mr. Chairman.

22
23 CHAIRMAN THOMAS: John.

24
25 MR. VALE: Under that format, I think that that
26 presents a good format for discussing of the proposed rule, the
27 anticipated needs of fisheries resources. And I think that the
28 strategy for developing protection of those resources and -- so
29 anyway, I think with regards to the proposed rule we could
30 comment under each one of those categories that Vicki
31 identified. If there's something specific that I guess that we
32 have, I'm mentally focused on at the moment is, you know, the
33 fisheries issue, the proposed rule.

34
35 MR. CLARK: The way we've often done that in the past,
36 there's kind of a subcommittee of folks who kind of rough out
37 the -- kind of structure the ideas for the annual report and
38 then I can work to facilitate getting that into a workable form
39 and distributing it between Council members for them
40 finalizing.

41
42 MR. VALE: Good suggestion.

43
44 MR. CLARK: Is that the way the Council would like to
45 do that then. Mr. Chairman.

46
47 CHAIRMAN THOMAS: Fred.

48
49 MR. CLARK: This just came to me, is this a request to
50 make copies to everybody?

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1 MS. WILSON: Yes.

2

3 CHAIRMAN THOMAS: It just came by me and I heard the
4 word President and I said, pass it on.

5

6 MR. CLARK: This being the piece of paper that was
7 handed out by the local tribal leader, right?

8

9 CHAIRMAN THOMAS: Mr. Clayton.

10

11 MS. WILSON: Yes.

12

13 MR. CLARK: Mr. Clayton. Dealing with AITC action
14 alert.

15

16 MS. McCONNELL: It seems like it would depend on what
17 -- if we're going to take any action on that, whether, like for
18 example if we want to write a letter. If it's too early to
19 write a letter, do we -- you know, would it do any good to
20 write a letter?

21

22 MR. CLARK: Just a process point, it might be better to
23 actually consider that under another part of the agenda.

24

25 MS. McCONNELL: Yeah. That's my response to your
26 question about whether to make copies.

27

28 MR. CLARK: Uh-huh.

29

30 CHAIRMAN THOMAS: We'll put that under (B)(2) also part
31 of number 3. So we'll have resubmit resolution to solicitor
32 for response and State Board participation, and then the third
33 one will be what do we do with that alert.

34

35 MR. CLARK: Mr. Chairman.

36

37 CHAIRMAN THOMAS: Fred.

38

39 MR. CLARK: Under (A)(1) under action items, it says
40 review of 1997 annual report and Board's response and referral
41 letters. Do you think we've done enough of that over the
42 course of the meeting or do you want to address that in
43 particular on the record?

44

45 MS. WILSON: Which one is that?

46

47 MR. CLARK: That's the review of the 1997 annual report
48 and the Board's response and referrals letters. That's what
49 the Chairman referred us to under Tab G. There's the response
50 from the Office of Subsistence Management.

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1 MS. WILSON: B or D?

2

3 MR. CLARK: G.

4

5 CHAIRMAN THOMAS: G.

6

7 MS. WILSON: I'm sorry, it's really hard for me to hear
8 all of a sudden. I don't know if it's the outside noise or
9 what?

10

11 MR. CLARK: I'll repeat my question. On the agenda
12 under action items.....

13

14 MS. WILSON: Yes.

15

16 MR. CLARK:the first one (A) is annual reports,
17 and the first letter under annual reports is the review of the
18 1997 annual report and the Board's response and referral
19 letters.

20

21 MS. WILSON: Uh-huh.

22

23 MR. CLARK: My question was whether the Council wanted
24 to explicitly visit that on the record since nobody has really
25 been talking about that yet in this portion of the agenda or if
26 you feel it's been handled enough by a previous discussion?

27

28 MS. LeCORNU: Are you referring to the letter of our
29 annual report?

30

31 MR. CLARK: Yeah.

32

33 MS. LeCORNU: Or the response to it?

34

35 MR. CLARK: The agenda issue is reviewing the Board's
36 response and referral letters and/or the annual report itself.

37

38 MS. LeCORNU: Oh, I see.

39

40 MR. CLARK: Madame Chairman, what I would suggest is
41 that if you have some specific comments that you want to get on
42 the record concerning your response from Mitch Demientieff,
43 under Tab G, that now would be the best time to do that.

44

45 MR. VALE: I would like to provide a comment on our
46 response to the annual report. And I would note that in
47 addition to the fact that we didn't -- the Federal Board
48 requested a solicitor's opinion on the proposed rule but no --
49 that hasn't arrived and we've had no response there. And
50 additionally, the issue we raised with the appeal -- the five

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1 tribe's appeal of the Tongass Land Management Plan, the
2 comments closed by saying that the -- since the issues pertain
3 directly to the Forest Service rather than to the Board, we
4 have forwarded your comments to the Regional Forester. And so
5 we have not had a response from the Regional Forester as to
6 that issue as well. And given that, I think we need to raise
7 that topic one more time in our annual report. And so I would
8 look to include some language in there addressing this topic
9 once again.

10

11 MS. PHILLIPS: Mim.

12

13 MS. McCONNELL: Madame Chair, I was thinking that -- or
14 maybe I'm just wondering whether or not this would be a good
15 time for John to read the draft letter that the committee came
16 up with on the issue of the proposed rule and not having the
17 marine waters included in the final rule.

18

19 MS. PHILLIPS: I think it's later on on the agenda.

20

21 MS. McCONNELL: Well, I was thinking about it because
22 it has to do with our response to the annual report and their
23 response to the annual report. And it's part of our response
24 to the annual -- to their response.

25

26 MR. VALE: We haven't done anything with that yet, I
27 suggest that we have to take care of that business first and
28 then we could incorporate our actions into the annual report,
29 however we deal with that. Because we still need to have
30 discussion about that letter.

31

32 MS. McCONNELL: Well, I guess what I was suggesting is
33 that we could discuss that now, but maybe if you want to wait
34 that's fine.

35

36 MR. VALE: I don't see any problem with including that
37 discussion later after we concluded, but not at this time would
38 be my suggestion.

39

40 MS. McCONNELL: That's fine.

41

42 MR. CLARK: How did the Council want to development of
43 the report issues and topics, do you want to do that in a
44 committee or at the table at this time?

45

46 MS. McCONNELL: When is the -- the report's not -- we
47 get to work on it again at the next meeting, right, or is it
48 going now?

49

50 MR. CLARK: No, it can be worked on through the winter.

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1 MS. McCONNELL: Okay. We have all the way until the
2 next meeting to come up with the report.

3
4 MR. CLARK: Right. It's much later, we have plenty
5 time to work on it.

6
7 MS. McCONNELL: Okay.

8
9 MR. CLARK: I believe it's after the winter meeting.

10
11 MS. McCONNELL: So there's no really rush to -- it
12 doesn't hurt to have ideas jotted down and what we want in
13 there and have a list going. And then.....

14
15 MR. CLARK: Right. The point.....

16
17 MS. McCONNELL: The actual writing doesn't need to
18 happen right now.

19
20 MR. CLARK: Mr. Chairman.

21
22 CHAIRMAN THOMAS: Fred.

23
24 MR. CLARK: The point to do that at this meeting is to
25 do brainstorming and bring up ideas that we can include in the
26 annual report. And sometimes we've gotten together in kind of
27 subgroups to develop, you know, ideas that would be brought
28 forward. We haven't been able to do that at this meeting, but
29 the idea is just to try to get general ideas out and get people
30 thinking about developing the annual report. The actual
31 writing down of the annual report doesn't have to be done at
32 this time. But it's good to get thinking about things to put
33 into the annual report.

34
35 MS. McCONNELL: Uh-huh.

36
37 MR. CLARK: And then as you think of those ideas you
38 can feed those ideas to me. I will put them together and
39 condense them and then ship them back out for comment and have
40 them ready for complete review at the winter meeting. If
41 that's an acceptable process to the Council?

42
43 MS. McCONNELL: Uh-huh.

44
45 CHAIRMAN THOMAS: How about refreshing us on the
46 evolution of the annual report. It starts from us and then it
47 goes to -- how far does it go up the hierarchy? Who signs it?

48
49 MR. CLARK: It goes to the Federal Subsistence Board,
50 the response comes from the Chair of the Federal Subsistence

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1 Board.

2

3 CHAIRMAN THOMAS: I sign the report?

4

5 MR. CLARK: You sign the report.

6

7 CHAIRMAN THOMAS: And then we get a response from the
8 Board?

9

10 MR. CLARK: Uh-huh.

11

12 CHAIRMAN THOMAS: And then?

13

14 MR. CLARK: And then it goes -- from you it goes to the
15 Federal Subsistence Board.

16

17 CHAIRMAN THOMAS: Right.

18

19 MR. CLARK: And then the response developed by Staff.
20 And the response is signed by the Chair of the Federal
21 Subsistence Board and given back to you.

22

23 CHAIRMAN THOMAS: So none of this leave the state?

24

25 MS. DETWILER: That's correct.

26

27 MR. CLARK: I think that's correct. I don't know if
28 copies are CC'd to the Secretary of Interior and/or
29 Agriculture. Sue.

30

31 MS. DETWILER: The Secretary delegated the
32 responsibility for responding to the annual reports to the
33 Federal Subsistence Board. So the Board is as high as it goes.

34

35 CHAIRMAN THOMAS: I think I understood that before.
36 But the reason I brought it up again, is because sometime we
37 think we have a tool here that can overturn vetos and countries
38 and satellites and everything else when actually it doesn't do
39 that. So I want us to respond accordingly.

40

41 Vicki.

42

43 MS. LeCORNU: Yeah, I'm real disappointed that it says
44 here -- right here in the law, the preparation of an annual
45 report to the Secretary. It doesn't say he can delegate his
46 authority to anybody else. It doesn't say that. So we have to
47 send that report to him whether anybody else likes it or not.
48 Carbon copy if you have to.

49

50 MR. CLARK: Mr. Chairman.

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1 MS. LeCORNU: Original preferred.

2

3 MR. CLARK: Vicki, the Secretaries have delegated a
4 great deal of authority down the line.

5

6 MS. LeCORNU: Uh-huh.

7

8 MR. CLARK: And even some of the responsibilities that
9 were delegated down the line have been further delegated down
10 the line.

11

12 MS. LeCORNU: Right. But that doesn't relieve him.

13

14 MR. CLARK: So I'm just agreeing with you, in that, if
15 you want to include additional people in distribution of the
16 annual report, there's nothing that precludes you from doing
17 that.

18

19 MS. LeCORNU: Uh-huh. So I would suggest here after
20 that we send the original to the Secretary and everybody else
21 get the carbon copy. So it goes right to the top.

22

23 CHAIRMAN THOMAS: There's good direction in that
24 statement. Because everything that we're doing is coming from
25 ANILCA. And if we haven't seen legislators and authorities, it
26 doesn't have much of an impact on us. See, and I think that's
27 the point Vicki's making.

28

29 MR. CLARK: Right.

30

31 CHAIRMAN THOMAS: And I happen to think it's a good
32 one.

33

34 MR. CLARK: Mr. Chairman.

35

36 CHAIRMAN THOMAS: Fred.

37

38 MR. CLARK: If I may, I'd like to bring up one other
39 point, that the annual report also builds the record of what
40 the Council wants to see happen. Whether, you know, this is
41 another function beyond getting a response from the Board or
42 notifying the Secretaries of what the Council wants. It builds
43 the record, it doesn't go away. It's your chance to say, this
44 is what we want to see happen.

45

46 MS. LeCORNU: Mr. Chairman.

47

48 CHAIRMAN THOMAS: Vicki.

49

50 MS. LeCORNU: Also I wanted to comment on the letter

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1 from Mitch Demientieff. He says there has been substantial
2 progress made in supplementing existing information through at
3 least in collaborative efforts, including Forest Service,
4 ADF&G, research effort on Unit 2 deer hunting and to household
5 surveys being conducted by the ADF&G with Forest Service
6 support. Well, to me there's no goal in mind here. A goal, to
7 me, would be to, number 1, identify current and anticipated
8 subsistence uses, that's what I was referring to in the last
9 three days about, you know, being more specific I guess in
10 identifying the needs. So I take a little bit of difference
11 with this study.

12

13 MR. CLARK: Mr. Chairman.

14

15 CHAIRMAN THOMAS: Fred.

16

17 MR. CLARK: Vicki, if I read this correctly, what you
18 just quoted from, is actually from the Council's annual report,
19 it's not the response part of the letter. The response part is
20 further down in the middle of Page 4, about the middle of the
21 page.

22

23 MS. LeCORNU: Uh-huh.

24

25 MR. CLARK: That's the response.

26

27 MS. LeCORNU: Oh, I see. So this isn't his letter
28 verbatim.

29

30 MR. CLARK: Yes.

31

32 MS. LeCORNU: It is?

33

34 MR. CLARK: Pardon?

35

36 MS. LeCORNU: Is this the letter from Mitch
37 Demientieff, verbatim then?

38

39 MR. CLARK: Yes.

40

41 MS. LeCORNU: Well, he says there has been substantial
42 progress and I take difference with that because it doesn't
43 have a goal in mind.

44

45 MR. CLARK: What Mitch is doing here, as you notice the
46 first paragraph, it says that the Council recognized these
47 things, then it just lists, in particular, what it is that the
48 Council listed in the annual report.

49

50 MS. LeCORNU: Uh-huh.

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1 MR. CLARK: And then on the next page is the Board's
2 response to the Council's statements. Maybe a small point, I
3 don't want to belabor it, but you know, the response is further
4 down.

5
6 MS. McCONNELL: All the indented portions is the --
7 Mitch's response.

8
9 MS. LeCORNU: Well, it's really confusing because they
10 haven't -- signed signature at the end of the three pages, four
11 pages.

12
13 MR. CLARK: That's right. Because the whole thing is
14 the letter from the Chairman.

15
16 MS. LeCORNU: Oh, I see.

17
18 MR. CLARK: They just wanted to make sure that you knew
19 what they were responding to so they included, you know, fairly
20 lengthy details of what it is that they're responding to.

21
22 MS. WILSON: Mr. Chairman.

23
24 CHAIRMAN THOMAS: Marilyn.

25
26 MS. WILSON: Do you think it would be good for us to
27 divide into groups to at least get some ideas down for making
28 the annual report, maybe to limit our time and just to be doing
29 something. Because it seems like we're kind of lagging here,
30 we need to be busy.

31
32 MR. CLARK: Mr. Chairman.

33
34 CHAIRMAN THOMAS: Fred.

35
36 MR. CLARK: I have another idea. And that is, I can
37 set up a, what's called a bridge number, it's a telephone
38 number that people can call into, an 800 number, if you want to
39 do that. You can talk by teleconference, even to develop these
40 issues a little bit, you know, to talk about the ideas that
41 should go into the annual report. That way you don't have to
42 worry about it at this point.

43
44 MS. PHILLIPS: Mr. Chairman.

45
46 CHAIRMAN THOMAS: Patty.

47
48 MS. PHILLIPS: I wanted several specific things put in
49 the annual report that have already been discussed today or
50 early in the meeting. And one was that a member of this

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1 Council or a member of the subsistence Staff be a part of the
2 TIPIT team to review the subsistence standards and guidelines.
3 And that to continue to recognize that funding is not realistic
4 to manage subsistence resources.

5
6 MR. CLARK: That's the second thing, funding.

7
8 MS. PHILLIPS: And I would like to thank the powers
9 that be for maintaining the continuity of the Council in their
10 appointments.

11
12 MR. SORUM: Mr. Chairman.

13
14 CHAIRMAN THOMAS: Alan.

15
16 MR. SORUM: I think I like Fred's idea, if we don't
17 have a hard time line to put a final document together. I think
18 a lot of what's going to go into the annual report is going to
19 change once we get through the action items and then meet again
20 in the spring. So I really like that idea of being able to get
21 the group together informally on a teleconference and kick this
22 around a couple of times. But if we're going to make a list of
23 some of the things, I think when we make our decision on c&ts,
24 that's going to be part of the annual report, I'm sure.
25 Whatever we do decide to do.

26
27 I agree with John, the issue of maritime waters, I
28 still can't believe that you're going to deal with subsistence
29 under our legislation and leave out saltwater as part of our
30 subsistence. TLMP's not going to go away, we're going to be
31 dealing with TLMP for a long time to come. So I would like to
32 see this group stay really involved in that process. And then
33 we were just talking about, this is a good step in the right
34 direction, the funding's good, but there needs to be another
35 tab on there. I really agree with that. There needs to be a
36 tab on there that says, human needs. Because what we have
37 right now, it's giving estimated harvest. So what's going to
38 happen when the capability of land goes down, you're going to
39 see a change in harvest but there's nothing in here that's
40 talking about changing the harvest to match the human needs.
41 So I think that's something that we need to keep beating on
42 that. Just because we have a handle on what the harvest is
43 doesn't mean that we're managing the resource to fulfill our
44 obligations with subsistence.

45
46 So that's all I wanted to bring up before we moved on.

47
48 CHAIRMAN THOMAS: Well, from what I've heard today, if
49 I interpret it right, one of two things will happen. We'll be
50 here just because we're a good looking group with really no

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1 authority or they'll probably disband this Council system. I
2 really look -- I understand that Federal -- there won't be no
3 Federal management -- if the language I heard in the moratorium
4 and the negotiation that's going on today. So I'm not sure to
5 try to fix the leak in the boat or just get off on the beach.
6 See, and I say that because we'll need to wait until we hear
7 the news tonight, more of what's happening. The information I
8 got was limited and they asked me to keep it limited. So we'll
9 have to see. And I am lacking instruction or direction or
10 suggestion on just how much effort we should continue in what
11 we're doing now.

12

13 Mim.

14

15 MS. McCONNELL: Well, my suggestion for that then
16 would be, since we don't know for sure anything different to
17 keep on with what we're supposed to be doing.

18

19 CHAIRMAN THOMAS: I'd be very happy with that.

20

21 MS. McCONNELL: I think we need to just keep assuming
22 that we're going to still exist and act accordingly because we
23 don't know otherwise and it'd be ashamed to waste the rest of
24 this day.

25

26 CHAIRMAN THOMAS: We'll get that rubber tree planted
27 anyway.

28

29 MS. WILSON: I second that.

30

31 MS. McCONNELL: So I had some other thoughts if Alan
32 was through. One of them was concerning -- it had been
33 mentioned yesterday about having a Federal liaison to the State
34 Fish Board. And it was -- I think it was sort of done in jest
35 and Alan was suggested, but it was never really discussed.

36

37 MS. PHILLIPS: In jest?

38

39 MS. McCONNELL: Well, it was sort of -- it just never
40 was dealt with so I thought I'd bring it up again because I
41 thought it was a good point. So I would like to add that to
42 the report that there be funding available for the Council
43 members or a member to attend both, the Board -- State Board
44 meetings, fish and game, whenever they meet and whenever they
45 have anything to do with Southeast or state wide issues. I'd
46 like to see funding made available for that.

47

48 And let's see, another one that maybe would go in the
49 annual report, I'm not really sure, would be concerning the
50 liaison for the Migratory Birds group that meets. And I don't

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1 know if that's something that we'll need to do a letter on or
2 if that should go on the annual report, or both. So I'll just
3 throw that out.

4
5 And then just backing up what Alan said about funding
6 for -- and I was going to suggest we write a letter about
7 funding for further surveys and stuff. But I was going to
8 bring that up at the end of the agenda.

9
10 MR. ANDERSON: Mr. Chairman, instead of surveys, a good
11 word would be enhancement practices to ensure the.....

12
13 MS. McCONNELL: Uh-huh.

14
15 MR. ANDERSON:the amount of subsistence use still
16 remains.

17
18 MS. McCONNELL: Uh-huh, yeah.

19
20 MR. SORUM: Yeah, instead of looking at the status quo
21 all the time, we need to be looking at making it better.

22
23 MS. McCONNELL: So that was -- those were all my
24 suggestions for the annual report at this time.

25
26 CHAIRMAN THOMAS: Okay. Anybody else have any thoughts
27 on the annual report at this time?

28
29 MR. ANDERSON: Well, Mr. Chairman, I started my annual
30 report that I'll send into Fred. But my concerns were shown on
31 the board here, the extenuating circumstances on logging
32 especially on Kuiu and Kupreanof and this enhancement procedure
33 that we need to ask about should be part of that report.

34
35 CHAIRMAN THOMAS: Okay.

36
37 MR. ANDERSON: And I'll have that -- I'll get with the
38 appropriate people to make it an intelligible presentation.

39
40 CHAIRMAN THOMAS: Okay. That covers the annual report
41 for now. How about number 2, development of 1998 report issues
42 and topics. Was that included in that same discussion?

43
44 MS. McCONNELL: Yeah.

45
46 MR. VALE: Uh-huh.

47
48 CHAIRMAN THOMAS: Okay. That takes us down to
49 subsistence issues, review and proposal generation, first being
50 c&t determination, working group report and Regional Council

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1 action. I got to excuse myself for a minute, I got to make a
2 phone call, I said I'd call at noon. If you excuse my absence,
3 go ahead.

4
5 MS. MASON: I think you've heard it all before.

6
7 CHAIRMAN THOMAS: But I just love the sound of it.

8
9 MS. MASON: Yes. Thank you, Madame Chairman.

10
11 MR. CLARK: Chair person.

12
13 MR. VALE: They're all madames on that end.

14
15 MS. MASON: Yeah. I'm here to talk to you about the
16 work of the task group that was appointed to review the c&t
17 issue. We talked about this extensively during the retreat and
18 also this morning Bill gave you a report of the work of the
19 task group, too. I'm not going to belabor any of these issues
20 but just to make sure that you understand that the group was
21 formed in response to the Council's concern that had been
22 brought up and in particularly in response to the Council
23 Chairs concerns at the joint Board and Chairs meeting last
24 spring. The explicit purpose of the group is to review the c&t
25 determination process. And at this stage, in all the Council
26 meetings that are going on now, the group is seeking
27 recommendations from all the Councils on where to go with c&ts.
28 And after all the Council meetings have taken place and their
29 recommendations have been developed, the task group will meet
30 again, review the Council input and then make a recommendation
31 to the Board and that will all happen by December 1st. The
32 group consists of Mitch Demientieff and Fred Armstrong, from
33 the Federal Subsistence Board. And representing the Regional
34 Councils are Bill Thomas, Craig Fleener of Eastern Interior and
35 Dan O'Hara from Bristol Bay. From the Staff Committee are
36 Sandy Rabinowitch, Ida Hildebrand, Keith Goltz and Ken
37 Thompson. And certain members of our Staff from the office
38 have sat in to work as technical support to the group.

39
40 And I brought up to you before some of the examples of
41 what the Council -- this Council has looked at and what has
42 provided difficult in looking at c&t -- just to refresh your
43 memory, the last time that you met, you dealt with some issues
44 that had -- ran the gamut of all the ways to look at c&t.
45 There was the moose in Unit 1(B), and what you had recommended
46 was something that was considered too broad, according to the
47 request for reconsideration that the State brought up. Because
48 you had recommended that all the people in Unit's 1, 2 3 and 4,
49 all have positive c&t in Unit 1(B). So that was the broad
50 approach. And then with the proposals that dealt with Kake and

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1 Petersburg, there were specific requests for Kake and
2 Petersburg for bear, goat and deer, and there you really
3 struggled with whether to go community by community or to take
4 the approach of including a whole unit as having positive c&t.
5 So those are some examples that have to do with your Council.
6

7 And at the retreat we heard a lot of perspectives on
8 what's bad about the current c&t, what's good about the current
9 c&t, and there was -- I think there was an interest in what
10 would happen if the different regions -- the different Regional
11 Councils had different approaches. And Mim brought up a
12 question that I hadn't thought of before which is, what if some
13 of the Councils want to dispense with c&t and others don't.
14 And I don't know the answer to that. But I think just as no
15 c&t is one of the options, then if it is possible for all of
16 the Councils to have a different approach to c&t, that has to
17 be one of the approaches that are possible.
18

19 So I wrote up on this board the different options that
20 were developed by the task group and they range from keeping
21 the eight factors as they are to no c&t. Just to frame your
22 discussion, the eight factor approach is the current approach.
23 And there are certain aspects of the eight factor approach that
24 it could vary how you deal with the eight factors because as
25 you've all pointed out, the eight factors are ambiguous and can
26 be interpreted in several different ways.
27

28 The factors could be modified as well. And this could
29 be a reduced set of factors. There was one example that was
30 given in the material that you were sent that reduced it to
31 five. And this was something that happened a couple of years
32 ago, that the Staff reduced it to five and there's also been,
33 since 1989, RurAL Cap made a suggestion that would also reduce
34 the factors to five. But they had a slightly different way of
35 doing it. And the approach with the modified factors or
36 reducing the factors would be to just retain the ones that are
37 important or that are -- to avoid redundance in it. But it
38 would retain that approach.
39

40 And another kind of modification to the factors would
41 be, instead of modifying the factors themselves, modify the
42 focus of it, whether the focus was on one species at a time or
43 whether you had -- saw c&t as something that dealt with all
44 species within a use area. Or it could relate to the area
45 focus instead of units, there might be some other kind of use
46 area that was brought up. And that was considered by the
47 Southcentral Council because the village of Chistochina had the
48 suggestion of replacing the unit focus with a one that was by
49 drainages.
50

0177

1 And another way that you could modify it is when to do
2 c&ts. Whether they are done on request or whether they are
3 done only in times of a resource shortage.

4
5 Another option would be the Council recommendation one.
6 And this is the approach that has been recommended by the North
7 Slope, the Northwest Alaska and the Seward Peninsula Councils.
8 And under this option, the Council would decide on the criteria
9 for a c&t. There would still be the idea of doing a c&t, but
10 it would be by a method recommended by the Council.

11
12 The units and surrounding units approach was initiated
13 by the Eastern Interior Council. And it occurred to me that
14 that's a little bit like it would be, if in your Council, you
15 decided to just do something for all of Southeast Alaska. If
16 you didn't want to have a c&t that extended to other regions,
17 but just had the units that are in your unit, that would be the
18 equivalent of the units and surrounding units approach.

19
20 And then finally, no c&t. And we talked about what
21 would happen if there was no c&t at our retreat. And if, under
22 the current system, under ANILCA, the -- if there was no c&t,
23 it would be open to all rural residents except in times of
24 resource shortage and then it would go to the three criteria
25 that are setup and are called an .804 situation.

26
27 MS. LeCORNU: Could you say that again?

28
29 MS. MASON: Well, they're called the .804 criteria.
30 And that's -- this would come up only in times of shortage.
31 And what those criteria refer to are three different things.
32 One, that there be customary and direct dependence. To live in
33 proximity. And three, to have access to few other resources.
34 So that's what would -- yeah, go ahead.

35
36 MS. LeCORNU: Could you back up again?

37
38 MS. MASON: Sure.

39
40 MS. LeCORNU: Just a little bit further than your last
41 one. You said everybody is entitled to c&t under the rural
42 definition; is that what you.....

43
44 MS. MASON: If there were no c&t determinations.

45
46 MS. LeCORNU: Okay.

47
48 MS. MASON: Unless there were a resource shortage, all
49 rural residents would be eligible.

50

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1 CHAIRMAN THOMAS: I have a comment around there. In my
2 position with c&t, I don't think they need to use c&t
3 necessarily as a factor. I think they can come up with
4 something equivalent to that because you're taking a term and
5 an expression that was exclusively and expressively used in
6 another application throughout history. And to all of a sudden
7 change the meaning of that, I think would be real confusing to
8 the subsistence community. I think it already has become that.

9
10 MS. MASON: Uh-huh.

11
12 CHAIRMAN THOMAS: I'm not suggesting that they don't
13 consider using some way to achieve whatever they want to
14 achieve with that, but if they're going to restrict, you
15 know.....

16
17 MS. MASON: Yeah.

18
19 CHAIRMAN THOMAS:let them come out and say, we
20 need to find some way of restricting.

21
22 MS. MASON: Uh-huh.

23
24 CHAIRMAN THOMAS: Because ultimately the way this is
25 setup, I don't care how you cover it or what kind of box you
26 put it in, at some point it's going to restrict. And people
27 need to know what to anticipate with that provision.

28
29 MS. MASON: Yeah. So if it were called c&t
30 restrictions, then that would be a more accurate description
31 of.....

32
33 CHAIRMAN THOMAS: No, no, well, take c&t away from it.
34 There's no such a thing as a c&t restriction. C&T is only use
35 and availability, see.

36
37 MS. MASON: Uh-huh.

38
39 CHAIRMAN THOMAS: So they went and reversed the intent
40 and the interpretation of that term.

41
42 MS. MASON: Yeah.

43
44 CHAIRMAN THOMAS: So what I'm saying is find another
45 name for it.

46
47 MS. MASON: Yeah, or use it as an adjective instead of
48 as a.....

49
50 CHAIRMAN THOMAS: Yeah.

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1 MS. MASON:a noun.

2

3 CHAIRMAN THOMAS: Yeah. But that's my only comment
4 with regards to that.

5

6 MS. MASON: Uh-huh.

7

8 CHAIRMAN THOMAS: I've already talked to the Council
9 and whatever their wish is will be my wish, regardless.

10

11 Gabe.

12

13 MR. GABRIEL: Yeah, Mr. Chairman, when Herman was here
14 he made a comment to one of the persons -- about one of the
15 persons that testified. And demonstrated to the Council and I
16 hope to Staff and to anyone else that has, you know, some
17 considerations or thinking about c&ts is that the fabric, the
18 gene pool, the relationship of Alaska Natives throughout
19 Southeast is all intertwined. And that to separate them by
20 c&ts, to cut their fabric, their custom and tradition, they're
21 human beings, their relationships to communities, to places, to
22 entities, we've already seen that they have been cut off at
23 Glacier Bay and other places and it's not, again, unique to
24 Sitka or Angoon, you know, we all have the inter-ties. The guy
25 that was speaking was tied to Angoon, was tied to Sitka, was
26 tied to Hoonah, was probably tied to Yakutat; you know, so what
27 the heck kind of c&t does he have?

28

29 CHAIRMAN THOMAS: Now, see c&t shouldn't be an option.
30 Like I mentioned to the task force, c&t is perfectly fine to be
31 used as a reference only. You could use it any place in
32 subsistence management, just don't use it as a managing factor.
33 But to discontinue c&ts altogether is not necessary. I guess
34 you can because it's also an introduced language, but it was
35 introduced to mean something totally different.

36

37 MR. GEORGE: Uh-huh.

38

39 MS. MASON: May I also bring up that the Councils are
40 not at all limited to these options in their recommendations.
41 These were intended to stimulate discussion to give you an idea
42 of what possibilities have been suggested and supported and
43 what you could think about in your recommendation.

44

45 MR. SORUM: Mr. Chairman.

46

47 CHAIRMAN THOMAS: Alan.

48

49 MR. SORUM: If everybody would bear with me, I've been
50 jotting notes down on this since we started the other day. And

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1 I think c&ts are going to put an unnecessary restriction on
2 subsistence users, that's my opinion and I'll just kind of
3 cover some of the topics that I've been thinking about.

4
5 I think when the Representative was here, he made the
6 point that subsistence is sharing and I also agree with him
7 that at some point if we divide Native and non-Native
8 subsistence users then we are all going to lose. I'm really
9 leery of c&ts as a way to create lines and divide people and
10 limit people from moving from one area to another area. I
11 think it could be devicive within a community and I think it
12 could be devicive between communities.

13
14 I think c&ts -- the way they're used right now, they're
15 keeping public managers, public resource managers from making
16 hard decisions because like in an area like the Stikene, yeah,
17 there's a c&t there, but in the time of shortage they still
18 need to go to .804, and I think at some point we need to start
19 using .804 on a regular basis and let people start
20 understanding the process, because .804 is at least a fair
21 process as it looks at three factors. And you know, as the
22 person, you know, does he have a cultural or historic use for
23 the resource; are they close to the resource and do they have
24 something else that they can depend on. And until they can
25 make that part of the decision, you know, the rest of it's
26 going to keep coming back. Even if there's a c&t in a time of
27 shortage, they're still going to have to deal with .804 at some
28 point, especially if we see our resource and our habitats
29 decline.

30
31 That's basically some of the things I've been writing
32 down. I think if we're looking at trying to decide who has the
33 best use for subsistence resources, that we're always going to
34 end up back at .804 when there's a shortage. And I don't like
35 the idea of the antler restrictions or, you know, emotional
36 arguments about different parts of it, you know, let's get back
37 to the people that really deserve to be using those resources
38 and remember how people share the resources. And I think that
39 -- you know, if we can stick to that then we'll get the right
40 answer when we're done talking about this.

41
42 Thanks.

43
44 CHAIRMAN THOMAS: I think Alan's right. At least .804
45 tells you what it is, the title says preference for subsistence
46 use. C&T's an eye catcher and then it goes to hell after that.
47 See what I'm saying?

48
49 MS. MASON: Uh-huh.

50

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1 CHAIRMAN THOMAS: It does. And it's a devious
2 application of a perfectly innocent and useful request. We're
3 unique that way.

4
5 MR. GEORGE: Yeah, right.

6
7 MR. VALE: I see we have a bunch of pizzas back there.

8
9 CHAIRMAN THOMAS: Okay, let's take a break and go get
10 some food and we'll chew on this for awhile.

11
12 (Off record)

13 (On record)

14
15 CHAIRMAN THOMAS: Okay, now that we totally disrupted
16 your eloquent presentation.....

17
18 MS. McCONNELL: Thank you, Rachel.

19
20 CHAIRMAN THOMAS:what do you want us to do now?

21
22 MS. McCONNELL: Don't answer that. Rachel, how much
23 was your profit this time?

24
25 MS. MASON: Profit?

26
27 (Off record comments)

28
29 MS. RUDOLPH: Mr. Chairman.

30
31 CHAIRMAN THOMAS: Mary.

32
33 MS. RUDOLPH: I want to thank Rachel for being so
34 patient. I think in Yakutat she went up to the table, I don't
35 know how many times and each time she was prepared to give her
36 presentation, I think it's not really unusual for us to cut her
37 off so much. Thank you for being so patient with us.

38
39 CHAIRMAN THOMAS: She wouldn't know how to act if we
40 treated her any different.

41
42 MS. MASON: Actually, frankly, I appreciate any efforts
43 to procrastinate so that I don't have to give the presentation.

44
45 CHAIRMAN THOMAS: Okay.

46
47 MR. VALE: I move that we procrastinate.

48
49 CHAIRMAN THOMAS: We'll wait on that for awhile.

50

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1 MS. MASON: Do it later.

2

3 CHAIRMAN THOMAS: Did that take you down through the
4 list?

5

6 MS. MASON: Yeah, actually I'm through with anything I
7 have to say. I'm willing to answer any questions that people
8 might have, but I think it's basically, right now, up to the
9 Council to make their recommendation.

10

11 CHAIRMAN THOMAS: Are we at the point of Council
12 action, Fred?

13

14 MR. CLARK: We are.

15

16 MR. VALE: Mr. Chairman, I'm wondering with the
17 discussion items you had on the table with c&t, where we're at
18 and what we're doing?

19

20 CHAIRMAN THOMAS: Well, that's what discussion is for.

21

22 MR. VALE: Yeah.

23

24 CHAIRMAN THOMAS: So there are some of the options that
25 we're -- those are the options that were listed and presented
26 to you today. And as she said, you're not limited to those.
27 The Board is asking for whatever input we can offer with
28 regards to customary and traditional options. And that's what
29 we should try to respond to. There'll be -- if we don't
30 respond, those guys are going to put around for a long time and
31 they're really looking for some kind of solution.

32

33 MR. VALE: So are we at the point then of trying to
34 make some decision on c&t about how we feel it should be
35 approached?

36

37 CHAIRMAN THOMAS: Yes.

38

39 MR. VALE: Okay, I guess I'll go ahead and throw some
40 thoughts out here on the table. I'm having some difficulty
41 with this and there's questions in my mind about where we're
42 going with it. So, you know, from what I heard I don't
43 disagree with thoughts that have been thrown out here on the
44 table, but where I'm having the trouble is what does it mean?
45 And what does it mean on down the line in our future actions
46 and what we're going to do? And that's what I'm having trouble
47 with, understanding that? How our thoughts are going to be
48 developed into future actions?

49

50 So you know when I think about c&t, I want to talk just

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1 a little bit about what I think about with regards to c&t.
2 And, you know, when I read Title VIII and when I've read the
3 congressional records for Title VIII, you know, it talks about
4 customary and traditional uses. And where I'm having
5 difficulty is, you know, we're talking about how do we use c&t.
6 And to me, I look at my own area and I can see how people in
7 Yakutat have customarily and traditionally used the resources,
8 and I believe we have a defined area where we're at. It may be
9 not quite the same for the rest of Southeast, but our people
10 have a traditional area that they utilize. We have five clans
11 that have well defined borders. And it's always been that way.
12 And there's just all sorts of questions in my mind if we're not
13 going to use c&t or how we're going to use it, you know, what
14 does that mean?

15
16 And I guess it's my feeling that based on what I've
17 read in the congressional record and what ANILCA intended, is
18 that, it intended for us, when we talk about c&t and make
19 subsistence decisions, to make them on a community by community
20 basis. And I believe that if we have a subsistence community,
21 one who exercises customary and traditional uses, I'm very
22 uncomfortable with saying -- of having to have a proposal
23 saying they have c&t for moose, c&t for goats, c&t for fish;
24 because I believe with maybe few exceptions, none that I can
25 think of, if you have a subsistence community, they have c&t on
26 all the resources available to them in their area. And I'm not
27 happy with the process that forces us to take animal by animal
28 and making c&t determinations, that much I don't agree with.

29
30 However, I do believe that, in the future, we have to
31 go community by community when deciding who's qualified. It
32 can't just be rural, non-rural. We have to look at community
33 by community. That's what I believe. And because I believe
34 there are communities out there who do not have customary and
35 traditional use. And it creates problems for me when we start
36 taking in -- I think going unit by unit is fine, as long as
37 those communities in that unit are all qualified communities.
38 But we still have to look at every community. And you know, if
39 there's a community that just starts up tomorrow, you know, a
40 logging camp, for an example, two years from now, five years
41 from now, 15 years from now, do they have customary and
42 traditional use of deer and fish and everything else? My
43 reading of Title VIII is no, they don't. And so I'm wondering
44 from our discussion here, how those communities are going to be
45 treated because I don't think every community in rural
46 Southeast is qualified to have c&t.

47
48 And like I said, what I've heard before I don't
49 necessarily agree with, but my question is, what does it mean
50 for the future? And I haven't really got an answer to that,

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1 you know, and that's why I'm having some real difficulty in
2 considering how we use c&t and where we go with it. So I don't
3 know where I'm at really.

4
5 CHAIRMAN THOMAS: Those are good points, they're strong
6 points with no solution. Number 1, you mentioned that Yakutat
7 had five distinct borders, now, what does that represent to
8 people that don't live in that area?

9
10 MR. VALE: What I can say is that there are customs and
11 traditions in the local clans about how to use those animals
12 and resources and -- that are traditional. You know they have
13 borders that they respect. You know, the border for Yakutat,
14 between Yakutat and Hoonah is Lituya Bay. That's a border
15 that's, I believe, recognized by Hoonah and it's recognized by
16 Yakutat. In the other direction it's -- you know, to the west
17 is Katalla area. You know, the Eyaks were further -- I mean
18 Hoonah was east of Lituya Bay, the other direction our borders
19 were around the Katalla, Cape Suckling area, and to the west of
20 that was the Eyaks and out on the islands were the Chugach.
21 And I know that my folks back home believe in that sincerely.
22 You talk to any of those clan members and they'll tell you
23 Kaagwaantaan clan, Katalla to Icy Bay. You know, the Kwaaski'i
24 Kwaan, Icy Bay to Yakutat Bay. The Teikweidi is Yakutat Bay to
25 Anklin River. And then the L'uknaxadi are from Anklin River to
26 Dry Bay. And Shunkukeidi from Dry Bay to Lituya Bay. And you
27 know, they -- I believe our people have c&t of all the
28 resources in that area. And I don't believe that the people in
29 Yakutat have c&t on moose in Unit 1, 2, deer in any of those
30 units.

31
32 CHAIRMAN THOMAS: But those.....

33
34 MR. VALE: There's some customary trade that
35 historically occurred. But you know, that's -- it's just --
36 there's a traditional area there.

37
38 CHAIRMAN THOMAS: Those tribes that you mentioned are
39 represented all over Southeast.

40
41 MR. VALE: They are and they're not. I know that even
42 clans with the same clan names have different traditional
43 boundaries in the communities that they reside in. You know,
44 the Teikweidi and Klukwan, they're not -- their traditional
45 area is -- for Haines here is not the Seetuk River, you know.

46
47 CHAIRMAN THOMAS: Uh-huh.

48
49 MR. VALE: Where the Teikweidi in Yakutat clan
50 territory is. So that's -- you know, and I -- so I just don't

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1 know where we're going and I don't know -- you know, I see
2 communities in Southeast that I feel clearly are not qualified
3 to have any c&t. And they're not -- they're communities that
4 have only been in existence for a short time, 10, 20 year,
5 maybe 30 years. And even some of those, I would accept as
6 having c&t if this Council looked at them and decided, after
7 discussing the characteristics of that community and that -- if
8 the Council felt, as a whole, that they were a qualified
9 community, then I'd accept that and I'd say, fine, they have
10 c&t on all the resources available to them.

11
12 But I still believe we have to do this on a community
13 by community basis and we need to talk about c&t and how it
14 applies to each and every community.

15
16 MR. CLARK: Mr. Chairman, just a point of
17 clarification, John are you suggesting if we're going to do
18 c&ts, do c&t by community for all species, rather than
19 individual species; is that what you're saying?

20
21 MR. VALE: Yeah, that would be acceptable for me. I
22 would accept that.

23
24 MR. CLARK: Okay, I just wanted some clarification on
25 that.

26
27 MR. VALE: Yes.

28
29 MS. WILSON: Mr. Chairman

30
31 CHAIRMAN THOMAS: Marilyn.

32
33 MS. WILSON: To me it sounds like what John has -- all
34 the things he's been saying, he's proposing -- the best idea
35 might be, on that list, what he's saying, unit and surrounding
36 units and with Council recommendation. Those two different
37 options, from all the things you've been saying.

38
39 MR. VALE: Yeah.

40
41 MS. WILSON: It sounds like that would work. The other
42 question I had was on the -- I don't know what all the eight
43 factors are. But I know when I was on State Fish and Game, a
44 lot of our people here in Haines didn't like it. You know, we
45 used to have a lot of meetings so we discussed all these
46 things. And I got the five options here -- the five
47 factors.....

48
49 MS. MASON: Here's a copy of the eight factors if you
50 want it. If there's interest in it, we can make more copies.

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1 MS. WILSON: But I wanted to bring up that one of these
2 things, like, you have to prove that you handle and prepare,
3 you know, how to preserve and store, and I know -- well, I'm
4 just speaking like for our Native community, years back when we
5 had our fish committees and I was on the State Fish and Game,
6 we didn't like having to prove.....

7
8 MS. MASON: Uh-huh.

9
10 MS. WILSON:that we did this. Prove we did that.
11 And prove every little thing, you know.

12
13 MS. MASON: Yeah, that goes to the issue that was
14 discussed during the retreat that one major disadvantage of c&t
15 is that it puts the burden of proof on the user.

16
17 MS. WILSON: Yeah.

18
19 MS. MASON: That it's after the fact rather than, as
20 Vicki has said, establishing the need before the fact.

21
22 MS. RUDOLPH: Mr. Chairman.

23
24 CHAIRMAN THOMAS: Mary.

25
26 MS. RUDOLPH: I'd like to compliment John on his
27 knowledge of clan history. It's very commendable because I
28 know a lot of our people in our area aren't that familiar with
29 what you presented today and I'm very impressed with what you
30 mentioned.

31
32 CHAIRMAN THOMAS: He's got it written on the side of
33 his hat.

34
35 MS. RUDOLPH: And that is kind of a concern I have, it
36 seems to be something to -- it's almost like trying to find a
37 needle in a haystack for me because of the concerns of our
38 tribes. And being in an area where we're getting overrun with
39 the population in Hoonah, it's not something that we take
40 lightly. And as they make their studies, they include the area
41 that loggers have setup outside of Hoonah which is actually
42 corporation land and another area that was put up by the church
43 where they're making their input on the usage of what they're
44 using there and I think it takes away from, basically what
45 we've all been trying for. And just speaking from our point of
46 view on what we're doing in Glacier Bay, I think it diminishes
47 a little bit of what we're trying to do now as we're setting up
48 our position with the Park Service.

49
50 So I kind of have a little problem with, like I talked

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1 with you a little bit ago, it's just something that I really
2 feel we need to really ponder away with our tribes, the people
3 in Hoonah, with the ones that are concerned about what's going
4 on there. I would rather -- right from the beginning it kind
5 of bothered me when it was in our packet and I wished I had
6 maybe talked with Fred a little more about it, because like I
7 said it just -- the same concerns that John has. And I really
8 feel -- I feel little better knowing that someone else has that
9 same concern that I did.

10
11 CHAIRMAN THOMAS: I feel pretty good that two people
12 are thinking the same.

13
14 MR. GEORGE: Mr. Chairman.

15
16 CHAIRMAN THOMAS: Here comes some uniqueness.

17
18 MR. GEORGE: I agree, you know, that the approach
19 that's recommended now is better than what we've been doing.
20 And I think we're doing it without, you know, we're doing it in
21 the State and the current system without thinking about what
22 we're doing other than somebody told us to do something and we
23 did it.

24
25 Like I said, I wish Herman was here because he could
26 expand more on what the guy had testified to us about who he
27 was. You know, this was who he was and how he was related to
28 everybody and where he hunted and fished. And it's not a
29 direct, it's a cultural thing, and it's a traditional thing and
30 it's a customary thing, it's a way of life for Tlingits, you
31 know, in terms of who you are and how you're related to
32 someone, where you hunt, where you fish. And that's what he is
33 learning now again. He's doing everything that is kind of
34 identified here. And what we do with customary and traditional
35 c&ts, we rip the fabric of him. Because you're taking away
36 something, you know, that he's learning about. This is who he
37 was. This is how he's going to conduct himself and hunt and
38 fish. And he is, you know, he may be a community, he is a
39 community, he's teaching his children, too. And he's from
40 Angoon, and he's from Hoonah, he's living in Juneau, he's from
41 -- probably Yak -- I forget who all he was, you know, but he is
42 part of the Tlingit culture society in Southeast. And he's not
43 tied to one area. He's not tied to one wall, he's not tied to
44 one BCU, he's not tied to one GMU, and that's the customary and
45 traditional ways that he's learning.

46
47 I agree that, you know, what you propose is a lot
48 better than going, you know, species by species. And of the
49 old-timers in Angoon, went he went up after coho and they said
50 no to him, you know, they said, that would be like him going to

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1 Juneau and going into a restaurant and see somebody eating
2 steak, take it away from him and say it's not good -- you know,
3 it's too good for you, here's a couple of hot dogs, that's all
4 you can have, that's all you're worth. You know, they're
5 telling him what to do in terms of -- and what they can do in
6 their own backyard and other places that they harvest the
7 resource.

8
9 I guess what I'm saying thought is is that yes, it's a
10 lot more palatable, but I have a strong feeling in my gut that
11 it's -- there's something, you know, it -- it does something to
12 the actual people that we're trying to protect also. And how
13 to address that, I don't know. Like Bill says, you know, what
14 you say is -- you can criticize and do different things -- or
15 we can criticize and say things without solutions, you know, it
16 doesn't carry us where we want to be. But I guess I agree
17 though that your approach, your suggested approach is a good
18 one.

19
20 CHAIRMAN THOMAS: Mim.

21
22 MS. McCONNELL: I feel like it's important for me to
23 look at this c&t issue from a non-Native point of view. I
24 think that -- mostly because of the many years that I spent
25 living in Port Alexander, which is for the most part a non-
26 Native community. There is one part Native person living there
27 right now and most of the time I was there.

28
29 So most of my learning about the culture and the
30 subsistence life way occurred in Port Alexander, which was
31 predominately non-Native ways of learning. And there is --
32 however, there is a culture there that is one that is based
33 upon living in the wilderness, in a wilderness setting, Port
34 Alexander is a very isolated community. And there are times
35 when, you know, I remember hearing one time there was six weeks
36 went by where there was no mail plane, no supplies coming in
37 and you have to learn how to live off the land there. And so
38 the people -- these isolated communities scattered around
39 Southeast Alaska that may perhaps, may or may not be, non-
40 Native communities, have developed a culture since White man's
41 presence or non-Native presence in Alaska has occurred, and I
42 don't think that that present can be ignored. And ANILCA does
43 not ignore it. So this Council cannot ignore it either.

44
45 And so when you look at the communities that are in
46 Southeast Alaska, consider the makeup of the community and the
47 culture that has occurred there. One community that comes to
48 mind, that came to mind as John was speaking is Edna Bay. If
49 I'm correct, Edna Bay was selected as a homesite -- that you
50 could select a homesite there and that's pretty much how Edna

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1 Bay came to be. It was after logging had occurred and so there
2 were some logging roads there. But I don't believe anyone was
3 living there before the land selection occurred. If I'm wrong,
4 maybe somebody could correct me. But that happened while I was
5 living in Port Alexander. So I think that that maybe occurred
6 about 15 years ago. And Edna Bay is now a small but thriving
7 community with a school and I believe there is a fish buyer
8 that stays there; it's a fishing community. And I think the
9 Edna Bay residents, ones that I've met and talked to are --
10 their community is very similar in a way to Port Alexander and
11 as it is to some other communities around Southeast Alaska.
12 And it's having the ability to hunt and gather is very
13 important for that community's survival. And they have also --
14 in Port Alexander and from talking to people in other places,
15 too, there has evolved a community of sharing. These foods
16 appear at potlucks, they are -- when someone's in need, food is
17 given to the person in need. You know, there is many practices
18 that are a part of the Native culture that have become a part
19 of the non-Native culture.

20
21 And I also appreciate -- something that I feel perhaps
22 is lacking in the non-Native culture is something that I have
23 gained, especially since being on this Council, from the Native
24 culture, which is the spiritual aspect. That whole attitude
25 towards the plants and animals that are out there. I really
26 appreciate that. And I think that that's something, that
27 attitude and that respect towards these living things is
28 something that -- that is probably the most important thing
29 that will help maintain a healthy environment in Southeast
30 Alaska is keeping that respect and that attitude. And these
31 small communities aren't going to go away, these non-Native
32 communities, they're not going to disappear. I think that they
33 will manage to find a way to survive and they will stay there.
34 And the respect that's a part of the Native culture needs to be
35 spread abroad. It needs to become the non-Native culture also.
36 And don't cut them off. Don't -- you know, help spread that
37 and everyone will benefit. Let that sharing continue between
38 the communities that has been a part of your life way for so
39 long.

40
41 So I'll close with that -- or actually I'll close with
42 what -- the Council recommendation and unit idea so far sounds
43 okay. I'll stop there.

44
45 CHAIRMAN THOMAS: Marilyn.

46
47 MS. WILSON: Ditto.

48
49 CHAIRMAN THOMAS: Thank you.

50

0190

1 MS. WILSON: I'm not done yet. I wanted to say that
2 the c&ts that are listed that we used to use under the State
3 system, it might have been a necessity then but we're working
4 on Federal lands protecting all subsistence for all the rural
5 people and I think we probably would divide everybody by using
6 the eight factor for determining. And we'd also put a lot more
7 people to work and we'd have a longer paper trail and so forth.

8
9 But we've got to remember that we are protecting
10 subsistence for everyone that is in a rural community. But we
11 also have to remember our traditional cultural Native society
12 also. And we all have to live in this land together and I
13 think this Council does a pretty good job of working together.
14 And my idea is, I do not like the c&t eight factor at all. And
15 I would like to go with the unit and surrounding unit, with
16 Council recommendation is my thought.

17
18 CHAIRMAN THOMAS: Alan -- Vicki.

19
20 MS. LeCORNU: I think Rachel pointed out earlier that
21 this is to come into play when there is a necessity to
22 restrict.....

23
24 MS. WILSON: Yeah.

25
26 MS. LeCORNU:so this isn't something that's
27 automatic. So I think what it comes down to is if there is a
28 choice, who should be protected? Should it be those new
29 logging communities or should it be the Native communities? So
30 we don't want to circumvent that fact, we want to keep those
31 goals in mind. If we want to protect the Native community, we
32 should use anything we have to. But what I'm saying is that
33 those communities were not the ones that were the purpose for
34 this Act. They have personal consumption they do not have
35 customary trade, so they would always be protected under
36 personal consumption. But this is for customary trade. This
37 is custom. Who has this custom? And it is not a racial thing.
38 Lonnie, you know that. You could live in Kake and get on,
39 however, that is a Native community. And Mim, that point is
40 well taken. If they aren't a Native community and they exhibit
41 all those signs, then they're a rose. A rose is a rose is a
42 rose. But if they are not and they do not exhibit any long-
43 term customs then they are not.

44
45 MS. WILSON: Mr. Chairman, real quick.

46
47 CHAIRMAN THOMAS: Marilyn.

48
49 MS. WILSON: This is why I wanted to include the
50 Council recommendation so this could be decided at Council

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1 level, the communities. But at the same time we are still
2 protecting -- we're still protecting subsistence for our
3 communities, our rural areas. With the Council's decision,
4 whether the logging -- newly -- new logging camps, you say can
5 be included, so that would be up to the local councils. That
6 would take care of that, I think.

7

8 MS. LeCORNU: However, this is the one that determines
9 who gets restricted first and that's where we're at.

10

11 MR. SORUM: Mr. Chairman.

12

13 CHAIRMAN THOMAS: Alan.

14

15 MR. SORUM: Yeah, I really think I agree with John. I
16 think maybe we're talking about fine points. What I'm saying
17 is I don't want to see c&ts -- I don't want to see them laser
18 sharp and get so specific that you start limiting people. The
19 idea that we do a c&t for an area for all species and address
20 the concerns of the people in that area, I think that's the way
21 to go. That is definitely the way to go. But when we do that,
22 I'd like to see those areas as broadly formed as possible so
23 the unit, adjacent unit model, that might be the way to look at
24 it. So rather than -- you know, that way you're addressing the
25 customary and traditional use in an area but you're not
26 excluding those people that have that same history that are
27 nearby, you're not excluding those people from participating in
28 the process.

29

30 And then the logging camp issue, I don't think that's a
31 problem because no matter what happens, if there's a shortage,
32 you still can go back to .804. .804, you know, you just sit
33 down and figure it out. Do they have a customary and direct
34 dependence upon that resource, and I don't -- and until we
35 figure out a better word, I guess we'll stick with resource.

36

37 CHAIRMAN THOMAS: Now, you got to define a logging
38 community.

39

40 MR. SORUM: Yeah, and I don't think that's necessary.
41 Do they live close to the resource and do they -- and maybe the
42 third question under .804 is do they have other resources that
43 they could fall back on.

44

45 MS. McCONNELL: Few or other resources?

46

47 MR. SORUM: Yeah. So I think we're driving down the
48 same path. I just -- the only thing I would like to see is
49 when these determinations are set up that we include all the
50 species and we try to avoid getting so specific that we're

0192

1 leaving people behind.

2

3 CHAIRMAN THOMAS: We're discussing those options on the
4 board for those of you who weren't there. Those options that
5 are listed on the flip chart over there were gone over. Rachel
6 introduced them to us and explained, she touched on some of the
7 discussion around each one and kind of put it in a perspective.
8 And now we're deciding what we're going to do and the popular
9 one so far, at least for discussion purposes, is the one second
10 up from the bottom.

11

12 Mim first.

13

14 MS. McCONNELL: Yeah, I'm kind of curious, for the --
15 I'm wondering if we really need to do both Council
16 recommendation and unit and surrounding units. One thought is,
17 for example, the discussion about Prince of Wales Island this
18 last -- past year. It seems to me that when an issue of
19 shortage comes up, that the Council should be able to decide
20 right at that time who has c&t. And that -- so in other -- the
21 question is, what are the benefits of assigning c&t ahead of
22 time by unit and surrounding units; that's one question.

23

24 The other question is, does Council recommendation
25 process, is that what I just described in the first scenario of
26 making a decision at the time of the shortage? So there's two
27 questions.

28

29 CHAIRMAN THOMAS: We'll put it on the shelf for awhile.

30

31 MS. MASON: Okay. Well, Mr. Chairman, I could clarify
32 that a little bit if you'd like?

33

34 CHAIRMAN THOMAS: Yeah, do that. Thanks.

35

36 MS. MASON: Well, the -- under the Council
37 recommendation option, that would be up to the Council to
38 decide what criteria are used. So the Council's recommendation
39 could be unit and surrounding units. But you wouldn't have to
40 have a wooden interpretation of units and surrounding units.
41 You could have built in criteria for considering exceptions to
42 automatically putting in the unit and surrounding units. So
43 there could be certain circumstances under which an analysis
44 was necessary. It would be presumed that the unit and
45 surrounding units would be included, but under circumstances
46 decided by the Council then there might be a different
47 approach.

48

49 MS. McCONNELL: So is Council recommendation then.....

50

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1 MS. MASON: That includes almost anything.

2

3 MS. McCONNELL: Yeah. So, I mean it seems like Council
4 recommendation shouldn't even be up there as an option.

5

6 CHAIRMAN THOMAS: No.

7

8 MS. MASON: Well, yeah, it seems like you'd be crazy
9 not to want that one.

10

11 MS. McCONNELL: If you pick eight factors then you're
12 not making a Council recommendation, you're letting the big
13 boss in, right?

14

15 CHAIRMAN THOMAS: Every one of those are Council
16 recommendations.

17

18 MS. MASON: Right. Right. It could be the right
19 Council recommendation to take the eight factors. But I guess
20 the difference would be in under the Council recommendation
21 approach there'd be a little more flexibility about which
22 option to take. And so the Council might decide to take -- to
23 recommend different approaches at different times.

24

25 MS. McCONNELL: So you could decide per shortage?

26

27 MS. MASON: Yes.

28

29 MS. McCONNELL: If we chose Council recommendation then
30 our action could be taken at the time of the shortage and then
31 we'd say, okay, take it by unit?

32

33 MS. MASON: That's right. Right.

34

35 MS. McCONNELL: Or use the five factors?

36

37 MS. MASON: That's right.

38

39 MS. McCONNELL: Or whatever?

40

41 MS. MASON: Yeah.

42

43 CHAIRMAN THOMAS: That would be.....

44

45 MS. MASON: Or use the eight factors.

46

47 CHAIRMAN THOMAS: That would leave us then with more
48 than one action. First you got to make a selection and then we
49 qualify somehow that action.

50

0194

1 MS. MASON: That's right.

2

3 CHAIRMAN THOMAS: And which is true. And it only makes
4 sense because if you -- I like that one, too, and you can't --
5 yeah, you have to do something ahead of time to keep from
6 arbitrary in making those determinations. So that's what's
7 going to take time. We'll have to get an independent counsel
8 in here to put that together.

9

10 MS. McCONNELL: So if I could finish then, the Council
11 recommendation one would be the least restrictive on the
12 Council?

13

14 MS. MASON: Yeah.

15

16 CHAIRMAN THOMAS: I don't think.....

17

18 MS. MASON: Well, no c&t might be.

19

20 CHAIRMAN THOMAS: The only thing the Council can hang
21 on to is what the Board's not going to want.

22

23 MS. McCONNELL: If we did no c&t, that would leave
24 these three ANILCA criteria, right?

25

26 MS. MASON: Yeah. Uh-huh.

27

28 MS. McCONNELL: Would the Council have any comment to
29 make on who, other than these three, if we said, no c&t, the
30 regulatory power, whoever's making the decision of who gets to
31 hunt there -- all right, how would that process work?

32

33 MS. MASON: I don't know.

34

35 MS. McCONNELL: Can you explain that or you don't know?

36

37 MS. MASON: Yeah, I can't speak to that. It's an
38 excellent question. And what I imagine is that the -- it would
39 be a similar process to what the Council makes recommendations
40 on c&ts and presents them to the Board and the Board would have
41 the same strictures that they have to follow the Council,
42 except in very defined circumstances. But I don't know exactly
43 how that would work in the case of the .804 criteria.

44

45 MS. McCONNELL: So it sounds to me like if we did these
46 three, which is basically no c&t, we'd be assuming that we
47 cannot improve upon the process that's in ANILCA for
48 determining who would be eligible during a time of shortage?

49

50 MS. MASON: Right. Right.

0195

1 MR. CLARK: Mr. Chairman.....

2
3 CHAIRMAN THOMAS: We need.....

4
5 MS. MASON: It would comment on changing on the
6 criteria that are there in times of shortage.

7
8 CHAIRMAN THOMAS: Right.

9
10 MS. McCONNELL: So what eight factors and modified
11 factors and the other things do is they're saying, ANILCA's not
12 good enough to decide, we think you should use these factors or
13 whatever, to help decide who gets it when there's a shortage?

14
15 MS. MASON: Yeah. I mean you could interpret it that
16 way but I don't know that was how it got started.

17
18 CHAIRMAN THOMAS: Come on Rachel, be brave.

19
20 MS. MASON: Yeah.

21
22 MR. CLARK: Mr. Chairman.

23
24 CHAIRMAN THOMAS: Fred.

25
26 MR. CLARK: Just a couple points that I think the
27 Council should keep in mind that if you do not have the c&t
28 determination, then you go directly to using .804 as a backup,
29 right?

30
31 MS. MASON: Uh-huh.

32
33 MR. CLARK: But in the meantime, that means that all
34 rural users are eligible. Just in case you want to keep that
35 in mind. And then after .804 is invoked, then you end up
36 essentially at a more individual based analysis, which is an
37 pretty extreme administrative burden.

38
39 MS. McCONNELL: Okay.

40
41 MR. CLARK: And I'm not speaking for or against. I'm
42 just letting you know that the work do to an .804 analysis on
43 an individual basis for communities is going to be a lot of
44 work.

45
46 MS. McCONNELL: So the key word is residents. So what
47 we would want again -- so an improvement perhaps upon ANILCA
48 would be only those rural communities who have a one, two and
49 three from ANILCA, rather than.....

50

0196

1 MR. CLARK: But we're not talking about modifying
2 ANILCA.

3
4 MS. McCONNELL: Unless we do a different option.

5
6 CHAIRMAN THOMAS: Mim. .803, the definition that's
7 used in this Act, the term subsistence uses means the customary
8 and traditional uses by rural Alaska residents of wild
9 renewable resources and so forth. But traditional uses --
10 customary and traditional is synonymous as subsistence uses.
11 In this application here is something different altogether. So
12 there's no way you could draw a line from this to that
13 application. That's what I'm trying to avoid.

14
15 MS. McCONNELL: Yeah, I agree with you.

16
17 CHAIRMAN THOMAS: Yeah, that's what I'm trying to
18 avoid.

19
20 MS. McCONNELL: This goes beyond ANILCA.

21
22 CHAIRMAN THOMAS: Yeah.

23
24 MS. McCONNELL: Yeah.

25
26 CHAIRMAN THOMAS: And I'm not suggesting not to have a
27 means of doing that, but call it something besides c&t. Call
28 it Bruce Babbitt or something.

29
30 John.

31
32 MR. VALE: In regards to the eight factors here, I
33 guess I look upon these as simply the work that's done with
34 these in mind is simply as an information source for us to use
35 to make our decision but I don't see them as any one of them or
36 a group of them as a critical factor in making decisions.
37 Ultimately I feel it's the responsibility of this Council to
38 make a decision and we can use this information as we will. So
39 I look at the eight criteria as simply as an information source
40 and nothing more than that.

41
42 But I think what's ultimately, from my reading of the
43 congressional record for Title VIII, what was intended though
44 when determining who's qualified for subsistence in rural
45 areas, should be done on a community by community basis. And
46 that I think is paramount. And Mim, I want you to know what
47 you said about non-Native communities, I agree with you
48 wholeheartedly, and I know there's many non-Native communities
49 in Southeast that are more than qualified subsistence users,
50 you know, but not all of them. Not all the communities, some

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1 aren't. And I think we thwart the intentions of Title VIII if
2 we automatically include all rural residents. Because then
3 we're giving those opportunities to people, who I feel are not
4 qualified and it dilutes the protections that were intended by
5 ANILCA. And because of that we have to look at it on a
6 community by community basis.

7
8 Well, I think once we look at a community and determine
9 that either they're qualified for subsistence protections under
10 Title VIII or they're not, then we decide if it's -- the units
11 adjacent to them, all the units in the immediate area or what,
12 that decision should be left up to us based on the information
13 in front of us. Maybe some communities would only be unit.
14 Maybe some would be all of them. It's a matter of us to make
15 that decision with the information we have at hand. And if we
16 look at those, I like the unit and surrounding units, I think
17 that most closely fits with what I think is really the case out
18 there.

19
20 CHAIRMAN THOMAS: Let's me go back to the part in the
21 last letter, it says, the task group recognizes this key issue
22 and asks the following questions: Do c&t determinations
23 protect the subsistence users, a goal of ANILCA? Or do c&t
24 determinations unnecessary restrict subsistence users? That's
25 two important questions. Do they protect subsistence as a goal
26 of ANILCA or do they unnecessary restrict them?

27
28 MR. VALE: I guess I would say that depends on how
29 they're used. If you determine once a community is qualified
30 and that they have c&t on all the resources in their area, then
31 I think they benefit, you know. But if you're going to use
32 them in the manner that they've been used in the past and in
33 the State system and partially in the Federal system and as a
34 manner that restricts other communities out as a result of a
35 determination, then it's negative. So my view of the answer is
36 how you apply them.

37
38 CHAIRMAN THOMAS: Gabe.

39
40 MR. GEORGE: Yeah, Mr. Chairman, I believe residents
41 was put in there for a specific reason, to be all inclusive of
42 people living in an area so that people who live up the Alsack
43 who are not a member of the Yakutat community would be included
44 and not excluded. So I think one of the things that we need to
45 think about or ask someone about is the legality of what we're
46 going to do. Whether it would stand up in a court or not. And
47 my assumption is is that the eight factors, five factors, three
48 factors, a factor is something that the lawyers would want to
49 use or our legal system would want to use to have standing in a
50 court system. And I assume that someplace down the line that's

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1 where it's going to come up. And my best guess right now would
2 be someplace around a place called POW in the future in terms
3 of deer. And we need to prepare for it and how we prepare for
4 it is, of course, up to our discussion now.

5
6 I guess that's all.

7
8 CHAIRMAN THOMAS: Let's take a two minute break.

9
10 (Off record)

11 (On record)

12
13 CHAIRMAN THOMAS: The jury has reached a decision.

14
15 MR. ANDERSON: Mr. Chairman, I entertain a motion.

16
17 CHAIRMAN THOMAS: A motion's in order.

18
19 MR. ANDERSON: Would you want a copy of this?

20
21 COURT REPORTER: Will you read it into the record?

22
23 MR. ANDERSON: Mr. Chairman, the motion would be that
24 c&ts will be determined on a community basis at the unit level
25 for all species unless otherwise determined by the Regional
26 Council based upon Title VIII of ANILCA. And it's instructions
27 are in there.

28
29 MR. VALE: Second.

30
31 CHAIRMAN THOMAS: Okay. Did everybody hear that
32 clearly?

33
34 MS. McCONNELL: Could you read it one more time,
35 Lonnie.

36
37 MR. ANDERSON: C&Ts will be determined on a community
38 basis at the unit level for all species unless otherwise
39 determined by the Regional Council based on Title VIII of
40 ANILCA. That gives you a determination factor.

41
42 MS. McCONNELL: The last bit of it, the last part, can
43 you read that part of it again?

44
45 MR. ANDERSON: Unless determined by Regional Council.

46
47 MS. McCONNELL: Is there a period there or a comma
48 after that?

49
50 MR. ANDERSON: It should be a comma.

0199

1 MS. McCONNELL: Okay.

2

3 MR. ANDERSON: Based upon Title VIII of ANILCA.

4

5 MS. McCONNELL: So the last part refers to when the
6 Council chooses to do it by the three criteria in ANILCA?

7

8 CHAIRMAN THOMAS: Okay, okay, you heard the motion is
9 there a second?

10

11 MR. ANDERSON: John seconded.

12

13 CHAIRMAN THOMAS: Okay, now.....

14

15 MR. ANDERSON: Discussion.

16

17 CHAIRMAN THOMAS:discussion.

18

19 MS. WILSON: Mr. Chair.

20

21 MS. McCONNELL: Go ahead.

22

23 MS. WILSON: Yeah, I wanted to know, do we have to
24 specifically say Section .804 or just Title VIII?

25

26 MR. ANDERSON: Well, that gives the Regional Council
27 some authority.

28

29 MS. WILSON: Leeway.

30

31 MR. ANDERSON: Because anything that we do is based
32 primarily on Title VIII.

33

34 MS. WILSON: Okay.

35

36 MR. ANDERSON: That shows that we're staying within the
37 statute of limitations.

38

39 MR. VALE: I was talking with Lonnie when he drafted
40 that up and the unless part, I believe, and correct me if I'm
41 wrong, Lonnie, refers to the fact that unless the Council -- it
42 says on a unit by unit basis, unless the Council chooses to use
43 some other basis, like less than a unit. The unless part only
44 gives us discretion to do something other than unit by unit.
45 That's all the unless part is for.

46

47 CHAIRMAN THOMAS: Okay. Further discussion.

48

49 MS. WILSON: Can I read it first? I'll need to see it.

50

0200

1 CHAIRMAN THOMAS: What is that, believe only half of
2 what you hear.

3
4 MR. ANDERSON: I didn't draw any pictures.

5
6 CHAIRMAN THOMAS: Half of what you read and none of
7 what you hear.

8
9
10 MR. CLARK: Do you want me to write it on the flip
11 chart?

12
13 MS. McCONNELL: Yes.

14
15 CHAIRMAN THOMAS: I really trust Mr. Kake, too, but go
16 ahead and put it on the flip chart.

17
18 MS. McCONNELL: I would add an as.

19
20 MR. ANDERSON: Amended.

21
22 CHAIRMAN THOMAS: An amendment?

23
24 MS. McCONNELL: As.

25
26 MR. ANDERSON: As based upon Title VIII of ANILCA.

27
28 CHAIRMAN THOMAS: Okay, we'll consider that amendment
29 just a little bit of editing. We to combine our skills here,
30 some are skills and some are cunning. I can hear a butterfly
31 walking across the carpet.

32
33 MR. ANDERSON: I was sitting here talking for two hours
34 and I was more confused than ever.

35
36 CHAIRMAN THOMAS: Well, I listened for two hours and
37 I'm not the least bit confused.

38
39 MS. MASON: Mr. Chairman.

40
41 CHAIRMAN THOMAS: Rachel.

42
43 MS. MASON: While he's writing it down, may I ask the
44 author or authors for clarification of this? Because I'm
45 wondering what -- how you picture the analysis of c&t
46 proceeding for this? What -- how would it be different from
47 what is currently done?

48
49 CHAIRMAN THOMAS: Let me try something, since it
50 doesn't have to be in right now, and that's a good of an -- and

0201

1 people seem to be happy with the language.....

2

3 MS. MASON: Uh-huh.

4

5 CHAIRMAN THOMAS:probably not giving a lot of
6 thought to the analysis part of it.

7

8 MS. MASON: Uh-huh.

9

10 CHAIRMAN THOMAS: But now that you brought it our
11 attention, let us work as a group or committee or something and
12 come up with a suggestion, analysis language.....

13

14 MS. MASON: Okay.

15

16 CHAIRMAN THOMAS:to include when that's
17 submitted.

18

19 MS. MASON: Right. And that does not have to be part
20 of your recommendation.....

21

22 CHAIRMAN THOMAS: No.

23

24 MS. MASON:to the task group at all.

25

26 CHAIRMAN THOMAS: No. Mim.

27

28 MS. McCONNELL: For maybe just a little bit of, the
29 question about intent, I guess. Is the intention of this to
30 get us away from having to deal with c&t on an individual
31 basis, so that people wouldn't have to turn into something to
32 the authorities requesting permission to hunt when there's a
33 shortage? Instead it will be looked on a community level, is
34 that what the intent is?

35

36 MR. ANDERSON: The community level without having to go
37 through all of the eight criteria and it could be a very smooth
38 operation, I would perceive.

39

40 MS. McCONNELL: But could we do away with the
41 individual thing, because that's what's in ANILCA?

42

43 MR. VALE: There's no individual thinking in.....

44

45 MS. McCONNELL: It says residents.

46

47 MR. VALE: That's not individual.

48

49 MS. MASON: Yeah, it doesn't necessary mean.....

50

0202

1 MS. McCONNELL: It doesn't necessarily mean individual?

2

3 CHAIRMAN THOMAS: Residents in the plural sense.

4

5 MS. McCONNELL: Okay. Is that -- were you going to say
6 something?

7

8 MR. CLARK: No, I was just going to point out what this
9 does is provide a default which the Council has never had
10 before for c&ts. It never had anything before about what level
11 that the analysis should be done or the determinations should
12 be done because it could have been done on an individual basis
13 or within very small geographic areas, GMUs, you know, BCUs,
14 CIAs whatever.

15

16 CHAIRMAN THOMAS: MRAs.

17

18 MR. CLARK: What this does is provide a kind of
19 threshold fallback, so it would automatically be done at the
20 unit level unless there's some reason not to.

21

22 MS. LeCORNU: Community level.

23

24 MR. CLARK: Well, it's community by community at the
25 unit level.

26

27 MS. LeCORNU: Okay.

28

29 MR. CLARK: So Hydaburg would have a c&t determination
30 for a number of units.

31

32 MS. MASON: Yeah.

33

34 MR. CLARK: And Haines would have a c&t determination
35 for the units that are around them or wherever it would be.
36 And that would be the default. And then the going away from
37 that, the second part, the unless otherwise determined, would
38 be if you decide to make a finer grained -- generally a finer
39 grained cut.

40

41 MR. VALE: Exactly.

42

43 MR. ANDERSON: And that would be up to the Council to
44 do.

45

46 MS. PHILLIPS: I'm just trying to understand, on a
47 community basis at the unit level. So that means every
48 community within a unit you will go community by community
49 within Unit 4; is that what that's saying? What do you mean at
50 the unit level?

0203

1 MR. CLARK: The way -- correct me if I'm
2 misrepresenting this, but the way it would be is that each
3 community in Southeast.....

4
5 MS. PHILLIPS: Okay.

6
7 MR. CLARK:would have a c&t determination for all
8 species by unit, rather than by water shed or whatever, so
9 Pelican would have c&t for all species for all of the units in
10 which it units, that's unit level. Whereas Yakutat, would
11 likewise have c&t for all species in a different set of units.
12 Same thing with Haines. Haines would have a different set of
13 units that they had this c&t determination in or for.

14
15 MS. PHILLIPS: What are you going to base that on?

16
17 MR. VALE: We base it on the information we receive
18 from Staff and they would use the eight criteria in developing
19 those c&t determinations, you know. We're not required to
20 stick to those eight criteria hard and fast, I don't believe
21 that. But Staff would use those to develop the information for
22 us to use. And it's up to us to determine how we use them.

23
24 MR. CLARK: Mr. Chairman, if I understand this
25 correctly, if you go with this wording and that means that, you
26 know, you can choose on your own to use the eight factors or to
27 use the five factors or whatever.....

28
29 MR. VALE: Yeah.

30
31 MR. CLARK:other method that you want.

32
33 MR. VALE: Right.

34
35 MR. CLARK: You're not tied to those eight. I mean you
36 can use them if you want, but you're not tied to them.

37
38 MR. VALE: Exactly.

39
40 MR. CLARK: In any way.

41
42 MR. VALE: But for the Staff's purposes they would use
43 eight factors to develop the information for us in making our
44 decisions. It's up to us to choose how to use those eight
45 criteria.

46
47 MS. MASON: Staff would work at the behest of the
48 Council to develop -- to use whatever criteria you wanted to
49 have used.

50

0204

1 MR. CLARK: And that could include things like
2 customary use areas, whatever.

3
4 MS. WILSON: I have a question. For all species, would
5 we have to put down fish and wildlife instead of species or all
6 species of fish and wildlife?

7
8 CHAIRMAN THOMAS: All species are everything.

9
10 MS. McCONNELL: Species covers it all.

11
12 MR. ANDERSON: That's a generic term.

13
14 MS. WILSON: Oh, well.....

15
16 CHAIRMAN THOMAS: Otherwise.....

17
18 MR. ANDERSON: Plants, you name it.

19
20 MS. WILSON: Well, that sounds good to me.

21
22 MS. LeCORNU: Everything in the unit.

23
24 MR. ANDERSON: Yeah.

25
26
27 MS. LeCORNU: Even if they trans -- everything we need.

28
29 CHAIRMAN THOMAS: Is that unique enough.

30
31 MR. GEORGE: Unique.

32
33 MS. WILSON: I have another question, Mr. Chairman.

34
35 CHAIRMAN THOMAS: Okay.

36
37 MS. WILSON: When we vote on this, is this the final
38 determination by this Council as a recommendation to the task
39 force or.....

40
41 CHAIRMAN THOMAS: It's a recommendation to the Board
42 and a recommendation is only a recommendation. If down the
43 line we see that it needs to be adjusted, I would hope that we
44 could say, well, Mr. Board, we ran into a glitch with our first
45 recommendation, we'd like to offer an amendment that would
46 clean it up a little bit. See, that's how I envision it. Is
47 that kind of how you guys would see it?

48
49 MS. MASON: Uh-huh.

50

0205

1 CHAIRMAN THOMAS: Yeah.

2

3 MR. CLARK: One point of clarification, if I may, Mr.
4 Chairman.

5

6 CHAIRMAN THOMAS: Okay.

7

8 MR. CLARK: And other Staff might help me out on this
9 if I misrepresent this. But a lot of times in your
10 recommendations, if the Board doesn't accept your
11 recommendations they have to provide a response in writing
12 according to three criteria that are in ANILCA, you know. But
13 in these types of recommendations, those three criteria, if I'm
14 correct, they don't apply to this kind of recommendation.
15 Those recommendations that it refers to are those under.....

16

17 CHAIRMAN THOMAS: This is not an ANILCA requirement.

18

19 MR. CLARK: Right.

20

21 MS. MASON: And this is -- right.

22

23 MR. CLARK: So if they decide not to accept your
24 recommendation, they still have to respond in writing but they
25 don't have to go to those three criteria.

26

27 CHAIRMAN THOMAS: ANILCA was too clean so that they
28 won't.....

29

30 MS. MASON: Each of the Councils is coming forth with a
31 recommendation. And so they're being amassed and not each of
32 them has to be followed.

33

34 CHAIRMAN THOMAS: Any further questions. Patty.

35

36 MS. PHILLIPS: All the recommendations of the other
37 Councils will be redistributed and shared among Councils?

38

39 MS. MASON: I don't know. I haven't heard that. The
40 next step is that they will be taken to the task group so the
41 task group will consider them and then present to the Board.
42 But I think it would be good and minimally, I will do my best
43 to bring back the full report to you at your next meeting.

44

45 CHAIRMAN THOMAS: I think if we ask for those drafts,
46 there's no reason why they should not be provided to us.

47

48 MS. MASON: Right. Right.

49

50 CHAIRMAN THOMAS: Further questions with pertaining to

0206

1 the motion.

2

3 MS. McCONNELL: Call for the question.

4

5 CHAIRMAN THOMAS: Question's been called for. All
6 those in favor of the motion on the board say aye.

7

8 IN UNISON: Aye.

9

10 CHAIRMAN THOMAS: Those opposed say no.

11

12 (No opposing votes)

13

14 CHAIRMAN THOMAS: Do I hear dissention in the camp --
15 the motion carries.

16

17 MR. CLARK: Mr. Chairman, could we for the record, just
18 have a few words of rationale for why this was accepted, just
19 to make the record really nice and clean?

20

21 CHAIRMAN THOMAS: The reason -- I wasn't even going to
22 bother with c&t but my attorney from Yakutat in his eloquence
23 and chosen words and careful thoughts just put tears in my
24 eyes. And I had no choice but to accept it. It looked good.
25 It sounds good and I feel good. I feel like tap dancing.

26

27 MR. CLARK: Okay.

28

29 MS. McCONNELL: What kind of rationale were you looking
30 for? I thought we pretty well covered it in the discussion.

31

32 MR. CLARK: Just to put it in a concisely.....

33

34 MR. ANDERSON: That it's understandable that would
35 cover.....

36

37 MR. CLARK: So there's no mistake about the reason that
38 you accepted this particularly.....

39

40 MS. LeCORNU: For the continued opportunity for
41 subsistence uses.

42

43 MR. ANDERSON: And ensure that each community is done
44 on an individual basis, can be determined.

45

46 CHAIRMAN THOMAS: It looks the most doable in this
47 region.

48

49 MR. CLARK: Thank you.

50

0207

1 CHAIRMAN THOMAS: What did you do with my other
2 comments?

3
4 MR. VALE: You know, I've been reading the
5 congressional record, particularly the statements by Moe Udall
6 as to the intent of Title VIII, there's a paragraph in there
7 that I recall where he talks about making determinations on an
8 individual basis. And he goes on to say that that wouldn't be
9 proper, as Title VIII was intended and that it should be done
10 on a community by community basis. And I clearly remember that
11 in the record, and I believe that that is a good manner in
12 which to proceed. And then in terms of for all species, it's
13 really my belief that if you have a subsistence community,
14 they're using all the resources available to them in their
15 area. They're not just using bears or just using goats or
16 kings or anything, they're using all those. They're using the
17 devil's club, they're using the berries. They're using
18 everything that's in that area there. And so that's why all
19 species -- and the unless otherwise determined by the Regional
20 Council, that leaves us the option to more narrowly define it
21 if we feel it's appropriate for a specific community. So that's
22 the way I see it.

23
24 CHAIRMAN THOMAS: One more comment and then we'll move
25 on here.

26
27 MS. McCONNELL: Okay. What I was going to say is this
28 -- what we chose here recognizes that the subsistence life way
29 is one of community. And that all of Southeast is a community.
30 And that sharing goes from the whole length of breadth of it,
31 not just within one community itself. And this, what we chose
32 here, recognizes that fact and helps that continue to happen in
33 Southeast which fits with our mission statement.

34
35 CHAIRMAN THOMAS: Okay. Lee.

36
37 MR. CLAYTON: Mr. Chairman, if I might have a brief
38 comment. I think this motion as written is also -- it allows
39 Federal agency to be consistent with President Clinton's
40 executive order that was passed August 12th of this year.
41 Which is an order that instructs all Federal agencies on
42 consultation and coordination with Indian tribal governments or
43 communities. And furthermore, the order states that any
44 formulation of policy by a Federal agency must respect tribal
45 self-government, sovereignty, treaties, rights and recognize
46 the unique legal relationship with the Federal government.
47 Agencies must allow an opportunity for tribes to provide
48 meaningful and timely input when developing regulatory
49 policies. And the way I interpret this activity here, you are
50 being consistent with the executive order of President Clinton.

0208

1 Thank you.

2

3 CHAIRMAN THOMAS: What I had listed for proposals was
4 to resubmit the resolution to the solicitor for response.

5

6 MS. LeCORNU: Mr. Chairman.

7

8 CHAIRMAN THOMAS: Yes.

9

10 MS. LeCORNU: I think another problem I'm having is, I
11 don't know if I should ask for this from the solicitor's office
12 or what, but we had some problems with the doe hunt and the
13 Forest Service and I met and they explained to me that we had
14 to have substantial evidence. And I've just read in the
15 hearings and I would like to ask for a copy to be made for all
16 the members that -- some of our recommendations were
17 circumvented by their misunderstanding, substantial evidence,
18 and it's listed in here, but it's not explained where it came
19 from and this explains where it came from. And substantial
20 evidence required by the Federal Subsistence Board is for
21 assuring stable and continuing natural populations. So, you
22 know, I think it needs to be explained to the Federal
23 Subsistence Board, either through the solicitor or somehow that
24 conservation was intended for that -- the Ketchikan
25 restriction, and therefore, that was the reason for the doe
26 hunt; was lack of opportunity.

27

28 So I'd like that explained as part of the solicitor's
29 -- if that's not too much.

30

31 CHAIRMAN THOMAS: What's the wish of the Council? Any
32 objections?

33

34 MR. VALE: I guess I would suggest that the solicitor's
35 don't need to provide that, simply Federal Board Staff.....

36

37 MS. LeCORNU: Well, we've asked.

38

39 MR. VALE:provide that. I don't recall if they
40 did or not when we took that issue up as a result.....

41

42 MS. LeCORNU: Mr. Chairman.

43

44 CHAIRMAN THOMAS: Yeah.

45

46 MS. LeCORNU: The reason I asked was it was explained
47 in here by the Staff and it is still erroneous and that's why I
48 requested the solicitor's opinion regarding that.

49

50 MR. CLARK: Mr. Chairman.

0209

1 CHAIRMAN THOMAS: What? What?

2

3 MR. CLARK: Oh, I just wanted some clarification of
4 what document were you referring to Vicki?

5

6 MS. LeCORNU: This is Committee on Energy and Natural
7 Resources, U.S. Senate Hearing 1978. What John was just
8 referring to on the Secretary Udall's comments.

9

10 MR. VALE: Vicki, if I can be of some help, if you look
11 at .805 it lists three criteria that a Regional Council
12 recommendation -- three criteria that the rulemaking authority
13 has to use when rejecting a Regional Council recommendation.
14 And one of them is not -- if there's not substantial evidence
15 to support the recommendation.

16

17 MS. LeCORNU: Right. And the hearing's explain that.

18

19 MR. VALE: Yeah. So you're asking about the POW
20 proposal where we recommended closing the Ketchikan hunters out
21 and.....

22

23 MS. LeCORNU: And they refused it.

24

25 MR. VALE:that recommendation was not accepted by
26 the Federal Board.....

27

28 MS. LeCORNU: For reasons.....

29

30 MR. VALE:and I don't recall because I believe
31 that was two cycles back. But the reason was that there wasn't
32 substantial evidence that the deer population was in dire
33 enough straits to close out the Ketchikan hunters. That's the
34 situation, I'm guess.....

35

36 MS. LeCORNU: That's correct.

37

38 MR. VALE:that you're referring to, so that needs
39 to be further explained.

40

41 CHAIRMAN THOMAS: What happened then was that the
42 information provided to the Board wasn't provided to this
43 Council on that.

44

45 MS. LeCORNU: Well, what I'm contending Bill is that
46 the Council still had wrong information, that's why I wanted
47 the solicitor to have some kind of an opinion on it.

48

49 CHAIRMAN THOMAS: Oh, okay.

50

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1 MS. LeCORNU: And I guess maybe if we don't do that,
2 maybe you know, I just want the Board to see that my statements
3 are backed by this committee report that substantial evidence
4 is for conservation not -- the burden shouldn't have been on us
5 to provide any substantial evidence.

6
7 CHAIRMAN THOMAS: Well, when we made the recommendation
8 we had the evidence we needed to do that with.

9
10 MS. LeCORNU: That's right.

11
12 CHAIRMAN THOMAS: So what's the wish of the Board.

13
14 MR. VALE: Where are we at now, Mr. Chair?

15
16 CHAIRMAN THOMAS: We're on generate Regional Council
17 proposals. On mine I had resubmit resolution to solicitor for
18 response.

19
20 MR. VALE: Are you referring to the proposed rule?

21
22 CHAIRMAN THOMAS: Yeah.

23
24 MR. VALE: Okay, I'm prepared to take that up.
25 Proposals are a little bit different that's why I was holding
26 back. But if you want I'm ready to address that.

27
28 CHAIRMAN THOMAS: Well, I didn't have any proposals so
29 I went right to that.

30
31 MR. VALE: Okay, good.

32
33 CHAIRMAN THOMAS: But if you got proposals, let's do
34 that.

35
36 MR. VALE: No, don't have any unless somebody else
37 does.

38
39 CHAIRMAN THOMAS: Well, I propose we go to the resubmit
40 then.

41
42 MR. VALE: Okay. As per our discussion earlier, Mr.
43 Chairman, to back up a little bit about what we did. We
44 drafted a resolution to Fish and Wildlife Staff on the proposed
45 rule at our last meeting and that was our comments on the
46 proposed rule. I believe the understanding we had come to was
47 that we would now submit that resolution to the Federal
48 Subsistence Board who, even though it's some of the same Staff,
49 apparently actually see that resolution because it was on the
50 proposed rule and not directly to the Federal Subsistence

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1 Board. And I believe there's an interest in submitting that
2 resolution at this time to the Federal Board to review our
3 concerns about the proposed rule. And in addition to that, in
4 our annual report, a separate item, we asked the Federal Board
5 to give us a solicitor's opinion as to the issues around the
6 proposed rule. And they said that they would ask the
7 solicitor's to do that, however, we never received anything.

8
9 So we formed a subcommittee with Mim, myself, Dolly
10 helped out, Sue helped a little bit and I've got a very, very
11 rough draft here of a letter to accompany that resolution going
12 to the Federal Subsistence Board. And I stress once again,
13 this is very rough it needs to be cleaned up, maybe reorganized
14 a little bit, but I believe it has what we want to say in it.
15 And I'm certainly looking for Council members, you know, any
16 suggestion for changes or anything, and at this time I'll go
17 ahead and read what we have, Mr. Chairman. So it would be to
18 the Chair of the Federal Subsistence Board. And it says, at
19 the Southeast Regional Council fall meeting held in Haines,
20 October 8th and 9th, the Council was updated on the status of
21 the proposed rule for fisheries management. The Council is
22 extremely concerned about the lack of Title VIII protection for
23 our subsistence fisheries in Southeast. The vast majority of
24 subsistence foods are harvested from the marine environment.
25 The proposed rule doesn't extend jurisdiction into marine
26 waters even though those waters were identified in the
27 Presidential proclamation that created the Tongass. The
28 Council commented on the proposed rule in the form of a
29 resolution -- I didn't have that number, we'll need to include
30 it in there, at our March '98 meeting. The Council also
31 requested a solicitor's opinion on this issue in the annual
32 report. To-date, the Council has not received any written
33 response. The Council supports the decisionmaking process,
34 however, we feel we have been left out of any meaningful role
35 in this process as our first two efforts were largely ignored.
36 The Council believes that Section .805 requires a written
37 response when a Council recommendation is not accepted.
38 Without the solicitor's opinion as to why the marine waters of
39 Southeast are being left out, the Council is unable to
40 understand the rationale for this decision. The Council
41 requests the Federal Subsistence Board include the marine
42 waters of Southeast in the proposed rule. The Council further
43 requests that a decision to not include marine waters in
44 Southeast -- I can't read my own writing here, the Council
45 further requests that a decision not to include the marine
46 waters of Southeast in the proposed rule should be postponed
47 until the Council has had the opportunity to review the legal
48 rationale for that decision. And I think we need a closing
49 paragraph, right here I just have, thanks for consideration.

50

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1 CHAIRMAN THOMAS: Is there somewhere in there that will
2 invite that we get a response?

3
4 MR. VALE: Yes. The last one says, the Council further
5 requests that a decision not to include the marine waters of
6 Southeast in the proposed rule should be postponed until the
7 Council has had an opportunity to review the legal rationale
8 for that decision. And also further up.....

9
10 CHAIRMAN THOMAS: Not that decision, their decision.
11 If you leave that generically you'll never get an answer.

12
13 MR. VALE: Oh, okay.

14
15 CHAIRMAN THOMAS: Yeah, you got to.....

16
17 MR. VALE: I told you it was rough.

18
19 CHAIRMAN THOMAS: That's rough, all right.

20
21 MR. VALE: Also there is the discussion in there about
22 .805 and needing -- that that requires a written response, and
23 the fact that we asked for a solicitor's opinion and haven't
24 received it, early on.

25
26 CHAIRMAN THOMAS: It's a pretty good resolution but
27 it's not one I would submit if it was coming from me directly.
28 Because one thing you don't want to do with a resolution is be
29 friendly. You want to say exactly what you mean. If you leave
30 them to interpret something they're not going to interpret it
31 the way you want it.

32
33 MR. VALE: Okay. Well, I don't have any problems with
34 making any changes, that's for sure. What I envisioned is that
35 we would submit this along with our resolution from last March
36 and also the portion of our annual report that Federal Board
37 responded to saying that they would ask for us to have a
38 solicitor's opinion by this fall which we didn't receive. So I
39 was envisioning this as going as letter form, we can convert it
40 into another resolution if we wish.

41
42 CHAIRMAN THOMAS: Letter form is good.

43
44 MR. VALE: Uh-huh.

45
46 MS. McCONNELL: Can I make a motion at this time?

47
48 CHAIRMAN THOMAS: Motion is in order.

49
50 MS. McCONNELL: I move that we adopt the letter to

0213

1 Board that John just read.

2

3 CHAIRMAN THOMAS: You heard the motion.

4

5 MR. ANDERSON: Second Mim's motion.

6

7 CHAIRMAN THOMAS: Moved and seconded. Discussion.

8

9 MR. VALE: In the discussion I would just note that,
10 you know, it needs to be cleaned up and reorganized and, you
11 know, we're not talking about verbatim here and I'll leave it
12 to our trusty Staff here to -- who has a much better vocabulary
13 than myself to take care of that.

14

15 CHAIRMAN THOMAS: He doesn't have the eloquence though.
16 Further discussion.

17

18 MS. McCONNELL: Question.

19

20 CHAIRMAN THOMAS: Question's been called. All those in
21 favor say aye.

22

23 IN UNISON: Aye.

24

25 CHAIRMAN THOMAS: Opposed same sign.

26

27 (No opposing votes)

28

29 CHAIRMAN THOMAS: Motion carries. Okay, the next one I
30 have is discussion about this Council being represented at a
31 State Board, October 10th -- no, not 10th.....

32

33 MS. McCONNELL: October 23rd to the 28th.

34

35 CHAIRMAN THOMAS: 23rd to the 28th.

36

37 MS. McCONNELL: Do you also have down for discussion at
38 that same time the Board of Game proposals? Do you want to
39 talk about those first and then talk about attending the
40 meeting?

41

42 CHAIRMAN THOMAS: Sure.

43

44 MS. McCONNELL: Okay.

45

46 CHAIRMAN THOMAS: Yeah.

47

48 MS. McCONNELL: How many people got a chance to pick up
49 this packet of proposals; does anyone else have them?

50

0214

1 MS. LeCORNU: No.

2

3 CHAIRMAN THOMAS: Bill does. Fred.

4

5 MS. McCONNELL: Okay, probably we can get by without
6 having a bunch of copies around, it's pretty basic. There are
7 three proposals, Proposal 7, 8 and 9, all deal with -- they're
8 submitted by individuals and basically they appear to be people
9 who are interested in trophy hunting of black bear. They all
10 request in various forms of language to eliminate the salvage
11 requirements for meat.

12

13 Let's see, actually Proposal 7, eliminate the salvage
14 requirements for meat in coastal areas, Units 1 through 5.
15 That one is the broadest. Let's see, it's salvage of game
16 meat, furs and hides. Under the issue portion of the proposal
17 it says, it refers to black bear meat, but it seems to be much
18 broader in.....

19

20 CHAIRMAN THOMAS: Do they justify their proposal?

21

22 MS. McCONNELL: Oh, yeah. What will happen if nothing
23 is done -- well, let's see -- the issue during the '96 spring
24 meeting in Fairbanks the Board of Game adopted a regulation
25 which mandates the salvage of black bear meat from bears
26 harvested between January 1st and May 31st in Units -- and it
27 gives a bunch of different units, not just here in Southeast.
28 A high percentage of spring bears along the coastal areas have
29 meat that is not palatable depending on the time and food
30 source after they come out of hibernation. What will happen if
31 nothing is done? People should not be forced to retrieve non-
32 edible meat. It will also limit harvest of black bears to
33 easily accessible areas along the coast by boat and logging
34 roads by ATV and vehicles and make hunting trophy bears in
35 remote areas nearly impossible. Who is likely to benefit?
36 Hunters. Especially those hunting for old male trophy bears in
37 remote areas. Who is likely to suffer? No one. Other
38 solutions considered. Some bears feeding on botanical matter
39 are excellent eating and their meat should be utilized. Diet
40 can be determined by feces, but this is not enforceable or
41 legally binding determined. That's Proposal 7.

42

43 Proposal 8 is also concerning salvage of game meat,
44 furs and hides. And refers specifically to Game Management
45 Units 1 and 2 and again it deals with black bear. And the
46 issue is again it says, the edibility of the meat is
47 controversial and I feel should be left a matter of choice.
48 There is not adequate processing facilities in rural Southeast,
49 and for most hunters it is cost prohibitive to transport the
50 meat elsewhere. Also the weather at that time of year is not

0215

1 conducive to holding meat in camp. What will happen if nothing
2 is done? There will be meat loss due to an irresponsible
3 regulation and the hunting pressure will shift from spring to
4 the fall and lesser grade animals will be harvested. Who is
5 likely to benefit? The spring time economy in Southeast
6 Alaska. The State from license and tag sales. Who is likely
7 to suffer? No one I can think of.

8
9 And then Proposal 9 is the same regulation, salvage of
10 game meat, furs and hides. And this one says, in any unit in
11 which sealing is required from September 1st through June 30th.
12 The salvaging of bear meat is optional for the hunter and not a
13 requirement. The hide and skull must be salvaged. That issue
14 is -- I would like to see the Board reconsider the requirement
15 to salvage the meat of black bear in Units 1 and 2. In
16 Southeast, when bears come out of their dens in April they head
17 straight for the beach to scavenge what they can eat. They are
18 not in berry patches in the spring and the meat of black bears
19 is marginal, at best, this time of year. What will happen if
20 nothing is done? The State, through non-resident licenses and
21 many local vendors will lose revenue from the lack of people
22 hunting bears. Most bear hunters in Southeast have to fly out
23 and setup camps for one to two weeks. Meat cannot be cared for
24 in this period of time and most people don't eat it anyway.
25 Who is likely to benefit? Local store owners. Air taxi
26 services. Taxidermists. Local hunters. Non-resident hunters.
27 State, from sale of license and tags. Who is likely to suffer?
28 No one.

29
30 So those are the three resolutions -- or proposals on
31 salvage of game meat, furs and hides, and I really thought we
32 should comment on that. And to have our comments put down and
33 submitted to the Board of Game at that meeting. And then there
34 are some other ones, but I was thinking we should comment on
35 these three.

36
37 CHAIRMAN THOMAS: Is this a comment of endorsement?

38
39 MS. McCONNELL: I should hope not. No, my personal
40 comments are outrage. That people would even make these
41 proposals.

42
43 MR. CLARK: Mr. Chairman.

44
45 CHAIRMAN THOMAS: Fred.

46
47 MR. CLARK: My suggestion would be that people could
48 get copies, look them over, write your comments up, send them
49 to me, I can compile them, give them to Bill and your Chairman
50 could represent you at the Board of Game meeting with those

0216

1 comments.

2
3 MS. LeCORNU: What units?

4
5 MS. McCONNELL: Well, it seems like they're mostly
6 talking about Unites 1 and 2, but they are -- 1 and 5 are
7 referred to. In another one they're talking about all units.
8 So it's pretty open.

9
10 MS. LeCORNU: Unit 2 you said -- Unit 1 and 2?

11
12 MS. McCONNELL: 1 and 2 mostly, but all units.

13
14 MS. LeCORNU: I just have to make a comment here, that
15 will benefit the North Carolina hunters mostly.

16
17 MS. McCONNELL: Yeah.

18
19 MR. VALE: I guess I have a question and that is, is
20 this a subsistence issue and if so, how so?

21
22 MS. McCONNELL: Well, it seems to me that if.....

23
24 CHAIRMAN THOMAS: Is this a subsistence issue? It's
25 wanton waste.

26
27 MS. McCONNELL: Yeah.

28
29 MR. VALE: Yeah, I agree. I mean I'm appalled by the
30 proposals. But they're talking about sport hunting there
31 really, not subsistence hunting.

32
33 CHAIRMAN THOMAS: Come to a board meeting for
34 subsistence and listen to who testifies there.

35
36 MS. McCONNELL: Can I go ahead and respond to his
37 question?

38
39 CHAIRMAN THOMAS: Uh-huh.

40
41 MS. McCONNELL: I think if the Board of Game decided to
42 go with these proposals, that it would -- it sounds to me like
43 it would make it easier, more feasible for trophy hunters to go
44 to these remote areas and to get trophy bears or any other size
45 bears and that you'd see more -- an increase of guided hunting
46 and sport hunting of bears -- black bear, which is delicious
47 meat and could, at some point become an even more important
48 part of rural people's diets if deer populations go through a
49 really hard time. Whatever. I mean there's a lot of different
50 reasons. But if it's made easier to get black bears by people

0217

1 that aren't using it for food, then it's going to -- it could
2 possibly impact the people that do depend upon it for food down
3 the road.

4
5 CHAIRMAN THOMAS: Well, typically when you go bear
6 hunting.....

7
8 MS. McCONNELL: And nevermind wanton waste.

9
10 CHAIRMAN THOMAS: Typically when you go bear hunting
11 you go out to look for food so you want to get the one that's
12 more palatable, and those are the smaller ones, the younger
13 ones. If you know anything about bear hunting, you could
14 always make slippers out of the hide.

15
16 MR. VALE: I guess I.....

17
18 CHAIRMAN THOMAS: What's the wish of the Council.

19
20 MR. VALE: I think that's a bit of a stretch for us to
21 be commenting on those proposals, myself. I feel like if we're
22 going to comment on proposals to the State Board Fish or Game,
23 that maybe they ought to have a little closer connection to
24 subsistence. I mean I'm opposed to them. I think the reasons
25 they list in there are ridiculous. The spring bears are the
26 best eating ones if you ask me.

27
28 MS. McCONNELL: Uh-huh.

29
30 MR. VALE: So I mean I don't agree with them one little
31 bit but I don't know, I think it's a bit of a stretch for us to
32 be acting on them.

33
34 CHAIRMAN THOMAS: Okay, what's the wish of the Council.

35
36 MR. ANDERSON: Mr. Chairman.....

37
38 CHAIRMAN THOMAS: I don't agree with John, I don't
39 think it's a stretch. Like I said, most people that come to
40 testify at subsistence Board meetings are not subsistence
41 users, let me tell you. The people in the subsistence
42 community are -- now, that's where the apathy comes from
43 because they can't compete with the practiced exercised
44 seasoned educated eloquence of presentation these other people
45 have. These people are professionalists at screwing up the
46 wildlife.

47
48 MS. WILSON: Mr. Chairman.

49
50 CHAIRMAN THOMAS: But if you want to refrain we can

0218

1 refrain. Marilyn.

2

3 MS. WILSON: I think we have the right to make a
4 comment and tell them how we feel about it as subsistence
5 users. Because we get the same kind of comments from other
6 user groups in our Federal meetings here for our subsistence
7 protection. So I don't see why we couldn't do the same, it's
8 our prerogative.

9

10 MS. LeCORNU: Mr. Chairman.

11

12 CHAIRMAN THOMAS: Vicki.

13

14 MS. LeCORNU: I think if it's on Federal land, I think
15 we especially have to see how it fits into our scheme. And
16 maybe that's the rightful place to do it is in our proposal --
17 with our proposal and say, well, are the other hunters being
18 adequately protected, and if so, we should state it in a
19 proposal to eliminate those hunts.

20

21 MR. CLARK: Mr. Chairman.

22

23 CHAIRMAN THOMAS: Fred.

24

25 MR. CLARK: In terms of this process, are you talking
26 about submitting a proposal to the Board of Game?

27

28 MS. LeCORNU: Well, I'm just thinking of the best way
29 to handle it, yeah.

30

31 MR. CLARK: No, I'm just -- my question is, are you
32 proposing a proposal to the Board of Game rather than a
33 comment?

34

35 MS. LeCORNU: I'm saying that it might be a good idea.

36

37 MR. CLARK: Well, it's too late for this round.

38

39 MS. LeCORNU: Right. But at some time, that might be
40 the proper way to do it.

41

42 CHAIRMAN THOMAS: Bob.

43

44 MR. SCHROEDER: Mr. Chairman, I don't have a specific
45 comment on whether or not you should specifically comment one
46 way or another on any of these proposals, but I really would
47 encourage the Board -- the Council as a group of people who
48 spend a good deal of your energies thinking about fish and
49 wildlife matters to, individually or as a Council, to look at
50 these proposals and let your wishes be known.

0219

1 And one problem with our Board of Game process right at
2 this moment is the problem of increasingly restricted amount of
3 public input. And so whether you see your input as individual
4 members of the public or as a Council, I think that the input
5 would be very valuable to this process.

6
7 CHAIRMAN THOMAS: Thank you.

8
9 MR. SCHROEDER: And then I have one other thing when
10 you're done with black bears.

11
12 CHAIRMAN THOMAS: You have what?

13
14 MR. SCHROEDER: I have some other things.

15
16 CHAIRMAN THOMAS: Okay. Well, if we're not going to
17 make a move to do anything we'll go on to the next topic.

18
19 MR. ANDERSON: Well, Mr. Chairman, I think it would be
20 appropriate for a motion to be on the table to address the Fish
21 and Game that the Subsistence Advisory Committee is opposed to
22 this type of carnage.

23
24 MR. VALE: Is that a motion.

25
26 MR. ANDERSON: If the Chairman.....

27
28 CHAIRMAN THOMAS: You heard the motion.

29
30 MS. McCONNELL: Second.

31
32 MR. ANDERSON: And waste the.....

33
34 CHAIRMAN THOMAS: It's been moved and seconded. Were
35 you able to get that?

36
37 COURT REPORTER: I have it in the record.

38
39 CHAIRMAN THOMAS: How about writing the motion down or
40 have Fred write it down?

41
42 MR. ANDERSON: Well, my thought is if they start doing
43 bear the same way, it sort of opens up a door. And our primary
44 purpose is to preserve and make sure that a resource is
45 available for the subsistence user. And the thought, of
46 course, of just wanton waste of bears -- we have to do the same
47 -- we have to skin and do away with bear meat now and if you
48 let somebody from South Carolina come in and shoot your bears
49 you're making them a grade above the normal.

50

0220

1 MS. WILSON: Mr. Chairman.

2
3 CHAIRMAN THOMAS: Uh-huh.

4
5 MS. WILSON: Are we just going to take care of this one
6 proposal as a commentary or are we going to take care of all of
7 the proposals that Mim has brought to our attention?

8
9 MR. ANDERSON: I was thinking specifically on the ones
10 concerning the -- just shooting the bears and take their heads
11 and claws off and leaving them there.

12
13 MR. VALE: There were three proposals there, we're
14 talking all three.

15
16 MR. ANDERSON: Yeah.

17
18 MR. CLARK: Mr. Chairman.

19
20 CHAIRMAN THOMAS: Fred.

21
22 MR. CLARK: Just for clarification let me see if I have
23 the motion correctly. That the motion would be to direct
24 Chairman Thomas to represent at the State Board of Game meeting
25 the opinion of the Southeast Alaska Regional Advisory Council
26 concerning State Proposals 7, 8 and 9 regarding black bear.

27
28 CHAIRMAN THOMAS: Okay, you heard the motion. It was
29 seconded. Discussion.

30
31 MR. VALE: Question.

32
33 CHAIRMAN THOMAS: The question's been called. All
34 those in favor say aye.

35
36 IN UNISON: Aye.

37
38 CHAIRMAN THOMAS: Opposed.

39
40 (No opposing votes)

41
42 CHAIRMAN THOMAS: Okay. Motion carries.

43
44 MS. McCONNELL: If I may.

45
46 CHAIRMAN THOMAS: You may.

47
48 MS. McCONNELL: There were three other proposals and
49 they would be ones that I would recommend that we be in favor
50 of. And it's -- I figure if we're going to be sending and

0221

1 submitting on these proposals that we might as well do it on
2 some other ones that are in here. One of them is Proposal 10,
3 which was submitted by the Wrangell Advisory Committee. Are
4 you familiar with this one?

5

6 MR. SORUM: I'm familiar with the timber sales.

7

8 MS. McCONNELL: Okay. It says they want to -- it's
9 under regulation titled areas close to hunting, and they want
10 to amend the regulation in Unit 1(B) as follows: While roaded
11 logging occurs in the canal and Hoywa (ph) drainages of Unit
12 1(B), brown bear hunting shall be closed in these drainages and
13 the area west to the present and enclosed area shall also be
14 closed. Issue. This area is currently being considered for
15 logging and could be logged as early as 1999. Access to this
16 area will be much easier and effort will increase because of
17 the increased activity in the area. What will happen if
18 nothing is done? The brown bear harvest in this portion of
19 Unit 1(B) will increase to levels that will not be sustainable.
20 Who is likely to benefit? Hunters who want to hunt in this
21 area after the logging is through and the roads have been
22 closed. Who is likely to suffer? Hunters who currently use
23 this area to hunt brown bear. Other solutions considered? We
24 also discussed closing this area to black bear hunting but we
25 felt that since they reproduce at higher levels, that they
26 would be able to withstand the increased effort.

27

28 CHAIRMAN THOMAS: That would give relief to Unit 1 and
29 2. Alan.

30

31 MS. McCONNELL: Yeah.

32

33 MR. SORUM: The only thing I'll throw in there is these
34 two timber sales are next to the ANN Bear observatory so
35 there's been a real ongoing commentary in the Wrangell area
36 about that. I think in the general the proposal's a good idea
37 because a lot of the concern that people had with those timber
38 sales in some of the units were modified, was the road access.
39 And that ANN is an important resource to the community and the
40 tourism business. That's my background on it anyways, it is an
41 ongoing issue and it's probably a good idea to go along with
42 that one definitely.

43

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

45

46 MS. McCONNELL: I would make a motion that we express
47 the Council is in favor of this support of this proposal and in
48 support Wrangell Advisory Committee's Proposal 10.

49

50 MR. SORUM: I'd second that.

0222

1 CHAIRMAN THOMAS: Moved and seconded. Discussion. All
2 those in favor say aye.

3
4 IN UNISON: Aye.

5
6 CHAIRMAN THOMAS: Those opposed say no.

7
8 (No opposing votes)

9
10 CHAIRMAN THOMAS: Motion carries. Next.

11
12 MS. McCONNELL: Okay, this one is actually two
13 proposals and they're both submitted by the same person and
14 they're similar dealing with a similar issue which is a
15 regulation entitled, controlled use areas. And they're both --
16 they're dealing with one in Unit 3 and the other one Unit 4.

17
18 CHAIRMAN THOMAS: What numbers are they?

19
20 MS. McCONNELL: Number 12 and 13. Number 12 is to
21 create a controlled use are in Game Management Unit 3. Kuiu
22 Island in Unit 3 closed to the use of any motorized land
23 vehicle for black bear hunting, including transportation of
24 black bear hunters, their gear and/or parts of black bears.
25 Issue. Use of any motorized land vehicle for black bear
26 hunting on Kuiu Island. What will happen if nothing is done?
27 Continued adverse impact on resource. Increased access on new
28 logging roads and ATV use on beaches and estuaries. A single
29 island should remain in Southeast for traditional boat access
30 without impact of land vehicle hunting. Who is likely to
31 benefit? Long-term management of the resource. Who is likely
32 to suffer? All other islands in Unit 3 and Unit 2 remain open
33 to black bear motorized land vehicle hunting.

34
35 And then I'll go ahead and read Proposal 13 because
36 it's similar. This one amends the controlled use area
37 regulation as follows: Game Management Unit 4 closed to the
38 use of any motorized land vehicle for brown bear hunting,
39 including transportation of brown bear hunters, their gear
40 and/or parts of brown bear. Issue. Use of any motorized land
41 vehicle for brown bear hunting in Unit 4. It's all basically
42 the same reading as Proposal 12. It's just a different unit.

43
44 So my recommendation to the Council would be to comment
45 to the Board of Game, to send a message that we're in favor of
46 Proposals 12 and 13.

47
48 CHAIRMAN THOMAS: What's the wish of the Council?

49
50 MS. McCONNELL: And that's a motion.

0223

1 MS. LeCORNU: I second the motion.

2

3 CHAIRMAN THOMAS: Moved and seconded. Discussion.

4

5 MR. VALE: Discussion, Mr. Chairman. ATV's are used by
6 subsistence people as well as guided hunters. And I personally
7 would be very reluctant to vote for a closure to those vehicles
8 unless it can be demonstrated there is a resource conservation
9 concern. I don't believe they have in that proposal. I won't
10 be voting in support.

11

12 MS. PHILLIPS: Is that one proposal for all of Unit 4?

13

14 CHAIRMAN THOMAS: Further discussion.

15

16 MS. McCONNELL: Unit 12 -- the Unit 3, it says Game
17 Management Unit 3 and the other proposal is Game Management
18 Unit 4.

19

20 MR. ANDERSON: Mr. Chairman.

21

22 CHAIRMAN THOMAS: Lonnie.

23

24 MR. ANDERSON: Mim, which one concerns the Kuiu?

25

26 MS. McCONNELL: Unit 3, Proposal 12.

27

28 MR. ANDERSON: Proposal 12. We.....

29

30 MS. McCONNELL: Maybe we should take them separately.

31

32 MR. ANDERSON: I could speak to Unit 3, Kuiu. We have
33 quite an extensive group of Kake residents that goes over. We
34 also have a vehicle that they use when they get over for deer
35 -- especially deer hunting. Bear hunting I could agree with
36 the closure. We -- like John says, it is getting to be quite
37 productive for deer for the time being.

38

39 MS. McCONNELL: What kind of vehicle is used over
40 there?

41

42 MR. ANDERSON: There's a pickup. The Forest Service
43 has a Taj Mal over in Roller(ph)Bay, a new recreational -- no,
44 I shouldn't say them, but they have timber cutting and they use
45 vehicles and we have carried Forest Service vehicles back and
46 forth and landing craft to -- would that cut them out, too?

47

48 MS. McCONNELL: I would assume so. So you guys use
49 pickups and ATVs to hunt over there?

50

0224

1 MR. ANDERSON: Yeah.

2

3 MS. McCONNELL: And you said that you would not be in
4 favor of using them for the bear but you would for the deer; is
5 that what you said?

6

7 MR. ANDERSON: Yeah.

8

9 MS. McCONNELL: So you'd be in favor of Proposal 12?

10

11 MS. WILSON: Mr. Chairman.

12

13 CHAIRMAN THOMAS: Marilyn.

14

15 MS. WILSON: Mim, could I ask you why they're making
16 these proposals? Do they want to preserve this land or what's
17 happening?

18

19 MS. McCONNELL: From what it says in here, which is all
20 I know about these, is just what I've read here. This
21 gentleman said, what will happen if nothing is done, he says
22 continued adverse impact on the resource will happen.
23 Increased access on new logging roads and ATV use on beaches
24 and estuaries. A single island should remain in Southeast for
25 traditional boat access without impact of land vehicle hunting.
26 That was where he's coming from. Especially I -- maybe he's
27 also aware of the crane sale that is supposed to be happening
28 there. And there will be more logging roads constructed, and
29 maybe he's concerned about a growing impact occurring from ATV
30 use, motorized use.

31

32 CHAIRMAN THOMAS: Vicki.

33

34 MS. LeCORNU: Mr. Chairman, personally I don't like the
35 use of ATVs but I'm not going to make any judgments on
36 anybody's use and how they do it. I think that's a community
37 question, so I would agree with John, that you know, it may
38 restrict subsistence users.

39

40 MS. WILSON: Yeah.

41

42 MS. LeCORNU: And in that effect, I would vote against
43 both of them.

44

45 MR. VALE: I would move to table the motion.

46

47 MS. WILSON: I second that motion.

48

49 CHAIRMAN THOMAS: Tabled and seconded. Undebatable,
50 the motion's tabled. Next.

0225

1 MS. McCONNELL: That's it. That took care of Unit 4
2 also because they were both under the same motion.

3
4 CHAIRMAN THOMAS: Vicki.

5
6 MS. LeCORNU: Mr. Chairman, I don't know where we are
7 on business but I have one.....

8
9 CHAIRMAN THOMAS: We're on proposals.

10
11 MS. LeCORNU: Well, I guess we're done with those
12 thought, right?

13
14 CHAIRMAN THOMAS: Yeah.

15
16 MR. VALE: I have a couple more items on there yet.

17
18 MR. SCHROEDER: Mr. Chairman.

19
20 CHAIRMAN THOMAS: Bob.

21
22 MR. SCHROEDER: I just had a couple items on the Board
23 of Game proposals that I could flag for you guys.

24
25 CHAIRMAN THOMAS: Sure.

26
27 MR. SCHROEDER: Proposal 1 and 2 deal with brown bear
28 management. And I think they're basically open-ended. It's a
29 really big topic to get into much of a discussion given the
30 time that we have. But if the Council wants to make its wishes
31 known or individuals on how they think bears, brown bear hunts
32 and brown bear should be managed in Game Management Unit 4,
33 this would be a real good time to do so, I mean with these
34 proposals.

35
36 Can I go on to mention a few proposals?

37
38 CHAIRMAN THOMAS: Sure.

39
40 MR. SCHROEDER: Proposal 3 talks about elk hunts in
41 Southeast Alaska. And I wanted to make the Council aware that
42 there is no customary and traditional use of elk in Southeast
43 Alaska under the State rules. That the State Board of Game
44 found that as an introduced species there was no subsistence
45 use. Most of the elk are on Federal land however, such that
46 this would be in a zone that I don't believe the Federal system
47 has addressed in any way. So I'm just bringing that to your
48 attention.

49
50 CHAIRMAN THOMAS: Well, I have an observation that you

0226

1 just sharpened. Those introduced species were introduced by
2 introduced species.

3
4 MS. LeCORNU: And we were always opportunistic.

5
6 MR. SCHROEDER: So just in following with your c&t
7 discussion, at some time in the future the Council may wish to
8 consider whether there is customary and traditional use of such
9 a creature.

10
11 The other issue with elk is important some wildlife
12 managers and that has to do with the expansion of elk from
13 their original transplant sites. The original management plan
14 for elk called for the elk population to be limited to the
15 original transplant sites. That's also a very involved issue.
16 And would benefit from either individual or Council comment.

17
18 CHAIRMAN THOMAS: Is there any attempt to keep them in
19 that same location?

20
21 MR. SCHROEDER: Not at this time, Mr. Chairman. The
22 options were proposed some years ago to have a very open hunt
23 for elk that are off the islands, and that proposal didn't go
24 very far. There was some political opposition to that.

25
26 CHAIRMAN THOMAS: Have any been to POW?

27
28 MR. SCHROEDER: Say again.

29
30 CHAIRMAN THOMAS: Those elk, have they made it to POW?

31
32 MR. SCHROEDER: We believe so.

33
34 MS. McCONNELL: Really.

35
36 CHAIRMAN THOMAS: Yeah, that will draw some attention.

37
38 MR. SCHROEDER: Well, I'm not an expert on elk so I'm
39 just flagging these.

40
41 CHAIRMAN THOMAS: If they're not running away from me I
42 can't tell they're an elk.

43
44 MR. SCHROEDER: One other proposal is Proposal 6 talks
45 about amending bag limits for sea ducks in Units 1 through 5.
46 Sea ducks are, at the present time, there hasn't been a
47 subsistence determin -- c&t action for sea ducks in the State
48 system. And there isn't a specific finding for sea ducks in
49 the Federal system. The Division believes the c&t work should
50 be done before you talk about limiting bag limits in Southeast.

0227

1 The proposal notes that at this time there is no conservation
2 concern with sea ducks. And it's in there at the request of
3 Fish and Wildlife Service as a means of discussing this matter.
4 So the Council could make a recommendation on that proposal to
5 defer to state wide action on subsistence use of migratory
6 bird. The Division feels that that would be the proper place
7 to address sea ducks. And I know in some communities.....

8
9 CHAIRMAN THOMAS: Do you think we got too carried away
10 when we said all species?

11
12 MR. SCHROEDER: No, but you haven't acted on those.
13 This could -- if there was a limit put on sea ducks at this
14 time, it could have unknown adverse effects on a relatively
15 small number of subsistence hunters who like to eat a lot of
16 ducks.

17
18 CHAIRMAN THOMAS: That's true.

19
20 MS. LeCORNU: Is that a proposal to restrict?

21
22 MR. SCHROEDER: This would put a bag limit.

23
24 MS. LeCORNU: Okay.

25
26 MR. SCHROEDER: A bag limit wherein one doesn't exist at
27 this time.

28
29 CHAIRMAN THOMAS: A bag limit, what?

30
31 MR. SCHROEDER: It would change bag limits. I could
32 read -- the proposal's rather long that's why I'm suggesting.

33
34 CHAIRMAN THOMAS: Could you read the numbers, what's
35 the bottom line?

36
37 MR. SCHROEDER: Issue. Several species of North
38 American sea ducks are declining at the regional and
39 continental levels, not in Southeast. Knowledge of population
40 status and harvest levels for sea ducks is generally poor.
41 While most population concerns have been in the Atlantic Fly-
42 Away, some of Alaska sea duck populations have declined
43 significantly since 1976. The range wide population of
44 spectacled eiders and Alaska breeding stellers eiders are
45 listed as threatened species. They don't occur in Southeast.
46 Old Squaw in Alaska have declined by over 70 percent or more,
47 particularly Western Alaska, scooters have declined by 40
48 percent over the long-term in Alaska and continentally.
49 Alaska's separate sea duck limits of 15 daily, 30 in possession
50 were fixed in regulations in the 1970s.

0228

1 I'll just go through. Harvest rates do not appear to
2 be a significant factor in population declines. At a recent
3 technical and Fly-Away Council meeting, U.S. Fish and Wildlife
4 Service has indicated concern about Alaska's bag limits, while
5 acknowledging that reasons for sea duck declines are unknown.
6 This proposal seeks to open the issue of sea duck regulation
7 for discussion by the Board of Game in an attempt to review
8 relevant information and find a harvest scheme that will
9 satisfy National management concerns and maintain sea duck
10 hunting in Alaska. And then it presents a number of options
11 for what limits would occur. One is to include species of sea
12 ducks and the seven ducks per day bag limit which would be a
13 decrease from 15 per day. And another one puts old squaws in
14 the general duck bag limit. A third option reduces the
15 special.....

16
17 CHAIRMAN THOMAS: What did you.....

18
19 MR. SCHROEDER: Old squaw.

20
21 (Off record comments)

22
23 MR. SCHROEDER: Is it time for a joke?

24
25 CHAIRMAN THOMAS: I was going to get up and defend
26 Marilyn's honor here.

27

28 MR. SCHROEDER: Reduce the special sea duck bag limit
29 in Units 1 through 5 and make no change in sea duck regulations
30 in Units 1 through 5. And the next one is to address sea duck
31 bag limits on a state wide basis at the March '99 Board of Game
32 meeting.

33
34 CHAIRMAN THOMAS: Is that something that might be more
35 properly coordinated with the migratory bird people?

36

37 MR. SCHROEDER: This proposal, Mr. Chairman, is --
38 although it's listed as coming from the Department of Fish and
39 Game, basically the lead is on the Federal side from Tom
40 Woolthy and Fish and Wildlife Service. However, the Department
41 does make a regulation for ducks. So this is.....

42
43 CHAIRMAN THOMAS: And what was your comment with
44 regards to defer?

45
46 MR. SCHROEDER: Division of Subsistence knows that the
47 c&t work for ducks hasn't been done in Southeast. And we think
48 that this should be done on a state wide basis. And at that
49 time that would be the time to talk about bag limits or
50 seasons.

0229

1 CHAIRMAN THOMAS: Okay.

2

3 MR. SCHROEDER: And I think that's about all I have.
4 I'll just let you know that the Board of Game, under statute,
5 has to consider intensive management in this round of meetings
6 under legislative direction. So they'll be having some
7 discussions if you -- if a Board member attends, it will follow
8 going through a process to see if a particular game species
9 meets the legislative criteria for intensive management, and if
10 so, should anything be done. When we reviewed that action, we
11 didn't see that there was likely to be many controversial
12 issues for our region. The intensive management mainly effects
13 those regions with moose, wolf, human interactions where
14 someone or another thinks there are too many or too few of
15 either the moose, the humans or the wolves.

16

17 That's all I've got.

18

19 CHAIRMAN THOMAS: Okay, thank you. Mim.

20

21 MS. McCONNELL: Before Bob leaves the table there, I
22 wanted to see if I could go ahead to make a motion concerning
23 the Council sending a letter of support of ADF&G, specifically
24 the subsistence division's efforts in -- what was the word you
25 used, in enhancement -- in the POW surveys is what I'm thinking
26 of and also the TRUCS study update. We'd like to see funding
27 continue for those studies. And also emphasize the need and in
28 the course of implementing those studies, the surveys and
29 studies and things, that ADF&G look for what people's needs
30 are, not just what they've been using; that we emphasize that.
31 That's linked with the money. If you want the money, find the
32 needs. But I make a motion that we write a letter to that
33 effect.

34

35 CHAIRMAN THOMAS: You heard the motion.

36

37 MS. WILSON: I second that motion.

38

39 CHAIRMAN THOMAS: Moved and seconded.

40

41 MR. VALE: Who's the letter going to?

42

43 MS. McCONNELL: I would assume that it would go to the
44 Governor and maybe to our Legislators -- Southeast Legislators.

45

46 MR. VALE: Federal Subsistence Board.

47

48 MS. McCONNELL: Whoever's giving the money, I suppose.

49

50 MR. SCHROEDER: In Southeast, U.S. Forest Service has

0230

1 been reluctantly, but steadily taking on its burden in this
2 realm.

3
4 MS. McCONNELL: Okay.

5
6 MR. SCHROEDER: With respect to need, I did want to say
7 that in our last round of surveys that we have had some
8 questioning on what would be -- the way we phrased it is what
9 would be the right amount of X for your family? X, being the
10 top species that people harvest. Given the discussion here, if
11 we're able to do rounds of surveys this coming year, I'd like
12 to beef that up because that seems to be a real concern to the
13 Council. I'll point out that to this date, it hasn't been as
14 much of a concern on the other management areas where we use
15 these data, so we kind of scaled back on how much we ask about
16 need. But I think it's real useful and very -- good direction
17 for us to take.

18
19 CHAIRMAN THOMAS: I'll give you an idea how usual it
20 used to be. Years ago my oldest brother was representing ANB
21 on fisheries, and he was before the Board of Fish. One of the
22 panel members says, Mr. Thomas, can you tell me exactly how
23 many pounds of fish you consume in a years time? My brother
24 said I'll be happy to do that as soon as you can tell me how
25 many pounds of potatoes you consume in that same period of
26 time. So that's where they left it.

27
28 MR. SCHROEDER: Since you gave me the opening here to
29 talk about.....

30
31 CHAIRMAN THOMAS: You mad about falling in that grave
32 this morning?

33
34 MR. SCHROEDER: I think I have an opening for anything
35 after that. Something else in addition to need is -- that
36 we're trying to get a handle on and we'd really appreciate
37 comment at any time, if not right this moment, has to do with
38 the general research approach. So far management has been most
39 interested in harvest numbers. And if you do a reading of
40 ANILCA it's clear that it's interested in harvest of fish and
41 wildlife, but it's also interested in use. And a great deal of
42 use of fish and wildlife is very much like the jars I see on
43 this table here, where one generous person supplies many other
44 people with subsistence foods. So we also try to do something
45 where we get at how much people use themselves as opposed to
46 how much they harvest which may go out to the community.
47 Unfortunately you can't do anything -- we can't do everything
48 and research always has to be flexible.

49
50 CHAIRMAN THOMAS: I get a gallon a week from Marilyn.

0231

1 MR. SCHROEDER: Okay, thank you.

2

3 MR. ANDERSON: Mr. Chairman, before you leave, Bob, I'd
4 like to sort of like to have the Council go on record in
5 appreciation of the work that Bob has done over the many years
6 in the subsistence area and helpful to the communities here. I
7 know every time I see him he's been -- or had any need, he's
8 been very helpful giving information out. And we'll miss you
9 in the Subsistence Division Robert, and good luck in your new
10 job.

11

12 MR. SCHROEDER: Well, thanks very much, Lonnie.

13

14 CHAIRMAN THOMAS: Thank you. We're not to that point
15 in the agenda yet. You got a proposal -- I might have to say
16 no.

17

18 MS. McCONNELL: Did we vote on that letter?

19

20 CHAIRMAN THOMAS: The letter?

21

22 MS. McCONNELL: The letter that we want to send to all
23 those people. I don't think we voted on it, no we didn't --
24 call for the question.

25

26 MS. MENKE: Could you hold that for a minute?

27

28 MS. LeCORNU: No we have a motion pending.

29

30 CHAIRMAN THOMAS: We have a motion on the floor.

31

32 MS. MENKE: Because I have an amendment.

33

34 CHAIRMAN THOMAS: You have a what?

35

36 MS. McCONNELL: She had an amendment on it.

37

38 MS. MENKE: I have a suggested amendment.

39

40 CHAIRMAN THOMAS: Can't do it. All those in favor say
41 aye.

42

43 IN UNISON: Aye.

44

45 CHAIRMAN THOMAS: Opposed.

46

47 (No opposing vote)

48

49 CHAIRMAN THOMAS: Okay. Now, we can hear your comment.

50

0232

1 MS. MENKE: Okay. My comment is that you were asking
2 for funding for subsistence to continue harvest surveys. And I
3 was wondering if it might be appropriate to ask for funding for
4 subsistence to take a closer look at habitat issues as well as
5 harvest issues.

6
7 MR. SORUM: That's the same question.

8
9 MS. MENKE: Pardon me?

10
11 MR. SORUM: Yeah, if you're going to look at needs, you
12 have to look at habitats.

13
14 MS. MENKE: In actuality I don't think it's working
15 that way. I mean I've called the Division of Subsistence to
16 talk about habitat issues and they basically said we do, you
17 know, harvest research. But unless we're asked by the Native
18 communities or other entities, we're not going to step in and
19 do more on habitat kind of issues. And so I think you could
20 promote a greater awareness and more action on those kinds of
21 issues if you would just say it's important to you and ask for
22 that.

23
24 And thinking of Haines, also since you're addressing
25 the State Game and Fish Board anyway, and even though our water
26 sheds are not Federally managed by and large, we have many
27 issues here that in the future you might be willing to address
28 at those kinds of meetings because we are managed directly by
29 the State and you're there talking to that Board. So I would
30 maybe hope that you might think about those kinds of avenues
31 for future discussions.

32
33 CHAIRMAN THOMAS: Okay, thank you. John.

34
35 MR. VALE: Mr. Chairman, I was speaking to Joe Hotch
36 earlier and he requested that his information that he gave to
37 us be sent to the Federal Subsistence Board and the Secretary
38 of the Interior and I would ask that barring any objections we
39 do so.

40
41 CHAIRMAN THOMAS: Hearing no objections, it's ordered.

42
43 MR. VALE: And also I would move that we draft a letter
44 to Fish and Wildlife Service or the appropriate management body
45 requesting that an individual from Southeast be appointed to
46 the Migratory Bird management people to represent the interests
47 of Southeast. I'm sure Sue could direct us to the right body
48 there.

49
50 CHAIRMAN THOMAS: You heard the motion.

0233

1 MR. CLARK: Could you repeat that please?

2

3 MR. VALE: The Council draft a letter requesting that a
4 person be appointed to the Migratory Bird Panel from Southeast
5 Alaska here.

6

7 MR. CLARK: Letter to whom?

8

9 MR. VALE: It would be the Fish and Wildlife Service, I
10 guess, wouldn't it Sue?

11

12 MS. DETWILER: The name of the person that you contact
13 is in your Council books, his name is Bob Stevens. You might
14 call him. I'll work with Fred on that.

15

16 MR. VALE: Okay. Perhaps we can get our bird eggs use
17 protected.

18

19 MS. LeCORNU: I'll second the motion.

20

21 MS. McCONNELL: Question

22

23 MR. ANDERSON: All in favor of the motion signify by
24 saying aye.

25

26 IN UNISON: Aye.

27

28 MR. ANDERSON: That circumvented the Chair.

29

30 CHAIRMAN THOMAS: Well, the reason for that is all I
31 could hear was paper. I couldn't hear anything. And when you
32 guys talk, this thing here is supposed to help the sound get
33 around the room, see -- I know it's kind of late to tell all of
34 you that now, but between now and the time we adjourn, try to
35 use this thing, and only this thing.

36

37 Okay, that motion carried.

38

39 MR. VALE: I have another motion, Mr. Chairman.

40

41 CHAIRMAN THOMAS: Okay.

42

43 MR. VALE: I move that we draft a letter to the
44 President of the United States requesting a veto on the
45 moratorium for the proposed rule for Federal jurisdiction.....

46

47 MS. McCONNELL: Second.

48

49 MR. VALE:of fisheries.

50

0234

1 MS. McCONNELL: Second the motion.

2

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

4 Discussion.

5

6 MS. WILSON: Question.

7

8 CHAIRMAN THOMAS: On the discussion, are you basing

9 that on the information you got from me or.....

10

11 MR. VALE: Yes.

12

13 CHAIRMAN THOMAS:have you heard anything more?

14

15 MR. VALE: No, that information you had there.

16

17 CHAIRMAN THOMAS: Were you able to reach anybody? Here

18 comes the official word here.

19

20 MS. McCONNELL: Written on a napkin.

21

22 MS. DETWILER: I called our office today and they

23 basically don't have anymore information than what

24 Representative Kookesh gave to you today. That the Senate

25 offered the House language that would continue the moratorium

26 as it is now for another year. So things would continue on as

27 they are now. It wouldn't effect wildlife, it would just

28 effect fisheries.

29

30 CHAIRMAN THOMAS: It's limited to fisheries?

31

32 MS. DETWILER: Right. The moratorium would be limited

33 to fisheries.

34

35 CHAIRMAN THOMAS: I see. Was there anything said about

36 appropriations?

37

38 MS. DETWILER: No.

39

40 CHAIRMAN THOMAS: So based on that then, that letter

41 would be in order. Further discussion.

42

43 MS. LeCORNU: Call for the question.

44

45 CHAIRMAN THOMAS: Question's been called for. All

46 those in favor say aye.

47

48 IN UNISON: Aye.

49

50 CHAIRMAN THOMAS: Opposed.

0235

1 (No opposing votes)

2

3 CHAIRMAN THOMAS: That motion carries. Mim.

4

5 MS. WILSON: Mr. Chairman.

6

7 MS. McCONNELL: I was wondering how do to handle the
8 halibut issue we talked about earlier. Whether or not we could
9 write a letter to National Marine Fisheries Service or the
10 Halibut Commission or something. I guess Fred's got.....

11

12 CHAIRMAN THOMAS: Fred.

13

14 MR. CLARK: I have in my sweaty little hands here a
15 resolution of support by the Southeast Regional Advisory
16 Council to protect Southeast halibut and another one to protect
17 Southeast Alaska herring stocks. These are resolutions that
18 were produced by committee last night for presentation to the
19 Council for consideration. If the Council wishes, I could read
20 the therefore be it resolved portions of that. And then we'll
21 clean it up and distribute it later for full review before
22 sending it in, if that's the Council's wish.

23

24 MS. LeCORNU: Yeah.

25

26 MS. McCONNELL: Yeah.

27

28 MR. CLARK: The one to protect Southeast Alaska halibut
29 reads, therefore be it resolved that Southeast Regional
30 Advisory Council expresses its support for local use management
31 plans to protect and enhance halibut stocks that are adequate
32 for providing local residents an accessible supply of this
33 crucial customary and traditional staple.

34

35 The one for Southeast Alaska herring stocks reads,
36 therefore be it resolved that the Federal Subsistence Board
37 recognizing the need to protect subsistence uses of herring
38 eggs that occur are found in intertidal waters. Let me back
39 up, I think this should probably read Council instead of Board.
40 Be it further resolved, protection be extended to ensure the
41 existing biomass reached as best as possible the historical
42 levels as recorded by prestatehood fisheries documentation and
43 the memory of local Native and non-Native residents.

44

45 MR. ANDERSON: Mr. Chairman, I make a motion that we
46 submit the resolutions to the effect, the halibut and also the
47 herring.

48

49 MS. McCONNELL: Second.

50

0236

1 CHAIRMAN THOMAS: You heard the motion and second.
2 Discussion.

3
4 MR. VALE: Question.

5
6 CHAIRMAN THOMAS: All those in favor say aye.

7
8 IN UNISON: Aye.

9
10 CHAIRMAN THOMAS: Opposed.

11
12 (No opposing votes)

13
14 CHAIRMAN THOMAS: Motion carries. Next.

15
16 MS. McCONNELL: I'm done.

17
18 CHAIRMAN THOMAS: Don't stop. Keep bringing them up.

19
20 MS. McCONNELL: Well, I was looking at those two
21 resolutions that were on our table way back when that looks
22 like they came from Southeast Conference.

23
24 MR. CLARK: Yeah.

25
26 MS. McCONNELL: And one of them I looked at and went,
27 yeah, right, and basically tore it up in my mind. The other
28 one is a resolution supporting creation of Jobs in the Woods
29 Program in Southeast Alaska that looked interesting. And I was
30 curious, Fred, if you have any information on that?

31
32 MR. CLARK: I'm sorry, I have no information. I just
33 picked those up as I was running out of the office because I
34 saw them and thought you might be interested.

35
36 MS. McCONNELL: Okay. It looked like it might be
37 something that -- it has to do with resource restoration and
38 enhancement projects performed on the Tongass National Forest,
39 Annette Island Reserve and private lands in Southeast Alaska.
40 The idea is to provide employment for displaced workers, but
41 it's -- the fact that it's resource restoration and enhancement
42 projects in the Tongass, I think it's relevant to this Council.
43 But I hesitate to do too much with this because I don't really
44 know any details on this program. Does anybody know anything
45 about it? Heard anything about it?

46
47 MR. ANDERSON: Mr. Chairman, I can relay a little bit
48 of information relative to that. This was in conjunction with
49 the Mayor's trying to improve the economic development of
50 different phases of the forest. And that there's the

0237

1 restriction on timber cutting. They're looking to some other
2 alternative ways to use the forest.

3
4 MS. McCONNELL: Uh-huh.

5
6 MR. ANDERSON: And they wanted our support if we could,
7 to help enhance different alternatives for using the forest
8 products.

9
10 MS. McCONNELL: Uh-huh.

11
12 CHAIRMAN THOMAS: What was your response?

13
14 MR. ANDERSON: I'm reluctant to make a recommendation
15 myself, in that, it was supported by the timber industry.

16
17 MS. McCONNELL: That would make strange bed fellows.
18 But if it's something that would not cause any harm.....

19
20 CHAIRMAN THOMAS: What do they do that doesn't cause
21 harm?

22
23 MS. McCONNELL: Well, maybe this. I don't -- you know,
24 it depends on what.....

25
26 CHAIRMAN THOMAS: Think of Prince of Wales.

27
28 MS. McCONNELL: But this is talking about resource
29 restoration and enhancement projects. So I don't know, maybe
30 this is something that there's not a big deadline on, I don't
31 know, maybe we could have more information for the next
32 meeting.

33
34 CHAIRMAN THOMAS: Well,

35
36 MR. ANDERSON: Mr. Chairman, I.....

37
38 CHAIRMAN THOMAS:we could endorse every one of
39 these or we could reject every one of these and it wouldn't
40 impact differently either way. These are so poorly written
41 that it wouldn't do any harm. I mean we could look like good
42 guys and endorse them, but anybody that reads them will take --
43 oh, that's pretty nice and then it will fall through those
44 things that make a lot of little strips.

45
46 Let me read the therefore be it resolved, Southeast
47 Conference supports creation of jobs in the Woods Program for
48 Southeast Alaska, State and Federal agencies that are members
49 of the Southeast Alaska Community Economic Revitalization Team,
50 Governor Knowles and the State's Congressional Delegation to

0238

1 work cooperatively to fund such a program.

2

3 MR. ANDERSON: Mr. Chairman, this basically comes from
4 Gary Perkins. Some of you are familiar with him creating
5 cottage industry type jobs, searching for grants for small
6 businesses and things of that sort.

7

8 MS. McCONNELL: The Community Economic Revitalization
9 Team.

10

11 MR. ANDERSON: Revitalization team.

12

13 MS. McCONNELL: Yeah.

14

15 CHAIRMAN THOMAS: How'd we get it? It came from your
16 office, Fred?

17

18 MR. CLARK: Yeah.

19

20 CHAIRMAN THOMAS: Oh.

21

22 MR. CLARK: And I did not bring that forward for
23 action, just an information item.

24

25 MS. McCONNELL: Yeah. It looked interesting. It's
26 something that my husband and I have talked about that's
27 something that could happen in areas like Prince of Wales where
28 there's been so much rape, pillage and plunder in the Parks
29 there, it would be -- we talked about the ways of
30 rehabilitating the woods.

31

32 CHAIRMAN THOMAS: They're shooting black bears now.

33

34 MS. McCONNELL: So I was -- it really caught my
35 attention. I didn't realize that there was something like this
36 in existence. Personally, Fred, I would like to see some more
37 information on this and brought to our attention at the next
38 meeting.

39

40 MR. CLARK: Lonnie, do you know how to get that
41 information?

42

43 MR. ANDERSON: Yes.

44

45 MR. CLARK: I will have Bernie mail her a -- give him a
46 call.

47

48 MR. SORUM: Mr. Chair.

49

50 CHAIRMAN THOMAS: Alan.

0239

1 MR. SORUM: Did we ever cover the five tribe lawsuit,
2 response from the Forest Service, Page 3?

3
4 MS. McCONNELL: No, I don't think we did.

5
6 MR. SORUM: I wanted to make sure we got that.

7
8 MS. McCONNELL: No.

9
10 MR. SORUM: We were.....

11
12 CHAIRMAN THOMAS: Page 3?

13
14 MR. SORUM: Yeah, Section G.

15
16 MS. McCONNELL: In our annual report.

17
18 MR. VALE: When we talked about the annual report we
19 mentioned that we'd like to have that included once again in
20 our annual report.

21
22 MR. SORUM: Yeah, because I think the suggestion was to
23 ask for the Forest Service response which didn't come.

24
25 MS. McCONNELL: Another letter.

26
27 CHAIRMAN THOMAS: Mine says, submit the resolution for
28 a solicitor's response.

29
30 MS. McCONNELL: That was -- we did the solicitor's
31 response on a different issue.

32
33 MR. VALE: The proposed rule.

34
35 CHAIRMAN THOMAS: Okay.

36
37 MR. SORUM: This is the TLMP.

38
39 CHAIRMAN THOMAS: Yeah, we did that.

40
41 MS. McCONNELL: We didn't do TLMP yet.

42
43 MR. SORUM: We.....

44
45 MS. McCONNELL: We didn't do the appeal.

46
47 CHAIRMAN THOMAS: Well, let's do it.

48
49 MS. McCONNELL: Make a motion.

50

0240

1 MR. SORUM: I make a motion that we have a letter
2 drafted asking for a response from the Forest Service on the
3 concerns addressed in the last annual report on the five tribe
4 appeal of TLMP.

5
6 MR. VALE: Second.

7
8 CHAIRMAN THOMAS: You heard the motion and second.
9 Discussion.

10
11 MS. McCONNELL: Question.

12
13 CHAIRMAN THOMAS: Question's been called. All those in
14 favor say aye.

15
16 IN UNISON: Aye.

17
18 CHAIRMAN THOMAS: Opposed.

19
20 (No opposing votes)

21
22 MS. McCONNELL: By folks.

23
24 CHAIRMAN THOMAS: Motion carries. Okay, next.

25
26 MR. VALE: We've got elections, Mr. Chair.

27
28 CHAIRMAN THOMAS: Elections.

29
30 MR. VALE: Nominate Bill Thomas for Chair.

31
32 MR. ANDERSON: Second that motion.

33
34 MR. CLARK: I guess I'll open up the floor for
35 nominations for Chairman.

36
37 MS. LeCORNU: I move that the nominations for Chair
38 close.

39
40 MR. ANDERSON: Second.

41
42 MR. CLARK: Nominations are closed. All in favor say
43 aye.

44
45 IN UNISON: Aye.

46
47 MR. CLARK: The Chair has it.

48
49 MR. VALE: Nominate Dolly Garza vice chair.

50

0241

1 MR. CLARK: Bill's got the Chair again.

2

3 CHAIRMAN THOMAS: Dolly Garza's been nominated. Do I
4 hear a second -- I mean another nomination.

5

6 MR. ANDERSON: I second John's.....

7

8 CHAIRMAN THOMAS: Don't need a second. All we need is
9 another nomination or close. Close nominations.

10

11 MR. VALE: Move to close nominations.

12

13 CHAIRMAN THOMAS: You all heard the motion. Second.

14

15 MS. WILSON: Second that.

16

17 CHAIRMAN THOMAS: Who moved to close?

18

19 MS. McCONNELL: Second.

20

21 CHAIRMAN THOMAS: All those in favor say aye.

22

23 IN UNISON: Aye.

24

25 CHAIRMAN THOMAS: Okay. Secretary.

26

27 MR. VALE: Nominate Patty for secretary.

28

29 MR. ANDERSON: Patricia Phillips.

30

31 CHAIRMAN THOMAS: Patty Phillips been nominated.

32 Further nominations.

33

34 MS. WILSON: I move nominations be closed.

35

36 MS. McCONNELL: Second.

37

38 CHAIRMAN THOMAS: Moved nominations closed. Second.

39 Discussion.

40

41 MR. VALE: Question.

42

43 CHAIRMAN THOMAS: All those in favor say aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN THOMAS: All opposed same sign.

48

49 (No opposing votes)

50

0242

1 MS. McCONNELL: Starting to sound like a rubber stamp.

2

3 CHAIRMAN THOMAS: I'd like to make a campaign speech.
4 Thank you once again. It's difficult sometimes to imagine what
5 happens from one year to the next with the different things
6 that happen, with different issues, and even people sometimes,
7 they change jobs or something else occurs. As most of you
8 know, last year after our fall meeting I had a series of health
9 problems that I had to overcome, and at our spring meeting I
10 was seriously considering not serving beyond this point because
11 I wasn't sure at that time how well my rehab would improve.
12 And fortunately, for myself, I'm pleased to tell you that I
13 have passed my expectations on rehab and I'm happy to say so.
14 And thank you again for your support. I take this position
15 very seriously. I represent the Council vigorously at the
16 Board level or at any place else that I need to be with regards
17 to this Council. And I get good responses from people. I have
18 a pretty good rapport with most people. And so I think we've
19 enjoyed some good success as a combination. I never hesitate
20 to remind people that I interact with about the chemistry and
21 talent that I work with on this Committee and the commitment
22 that you guys bring to these meetings. So you all deserve a
23 pat on the back for your participation. It makes me very proud
24 to be part of your association.

25
26 Where are we going to meet next time?

27

28 MR. VALE: Sitka.

29

30 CHAIRMAN THOMAS: Sitka. Anyplace else?

31

32 MR. GEORGE: Tenakee.

33

34 CHAIRMAN THOMAS: Tenakee. How about the Kuskoo
35 Airport?

36

37 MR. ANDERSON: Agreeable. Mr. Chairman, I have no
38 objections to going to Sitka. But I've always -- if there's a
39 legislative problem -- in the spring meeting, it would be
40 advisable -- a lot of us wear -- like I wear about five
41 different hats.....

42

43 CHAIRMAN THOMAS: So what are you saying? You'd go to
44 Juneau under the guise of subsistence and we wouldn't see you?

45

46 MR. ANDERSON: For subsistence use.

47

48 CHAIRMAN THOMAS: Pay the bill and pick up the tab and
49 you can.....

50

0243

1 MR. ANDERSON: Mr. Chairman, I'm not proud, I take
2 money from wherever I can find it.

3
4 CHAIRMAN THOMAS: Okay, everybody in favor of going to
5 Sitka -- Salena wants to go to Juneau, she likes Juneau.

6
7 COURT REPORTER: I want to go to Sitka, I've never been
8 to Sitka.

9
10 MR. ANDERSON: Well, Mr. Chairman, I will second John's
11 motion that we have our next meeting in Sitka.

12
13 CHAIRMAN THOMAS: All those in favor say aye.

14
15 IN UNISON: Aye.

16
17 CHAIRMAN THOMAS: Opposed.

18
19 MR. ANDERSON: Aye.

20
21 CHAIRMAN THOMAS: Sitka.

22
23 MR. GEORGE: Aye. Angoon after that.

24
25 CHAIRMAN THOMAS: Okay, when?

26
27 MR. ANDERSON: I withdraw my aye.

28
29 CHAIRMAN THOMAS: Between Washington's birthday and
30 March 24th. February 22nd to March 24th.

31
32 MS. McCONNELL: Do you realize this is the first time
33 we're going to have a meeting in my home town.

34
35 MR. VALE: We'll leave it open to the call of the
36 Chair, Mr. Chairman.

37
38 MR. CLARK: Mr. Chairman, I just wanted to point out
39 that the window is under Tab J in the book if you haven't found
40 it already, the calendar showing when the meeting dates are
41 open. There have been a few meetings that have already been
42 set up, including Southcentral and we don't want to overlap
43 them.

44
45 CHAIRMAN THOMAS: To avoid conflict, down one line.

46
47 MS. MASON: The Southcentral meeting decided to go on
48 the last -- the very last part of the window, I think the last
49 two days of the meeting is what Southcentral has chosen.

50

0244

1 CHAIRMAN THOMAS: Well, we'll go on the 11th and 12th.

2

3 MR. VALE: Mr. Chairman, my wife's been giving me heck
4 for leaving on her birthday on March 11th every year for some
5 time, if we could adjust that a little bit.

6

7 MR. GEORGE: Mr. Chairman, I move that we change his
8 wife's birthday to say March 25th.

9

10 CHAIRMAN THOMAS: Okay, then we'll move it to March
11 18th and 19th.

12

13 MR. CLARK: Mr. Chairman.

14

15 CHAIRMAN THOMAS: Yeah.

16

17 MR. CLARK: We've been requested by travel people to
18 try to have meetings in the middle of the week, I don't know if
19 that fits in well with what the Council would like, it just
20 makes the administrative aspect much easier.

21

22 MR. VALE: 17th and 18th.

23

24 MS. LeCORNU: Yeah.

25

26 MR. CLARK: The 17th/18th or the 16th/17th.

27

28 MR. SORUM: The 16th and 17th would be better.

29

30 MR. GEORGE: Beware of the ides of March.

31

32 MR. VALE: 17th and 18th.

33

34 MS. WILSON: 16th and 17th, is that what we said?

35

36 CHAIRMAN THOMAS: Okay, who wants to go 16th and 17th?

37

38 MS. McCONNELL: That's fine.

39

40 CHAIRMAN THOMAS: One, two, three, four, five, six.
41 Who wants to go 17 and 18? One. So we're at 16 and 17.

42

43 MR. CLARK: So that's the 17th and 18th?

44

45 (Off record comments)

46

47 MS. McCONNELL: Are we going to have a work session
48 prior to our meeting.

49

50 MR. CLARK: I would suggest you need to talk about it.

0245

1 CHAIRMAN THOMAS: I wouldn't unless everybody can be
2 there. If everybody can be there fine. If everybody can't be
3 there, no.

4
5 MR. ANDERSON: You know, one of the things we -- you
6 know, we jumped ahead and said the 16th and 17th, some of the
7 rural area inhabitants may have to use the ferry in case of
8 weather.

9
10 MS. McCONNELL: We really ought to look at the ferry
11 schedule to Sitka.

12
13 MR. ANDERSON: I was going to suggest if you didn't
14 want to fly you could probably work around that.

15
16 CHAIRMAN THOMAS: Jack.

17
18 MR. LORRIGAN: I would remind the Council that that's
19 herring spawning time.

20
21 MS. McCONNELL: Oh, that's right.

22
23 MS. LeCORNU: That's when we want to be there.

24
25 MR. LORRIGAN: Exactly. The hotels may be full so you
26 might want to jump on reservations.

27
28 CHAIRMAN THOMAS: We got friends we haven't used yet.

29
30 MR. CLARK: Mr. Chairman.

31
32 CHAIRMAN THOMAS: Fred.

33
34 MR. CLARK: I'd also point out that every time we set
35 these dates, it's with the understanding that we have a little
36 bit of leeway as people look at their schedules more seriously
37 or, you know, they have other calendars to compare to. If they
38 have extenuating circumstances. Sometimes we can adjust a
39 little bit within there, and certainly we should look at the
40 ferry schedule.

41
42 MS. LeCORNU: Good.

43
44 MR. VALE: Well, we have a window to work with.

45
46 CHAIRMAN THOMAS: Yeah, you got a month. John's got a
47 wife so far.

48
49 MR. ANDERSON: Even is if she doesn't have a birthday.

50

0246

1 CHAIRMAN THOMAS: He might not get out anyway. The
2 last time he got as far as Juneau. Okay, comments. Any public
3 comments before we go home. Agency. Staff.

4
5 MR. CLARK: It's been great to be here.

6
7 CHAIRMAN THOMAS: Council members.

8
9 MR. ANDERSON: Mr. Chairman, I would like to comment on
10 the work session. I think by having the work session we were
11 able to go through a lot of the issues that came up a lot
12 quicker than spending day and night here in the meetings.

13
14 CHAIRMAN THOMAS: Okay.

15
16 MR. ANDERSON: And if possible, I advise at least one
17 day work shop next time to go over the issues so that we don't
18 spend so much time battering c&t.

19
20 CHAIRMAN THOMAS: We're still dealing with that, we're
21 just barely finishing this agenda. We might consider three
22 days. That way we'll be gone for a week and a half so we'll
23 need to look at two ferry schedules.

24
25 MR. ANDERSON: Yep.

26
27 CHAIRMAN THOMAS: Like I said, if everybody can be at
28 the workshop, fine. If not we lose time when those that come
29 late and we have to revisit.

30
31 MR. ANDERSON: Sure. Fred could take a running vote on
32 that.

33
34 CHAIRMAN THOMAS: Uh?

35
36 MR. ANDERSON: Fred -- about the time, if everybody's
37 going to be there, it'd be a three day, if not it'd be a two
38 day.

39
40 CHAIRMAN THOMAS: Okay, further comments. Mim.

41
42 MS. McCONNELL: Don't forget marine mammal survey --
43 sea otter survey thing. I just picked up a copy from Jack to
44 fill out -- for me to fill out. I just want to remind anyone
45 else that may want to fill one out to grab one from him. Also
46 the Tongass Community Futures Conference summary books haven't
47 made it here yet. And I think they're here in Haines somewhere
48 but whoever has them hasn't tracked me down yet.

49
50 CHAIRMAN THOMAS: I'll stay in Haines until he gets

0247

1 here.

2

3 MS. McCONNELL: So I'm assuming that they're going to
4 find me at the SEAC potluck tonight, which, by the way is at
5 7:00 o'clock at the Chilkoot Arts Building where the Irish band
6 was last night. I'm pretty sure that's where it's taking
7 place. Anyway, I'm assuming the summaries will catch up to me
8 there and I guess I'll bring them -- I don't know, I guess I'll
9 bring it back with me and send it out to everybody or
10 something. So I'm a little disappointed, I was hoping those
11 would be here to hand out to you.

12

13 CHAIRMAN THOMAS: Fred.

14

15 MR. CLARK: Just one little reminder, that Council
16 members who were planning on changing their flight plans and
17 motel plans from what was originally set up, please let me
18 know. We want to avoid double billing for Fish and Wildlife
19 Service if we can in terms of airplane tickets and motel rooms.

20

21 CHAIRMAN THOMAS: I tried it but no cigar. Any further
22 comments?

23

24 MS. McCONNELL: I take it all the flights are full
25 going out here tonight.

26

27 MS. WILSON: Mr. Chairman.

28

29 MR. ANDERSON: I'll tell you in about a half an hour.

30

31 CHAIRMAN THOMAS: Marilyn.

32

33 MS. WILSON: I would like to thank everyone for voting
34 to come to Haines and to have this meeting and especially
35 voting when I wasn't even at the meeting. And it was a real
36 joy having you here and I'm sure our community members were
37 very glad to have you and to see our Council in session. I
38 think we have a very good Council. And the reason Paul and I
39 gave Bill the oil is so he could stay healthy and stay on this
40 Council longer.

41

42 CHAIRMAN THOMAS: I appreciate that, thank you.
43 Further comments.

44

45 MR. VALE: I'd like to thank Marilyn for the
46 invitation. You expressed the interest in having us come and
47 I've enjoyed our stay here and I very much appreciate your
48 interest in seeing us come here and getting to see Haines for
49 the first time really for me. I've passed through to get on
50 the ferry once before, but I didn't get to look the town over

0248

1 and it's a really pretty place. And I see why you enjoy it so
2 much here. I'm glad we came.

3
4 CHAIRMAN THOMAS: Gabe.

5
6 MR. GEORGE: Yeah, I would like to say thank you also.
7 And I'd also like to ask Mr. Hotch over there, where Angoon's
8 mountain is? Could you point out the mountain to us?

9
10 MR. ANDERSON: Well, I can tell you where Angoon's
11 airport is.

12
13 MR. GEORGE: I was doing that for c&t.

14
15 CHAIRMAN THOMAS: I thank all of you for taking the
16 time to be here. And I want to thank the Staff and those that
17 are remaining here for the interest you've taken and being
18 here. And good luck on what you're doing and have a safe trip
19 back and we'll see you in -- I'll see some of you in Anchorage
20 on Monday and some of the others of you I'll see in between
21 time. So thank you for everything. Motion to adjourn.

22
23 MR. VALE: Motion to adjourn.

24
25 CHAIRMAN THOMAS: We're adjourned.

26
27 (END OF PROCEEDINGS)
28 * * * * *

