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1 SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
2 2/12/97 - 8:30 A.M.
3 Sitka Tribe of Alaska Building
4 456 Katlian Street
5 Sitka, Alaska
6 VOLUME II

7
8 Members Present:

9
10 William C. Thomas, Chairman
11 Dolly Garza, Vice Chairman
12 Vicki LeCornu, Secretary
13 Marilyn R. Wilson
14 Herman Kitka Sr.
15 John P. Feller, Jr.
16 Mim McConnell
17 Mary Rudolph
18 Gabriel D. George
19 Lonnie Anderson, telephonically
20 Patricia Phillips, telephonically
21 John Vale, telephonically
22
23 Fred Clark, Coordinator

P R O C E E D I N G S

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3
4

(On record)

5 CHAIRMAN THOMAS: Good morning everybody. It's time
6 for us to begin today's session. It's nice to see that all of
7 you could return for our second day of meeting. We've had some
8 new arrivals after we got through yesterday. Jim Llanos from
9 Ketchikan arrived. Say hi to Jim everybody. And Carol Herne,
10 was off running around Ketchikan with Clarence Summer. Well,
11 hi, Clarence. Well, we're glad you made it here. Better late
12 than never.

13
14 There's many people that will be leaving back to their
15 respective homes today and some of us are fortunate enough to
16 stay another night. But for those that are leaving, Staff-
17 wise, on behalf of the Council I want to express our thanks to
18 you for the time and effort and commitment that you put into
19 your respective responsibilities with regard to this process.

20
21 And more specifically, the efforts of our Biologist,
22 Robert Willis, and our Anthropologist, Rachel Mason, and Terry
23 for putting our facts together. Really requires a lot of time,
24 research, concentration and a lot of sacrifice and we
25 appreciate that. So I just wanted to publicly acknowledge
26 these folks for the good work that they're doing. And it's
27 encouraging to us, it's beneficial to us and we're just really
28 glad that you're here to do it today. With that, Robert.....

29
30 MS. PHILLIPS: Mr. Chair, we're also adding John.

31
32 MS. McCONNELL: John Vale.

33
34 CHAIRMAN THOMAS: Oh, okay. Is he.....

35
36 MR. VALE: Hi everyone.

37
38 CHAIRMAN THOMAS: Hi, John. Okay. John Vale is with
39 us. So we've got a full complement with the exception of our
40 Vice Chair, Dolly. I called Dolly last night, she sounded
41 terrible but she's recovering and she's hoping to be here for a
42 little while today. So just to pass that on.

43
44 Okay. We're going to begin our schedule today with
45 Proposal 9. I'll turn it over to our Biologist, Robert Willis.

46
47 MR. WILLIS: Thank you, Mr. Chair. Proposal 9 was
48 submitted by the Petersburg Fish and Game Advisory Committee
49 and it would eliminate the designated hunter option for deer in

50 that portion of Unit 3 which includes Mitkof Island, Woewodski

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1 Island, Butterworth Island, and that portion of Kupreanof
2 Island which includes the Lindeburg Peninsula east of the
3 Portage Bay/Duncan Canal Portage.

4
5 If you're not terribly familiar with that country we
6 have a map which shows the location on page 60 of your book.
7 Now, this is the area which is easily assessable either by road
8 or by small boat from the town of Petersburg. That area has a
9 special regulation separate from the rest of Unit 3. The deer
10 season there is from October 15 to October 31. It's two weeks
11 only with a harvest limit of one antlered deer.

12
13 And the remainder of Unit 3 the harvest of two antlered
14 deer is allowed and the season extends from August 1 to
15 November 30. Now, the designated hunter program allows one
16 Federally qualified subsistence hunter to harvest for another
17 Federally qualified subsistence person in the same area.

18
19 The deer population in Unit 3, like most of Southeast
20 Alaska, was decimated back in the late '60s and early '70s by a
21 series of severe winters. Unlike Unit 4 it's been very slow to
22 come back because Unit 3 has significant populations of wolves
23 and black bears which tend to keep the deer population from
24 recovering like they do in Unit 4 which does not have either
25 wolves or black bears.

26
27 The seasons have gradually been liberalized in Unit 3.
28 They were closed for a long time and I believe the first season
29 since the closure was in the early 1990s. Information provided
30 to us by the Alaska Department of Fish and Game and the U.S.
31 Forest Service indicate that the deer population in that area
32 is slowly increasing.

33
34 We don't have complete harvest data yet for that area.
35 We do have the designated hunter permit information.
36 Petersburg, a total of 25 persons obtained designated hunter
37 permits in 1996-97, and compared to 26 in 1995-96. So those
38 numbers didn't change at all.

39
40 To date we've had only six hunt reports received from
41 the '96-97 season. These hunters reported harvesting a total
42 of 14 deer, 10 for themselves and four for other persons. The
43 year prior in 1995-96, 15 hunters reported harvesting a total
44 of 34 deer, 21 for themselves and 13 for other persons.
45 However, we don't have any way to tell whether any of those
46 deer were taken in the area that's proposed for closure since
47 it's only a part of Unit 3. They could have been taken
48 anywhere in Unit 3.

49

At the time that the designated hunter was put in, that

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1 was two years ago, you may recall that we on the Staff felt
2 that we should start conservatively and that areas with low
3 deer populations, short seasons and low bag limits probably
4 should be left out until we saw how well the system was going
5 to work. We were concerned in two areas. One, biologically
6 that maybe turning the best hunters loose with the opportunity
7 to shoot multiple deer in an area that did not have a lot of
8 deer might cause some biological problems. We really didn't
9 know.

10
11 The other concern and probably a greater concern at the
12 time was that allowing some people to harvest multiple deer
13 would take away from the opportunity of other subsistence users
14 to harvest deer in that same area, since we did have low
15 harvest limits and short seasons available to them. Those
16 concerns we feel are still relevant. We got some information
17 from the Petersburg area from people who attended the Local
18 Advisory Council meeting. And there seems to be a number of
19 people who are dissatisfied with having a designated hunter
20 program in this particular area. From a biological standpoint
21 we don't see a problem yet, you know, there's not a significant
22 number of hunters and not a significant number of deer being
23 taken under the program.

24
25 However, the information we get from people who
26 attended that meeting, is that people are misusing the system
27 in order to continue to hunt in the area close to home, rather
28 than using it to really obtain deer for other people. And one
29 of the persons that I talked to admitted that he himself had
30 got a license for his wife so that he could go -- continue to
31 hunt after he had shot one deer in the area; he wouldn't have
32 to take a boat and go to another part of Unit 3 or to another
33 unit to hunt. That seems to be the reason that this proposal
34 was brought forward, was that local people felt that it was
35 being misused in that manner. They felt that the area close to
36 Petersburg within driving distance and a short small boat ride
37 was better reserved for an opportunity to hunt, rather than as
38 an area to harvest large numbers of deer and to feed people who
39 couldn't hunt for themselves and that there were other areas of
40 Unit 3 available with a two deer limit and a longer season
41 where people could take advantage of the designated hunter
42 provision.

43
44 We don't have strong feelings about this one way or the
45 other. Our initial conclusion is to support the proposal.
46 That's based chiefly on the input we've received from people in
47 Petersburg, rather than on biological concerns. I think that
48 concludes the Staff analysis.

49

CHAIRMAN THOMAS: Thank you very much. Mim.

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1 MS. McCONNELL: What kind of level of hunting is done
2 by non-residents?

3
4 MR. WILLIS: Almost zero, Mim. Anyone who would go to
5 all the trouble to go to Petersburg to hunt deer needs his head
6 examined when there are so many other places with longer
7 seasons, multiple deer limits that are much more easily
8 accessed.

9
10 CHAIRMAN THOMAS: Any more questions for Robert? Any
11 comments or questions from the audience? Ralph, come forward,
12 please.

13
14 MR. GUTHRIE: I've been around Petersburg area, you
15 know, ever since I was kid, you know, and there was a lot of
16 deer there in the '50s and '60s. And strange things have
17 happened one after the other. Hard winters, you know, the deer
18 population went down on the island. And finally the problem of
19 come-backs there was due to the large areas that were clear-
20 cut, you know, the cover was gone. Funny thing, we had a nice
21 increase in the herd there so then they decided on a hunt,
22 which was fine with me, you know. But the area that they deer
23 came back in, the Forestry Service decided it was time to, so
24 they logged it, you know.

25
26 I was done on the Petersburg all my life, I never seen
27 a deer, you know. Once they logged that area seemed like that
28 deer went someplace, you know, for protection. It was pretty
29 interesting, you know. So there is some tundra left on that
30 island. I'm not particularly interested in, you know,
31 (indiscernible). In my mind I think part of the aim of the
32 Subsistence Council is to provide for long term deer cover --
33 you know, cover for the deer and the wildlife on the island.
34 And that requires old grown timber. And, you know, you don't
35 have old grown timber in downtown Petersburg, you know, but
36 those deer are there to protect themselves from that heavy
37 equipment, you know. And they have lost their fear for man.
38 So -- but I'm not against this here designated hunter
39 situation. I think it probably provides for a few people that
40 are older that can't hunt and, you know, I think it's a
41 necessary thing in some instances because everybody isn't
42 financially situated as other people are.

43
44 So, anyway, that's my insight into the Petersburg
45 situation. I think we're in a situation where that island has
46 to be, you know, for long term recreation and subsistence needs
47 it's got to be looked after in the logging aspect. Thank you.

48
49 CHAIRMAN THOMAS: Thank you. All right. Written

50 comments.

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1 MR. CLARK: Alaska Department of Fish and Game are
2 neutral on this proposal. The deer population in Unit 3
3 appears to be increasing. Additional harvest associated with
4 the designated hunter provision in the existing regulation is
5 not expected to cause any biological concerns at this time.

6
7 CHAIRMAN THOMAS: Thank you. Any more from the
8 audience. Agency comments. Council. I have a tendency to --
9 I think Ralph's observations as far as I'm concerned were very
10 accurate because, like I said before, our responsibility is to
11 provide the opportunity, not to deny. So not saying any more
12 than that, I will solicit the wishes of the Council. Mim.

13
14 MS. McCONNELL: Well, I'll get this going by moving to
15 adopt the proposal. However, I'm probably not going to vote in
16 favor of it. What I'm hearing, it sounds like -- well, I'll
17 let somebody second it first and.....

18
19 CHAIRMAN THOMAS: Is there a second to the motion?

20
21 MS. LeCORNU: I'll second the motion.

22
23 CHAIRMAN THOMAS: Been moved and seconded. Discussion.
24 Mim.

25
26 MS. McCONNELL: Okay. Yeah. It sounds to me from what
27 the Department of Fish and Game says and what Ralph was talking
28 about, I'm inclined to let it stay as it is. It'd be nice to
29 have some more Petersburg folks to comment on it, but.....

30
31 CHAIRMAN THOMAS: I agree.

32
33 MS. WILSON: Mr. Chairman.

34
35 CHAIRMAN THOMAS: Marilyn.

36
37 MS. WILSON: I'd like to make a remark. When we were
38 on the State Fish and Game Advisory Council all these
39 communities, half the time they were worried about the
40 possibility of breaking the law, people taking advantage of the
41 situation.

42
43 And to me that's not the way to make new proposals,
44 just on the chance that people will break the law. And so I'm
45 going to vote against this proposal.

46
47 CHAIRMAN THOMAS: Further discussion?

48
49 MS. PHILLIPS: Yes.

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1 CHAIRMAN THOMAS: Patty.

2

3 MS. PHILLIPS: Chairman Thomas, this proposal does not
4 represent the needs of subsistence users. Their actions show
5 they do not comprehend local c&t values. The reality of
6 ideological and cultural differences of subsistence and sports
7 users is inherent. The recognition of subsistence harvest has
8 created resentment and resistance to the priority established
9 and strengthened by Federal subsistence management.

10

11 Under the comments by Alaska Department of Fish and
12 Game, the deer population in Unit 3 appears to be increasing.
13 Additional harvests associated with the designated hunter
14 provision and the existing regulation is not expected to cause
15 any biological concerns at this time. I vote against the
16 proposal.

17

18 CHAIRMAN THOMAS: Thank you, Patty.

19

20 MR. ANDERSON: Mr. Chairman, this is Lonnie.

21

22 CHAIRMAN THOMAS: I saw your hand. You've got it.

23

24 MR. ANDERSON: I agree with Patty's synopsis. The
25 subsistence user is being isolated.

26

27 CHAIRMAN THOMAS: Okay. Thank you, Lonnie. Further
28 comments from the Council?

29

30 MS. McCONNELL: Call for the question.

31

32 CHAIRMAN THOMAS: Question's been called for. All
33 those in favor of adopting this Proposal 9 say aye.

34

35 (No affirming responses)

36

37 CHAIRMAN THOMAS: Those opposed same sign.

38

39 IN UNISON: Aye.

40

41 CHAIRMAN THOMAS: That motion fails. Proposal Number
42 10. This is Teddy's mom.

43

44 MS. MASON: Thanks, Mr. Chairman. I have a map that
45 could go on the overhead, but then upon looking at the
46 regulations books I see that it has the same information. And
47 I think for the benefit of the people at home we might be
48 better off just referring to the map there. It's on page 33.

49

CHAIRMAN THOMAS: Okay.

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1 MS. MASON: This is Proposal 10. And it requests a
2 chance in the customary and traditional use determine for moose
3 on Mitkof and Wrangell Islands within Unit 3, and changing it
4 from a no determination reading all rural residents, to a
5 positive determination for residents of Units 1(B), 2 and 3.
6 So the effect of the proposal would be to narrow the existing
7 c&t status to residents of 1(B), 2 and 3 only, only for the
8 areas on Mitkof and Wrangell Islands. And currently there's no
9 determination for moose in any part of Unit 3.

10
11 So if this proposal is adopted it would retain the no
12 determination status for the rest of Unit 3, but it would
13 effect only Mitkof and Wrangell Islands.

14
15 Currently almost all of the hunting effort, at least 97
16 percent, and 98 percent of the harvest on those two islands is
17 by residents of Wrangell and Petersburg. And those residents
18 show a definite preference for hunting in areas closest to
19 their communities. If you look at the table on page 64 you can
20 see this dramatically demonstrated. That on Mitkof Island
21 there were 942 hunts by Petersburg out of 976 total hunts, and
22 they harvested 49 moose out of 50 on that island. The other
23 one moose that was taken on Mitkof Island was by a resident of
24 Anchorage.

25
26 On Wrangell Island there were 168 hunts, 160 of which
27 were by residents of the City of Wrangell, and they harvested
28 all five of the moose that were taken on Wrangell Island. So
29 they are dominated by residents of those two communities and
30 that's where those two communities hunt essentially.

31
32 Moose have been colonized in Unit 3 only for the past
33 20 to 30 years and it seems that there is well established and
34 growing population of moose on those two islands, as well as on
35 Kupreanof Island.

36
37 So our conclusion was to support the proposal with
38 modification. This would recognize a positive c&t use
39 determination for moose on Mitkof and Wrangell Islands in Unit
40 3 for residents of Unit 3. And the justification for that is
41 that certainly as we've seen in the past proposal, all the
42 communities in Units 1 -- are communities within Units 1, 2, 3
43 and 4 who use moose, but not all of them show a consistent
44 pattern of use on Wrangell and Mitkof Islands. And almost all
45 of the hunting effort and use on those islands has been by
46 residents of Unit 3, particularly Wrangell and Petersburg. So
47 that concludes my summary.

48
49 CHAIRMAN THOMAS: Thank you. That was submitted by

50 this Counsel as well.

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1 MS. MASON: That's correct.

2

3 CHAIRMAN THOMAS: Questions for Rachel, anybody?
4 Written comments.

5

6 MR. CLARK: Since this is a c&t proposal the Alaska
7 Department of Fish and Game have not offered comments.

8

9 CHAIRMAN THOMAS: Okay. Audience comments. Agency.
10 Bring it back to the Board for action -- the Council, I'm
11 sorry. I gave us a promotion.

12

13 MS. LeCORNU: Bill.

14

15 CHAIRMAN THOMAS: Vicki.

16

17 MS. LeCORNU: I just am still having a problem with
18 this rural designation. All residents of the units. I think
19 maybe we need to re-look at this and see that they are
20 communities, they're not rural residents per se because all the
21 residents are in these certain communities. There's nobody
22 outside of these communities. So what we're doing when we say
23 rural, we're giving that designation to anybody that happens to
24 be out in the wilderness or.....

25

26 CHAIRMAN THOMAS: Well, the proposed regulation does
27 make that change.

28

29 MS. LeCORNU: It says rural residents. And my point is
30 that we should say -- like down here she has listed communities
31 which have used this resource. Well, who are they? I mean
32 what communities are they?

33

34 CHAIRMAN THOMAS: Well, the regulation says Units 1(B),
35 2 and 3.

36

37 MS. MASON: I'm not sure that I understand your
38 comment, Vicki.

39

40 MS. LeCORNU: I just see one of the questions on the
41 proposal page, it says communities which have used this
42 resource. And we didn't -- there's nothing listed. So.....

43

44 MS. MASON: That's just what the proposal was. And
45 that's on our proposal form, it asks the proposer to answer
46 those questions. And there was -- since this was one of the
47 ones that this Council came up with, there wasn't a standard
48 proposal form for it. The answer to the question of
49 communities which have used this resource is Petersburg and

50 Wrangell.

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1 MS. LeCORNU: That's what I wanted to know.

2

3 MS. MASON: Yeah

4

5 MS. LeCORNU: Thanks.

6

7 CHAIRMAN THOMAS: Further comment. What's the wish of
8 the Council?

9

10 MR. FELLER: Mr. Chairman, I'd like to move that we
11 adopt this Proposal 10.

12

13 CHAIRMAN THOMAS: Been moved that we adopt Proposal 10.
14 Is there a second?

15

16 MR. VALE: Mr. Chairman, a friendly.

17

18 CHAIRMAN THOMAS: I can't amend anything that's not on
19 the floor.

20

21 MS. McCONNELL: Second.

22

23 CHAIRMAN THOMAS: Okay. It's been moved and second.
24 What do you mean by a friendly amendment?

25

26 MR. FELLER: Well, I was going to suggest adopting the
27 Staff's primary conclusions for residents of Unit 3.

28

29 CHAIRMAN THOMAS: And exclude 1(B) and 2?

30

31 MR. VALE: Yes.

32

33 CHAIRMAN THOMAS: What's your justification?

34

35 MR. VALE: For the reasons given in the Staff report.

36

37 CHAIRMAN THOMAS: Okay. An amendment has been offered.

38

39 MS. McCONNELL: Second.

40

41 CHAIRMAN THOMAS: Okay. Been moved and second.
42 Further discussion on the amendment?

43

44 MS. WILSON: Mr. Chairman, I'd like to ask a question.
45 Why would we cut these peo -- this unit off, these two units?

46

47 CHAIRMAN THOMAS: He said because of the information in
48 the book. I guess I missed that.

49

MS. WILSON: Is the information in the book the fact

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1 that only residents of Wrangell and Petersburg mostly get it?

2

3 MS. MASON: Mr. Chairman, may I respond to that?

4

5 CHAIRMAN THOMAS: Sure.

6

7 MS. MASON: That's right. We didn't see any evidence
8 that there was use by the residents of Unit 1(B) or 2. The use
9 of this area appears to be almost exclusively by residents of
10 Unit 3.

11

12 MS. WILSON: The way I feel about it, and I'm going to
13 vote against this amendment, is we shouldn't cut opportunity
14 off for subsistence to rural residents. So I vote against this
15 amendment. I don't see any sense to it.

16

17 CHAIRMAN THOMAS: Further discussion on the amendment.

18

19 MR. ANDERSON: Mr. Chairman, would you explain the
20 amendment, what it would do in relationship to Kake?

21

22 CHAIRMAN THOMAS: Kake would still be included, Lonnie.

23

24 MR. ANDERSON: Thank you.

25

26 CHAIRMAN THOMAS: Further discussion.

27

28 MR. FELLER: Mr. Chairman, I'd like to just comment
29 here that that hunt has been just started on Wrangell Island
30 just when this Council started I think, just about that time.
31 And the residents feel there in Wrangell that there's not
32 really that much -- a lot of them don't hunt there. I think
33 they'd go along with this. I talked to my cousin the other day
34 and that's what he thought, that it should be restricted more.

35

36 CHAIRMAN THOMAS: Further comments.

37

38 MR. FELLER: So I guess I speak in favor of that
39 amendment.

40

41 CHAIRMAN THOMAS: Mim.

42

43 MS. McCONNELL: I was just looking at the map and also
44 the list of communities and it appears that from the original
45 proposal we would be eliminating 1(B), which is along the coast
46 or along the -- on the mainland side. And I believe there are
47 no permanent communities over there.

48

49 MS. MASON: Right.

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1 MS. McCONNELL: Okay. And then it would be eliminating
2 Unit 2, which is Prince of Wales. And it looks as though
3 looking at Table II, there is very little hunting effort that
4 occurs from people on Prince of Wales. There is a little bit,
5 none of which has been successful at least on -- see on Mitkof
6 there -- actually none on Wrangell either, which to me implied
7 that there's very little impact on them from that.

8
9 And then, let's see, what other -- 1(B), 2 and 3. And
10 then the other one was 3. So I'd be inclined to vote for the
11 Unit 3 for that reason.

12
13 CHAIRMAN THOMAS: Okay. So it's not really eliminating
14 anybody, but it's eliminating places where nobody lives?

15
16 MS. MASON: And it's eliminating people on Prince of
17 Wales that don't use it very much anyway.

18
19 CHAIRMAN THOMAS: They don't know how to hunt anyway.
20 Gabe.

21
22 MR. GEORGE: Yeah, Mr. Chairman, thank you. I would
23 speak against the amendment. I think that whether somebody has
24 success or not in terms of hunting for subsistence purposes is
25 at the point that doesn't carry very much weight in terms of
26 these regulations. I think that, you know, we have to give
27 opportunities to residents that depend upon resources and has
28 been designated as people that can and should harvest. And if
29 you have a reason to cut them off, if there's a (indiscernible)
30 in population or there's over -- you know, more pressure, then
31 you have to cut somebody else off. This is cutting off some
32 subsistence users' opportunities and I speak against that
33 amendment.

34
35 CHAIRMAN THOMAS: Okay. Ralph, once it comes to the
36 Council at this point, it's restricted to the Council then.
37 Further comment from the Council. Vicki.

38
39 MS. LeCORNU: No.

40
41 CHAIRMAN THOMAS: Mim.

42
43 MS. McCONNELL: Yeah. Well, Gabe, I appreciate your
44 comment there. You might have changed my mind. We are trying
45 to provide for subsistence hunting. And if there's no
46 overriding reason for why we should eliminate those other
47 areas, then why eliminate them. So I think I will probably
48 vote against it.

49

MS. LeCORNU: You withdraw your amendment.

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1 CHAIRMAN THOMAS: I think what you're doing is
2 maintaining a consistent pattern of our thought process.

3
4 MS. McCONNELL: Right. Yeah.

5
6 CHAIRMAN THOMAS: Further discussion.

7
8 MR. GEORGE: Question.

9
10 CHAIRMAN THOMAS: Question has been called. All of
11 those in favor of the amendment say aye.

12
13 MR. VALE: Aye.

14
15 UNIDENTIFIED VOICE: Aye.

16
17 CHAIRMAN THOMAS: Those opposed same sign.

18
19 IN UNISON: Aye.

20
21 CHAIRMAN THOMAS: Okay. That amendment fails. Back to
22 the main motion of adopting Proposal 10. Further discussion on
23 that motion.

24
25 MS. McCONNELL: Question.

26
27 CHAIRMAN THOMAS: Question has been called. All those
28 in favor of adopting Proposal 10 say aye.

29
30 IN UNISON: Aye.

31
32 CHAIRMAN THOMAS: Opposed same sign.

33
34 (No opposing responses)

35
36 CHAIRMAN THOMAS: Proposal 10 has been adopted. I
37 think we'll skip 11 and 12 and go on to 13.

38
39 MS. McCONNELL: I think he's just kidding.

40
41 CHAIRMAN THOMAS: I was just kidding. Okay. That
42 brings us now to Proposal Number 11. Robert.

43
44 MR. WILLIS: Thank you, Mr. Chair. Proposals 11 and 12
45 both deal with deer in the Sitka area, and so we analyzed those
46 two together. I'll be discussing them together.

47
48 Proposal 11 was submitted by the Tongass Hunting and
49 Fishing Coalition and it would reduce the deer season in the

50 area described as the Sitka Local Use Area, which is shown by a

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1 map on page 78 of your book, would reduce the season by one
2 month from August 1-January 31, to August 1-December 31. And
3 it would lower the harvest limit from six deer to four with
4 antlerless deer allowed only during the September 15 to
5 December 31 period.

6
7 Proposal 12, which was submitted by the Sitka Fish and
8 Game Advisory Committee, would retain the existing season, that
9 is August 1 through January 31, and the harvest limit of six
10 deer, but it would change a possession limit to allow only one
11 deer to be in possession during the month of January.

12
13 Both of these proposals were submitted out of a concern
14 that the deer population in the vicinity of Sitka were being
15 over-harvested. A number of reason brought forth for this
16 over-harvest concern, these included heavy hunting pressure,
17 legalized shooting from boats and the presence of a designated
18 hunter regulation that allows one hunter to harvest twice the
19 daily harvest limit.

20
21 There was concern expressed about waste of deer through
22 increased wounding loss and also shooting more deer than could
23 be cared for or utilized by the designated hunter. And, as
24 always, there's a great deal of concern about the loss of
25 habitat due to clear cut timber harvest. This is an ongoing
26 problem. There's been quite a bit of harvest in this area in
27 the past and more scheduled for the future.

28
29 The loss of habitat problem is one which shows itself
30 in two ways. If you have a severe winter after that old growth
31 timber has been converted to a clear cut, then you're going to
32 lose a lot of deer immediately, overnight. In the absence of a
33 severe winter the deer can persist on the clear cuts, they have
34 enough food to get by and enough timber for cover in adjacent
35 areas until that clear cut reaches 25 to 30 years of age, at
36 which time it becomes too thick for the sun to penetrate and
37 the food plants can't grow. It's just about useless to deer
38 then for a period of 150 or so years.

39
40 We don't think that we've quite reached that point yet
41 in the Sitka area. Based on the Alaska Department of Fish and
42 Game pellet count surveys and observations by personnel of that
43 agency an the U.S. Forest Service, the deer population in the
44 Sitka area appears to be relatively stable right now. Weather
45 of course is a most significant factor effecting that
46 population and it will fluctuate from year to year. We've had
47 a couple of mild winters now and no severe losses from the
48 weather, however we expect a dramatic loss following the next
49 severe winter because of the loss of old growth timber that

50 constitutes winter habitat.

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1 We don't yet have harvest numbers for 1966 for this
2 area. What we've found in the past is that the harvest varies
3 dramatically in the Sitka area. And it's extremely difficult
4 to predict what the harvest will be under a given set of
5 regulations in this area.

6
7 CHAIRMAN THOMAS: Excuse me, do you mean 1996 or did
8 you mean 1966?

9
10 MR. WILLIS: 1996.

11
12 CHAIRMAN THOMAS: Okay. Yes. Thank you.

13
14 MR. WILLIS: Did I say '66?

15
16 CHAIRMAN THOMAS: Yeah.

17
18 MR. WILLIS: Sorry about that. The problem we have in
19 the Sitka area is there are a large number of hunters who hunt
20 only when conditions are conducive to easy hunting. Back in
21 1992-93 and '93-94, we had a separate management unit for
22 Sitka. You may recall those. We had three harvest areas
23 within Unit 4 at that time.

24
25 We'd analyzed the data from 1988 through '92 for the
26 Sitka area and found that the harvest varied from a high of
27 4,540 deer in 1988, which was a year of very high deer numbers,
28 and snow conditions which pushed those deer down to the beaches
29 where they were readily accessible, to a low of only 1,271 deer
30 in 1991, which was a year following a severe winter and in
31 which the snow conditions were not conducive easy hunting.

32
33 More importantly, the number of hunters varied from a
34 high of 2,344 in 1988 to 1,144 in 1991. That's a difference of
35 over a hundred percent. What that means is that when
36 conditions are easy and there are lots of deer and you can hunt
37 them from a boat along a beach, a lot of people go hunting who
38 do not hunt when conditions are not that easy. And we ran a
39 little statistical analysis on the average -- to find out on
40 the average how much the variation was and it's about 24
41 percent, over 400 hunters. So that makes it really difficult
42 to predict what a regulatory change is going to do to your deer
43 harvest. It also shows that in a lot of years you have a lot
44 of inexperienced hunters out pursuing deer in the Sitka area.

45
46 As to the designated hunter regulation, there were 59
47 persons who obtained designated hunter permits in the Sitka
48 area during 1995-96, and we got 23 hunt reports from those
49 individuals. They reported harvesting 52 deer for their own

50 use and 43 deer for other persons. This year '96-97, 57

00150

1 persons from Sitka and one each from Admiralty Island and
2 Hoonah obtained permits, but we don't yet have any hunt reports
3 from those people.

4
5 Non-subsistence hunters take only about one deer in 10
6 out of this area. We've done a study on that also and found
7 that about 90 percent of the harvest is taken by local hunters.
8 And also that some of those hunters who are non-local hunters
9 that take deer are people who have family and friends here,
10 used to live here and they come back every year to hunt with
11 their family or their friends.

12
13 There was concern about hunting deer in the month of
14 January. Now, this has always been controversial and at one
15 time the Staff recommended against it. Traditionally, of
16 course, Alaska Natives in Southeast hunted deer year-around and
17 took deer as they needed them. Persons having customary and
18 traditional use of deer in Unit 4 are the rural residents of
19 Unit 4 and also residents of Kake, Gustavus, Haines,
20 Petersburg, Pt. Baker, Klukwan, Point Protection, Wrangell and
21 Yakutat.

22
23 In the past we know that the Tlingits traveled north
24 and south up and down the coast and through the islands and
25 harvested deer and a lot of other species and then traded with
26 other tribes that did not have it. At the present time people
27 tend to use larger and faster boats, purse seiners, that kind
28 of boat which can carry several people and travel to remote
29 areas to take deer. We're also being told, this is some of the
30 comments we've had from the local people, are that the number
31 of charter boats who traditionally take people out to fish for
32 halibut and salmon are also now chartering for deer hunters.
33 We don't have any idea how many people that might be. It's not
34 been quantified.

35
36 It's difficult to say if the concern about the decline
37 in deer numbers is real in terms of a decline in numbers or
38 merely a shift in deer habits caused by some of the changes in
39 hunting regulations. Wherever you find deer, whether they're
40 Sitka black tail deer in Alaska, mule deer in the Rocky
41 Mountains or white tail in the Southeastern United States,
42 you'll find that when they're hunted hard they'll go where
43 they're not disturbed. In 30 years of working with deer that's
44 the one thing I can say with absolute certainty; when they're
45 hunted hard they will go where they are not disturbed.

46
47 When you have a lot of people cruising along the
48 beaches hunting from boats and hunting the beach areas and the
49 beach fringe areas, because that's the easily accessible areas,

50 you're going to push the deer out of those areas. The deer

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1 that are harvested will be harvested early and the ones that
2 get away are smart enough not to stick their nose back out
3 there when there's a constant stream of boats patrolling
4 looking for them.

5
6 And speaking with the professional biologists in this
7 area, they feel that overall in the Sitka local use area the
8 deer populations are not in a decline, but rather their habits
9 have changed because of the increased pressure along the coast.
10 I have no reason to question that. This is a proposal where we
11 don't have a strong recommendation to make one way or the
12 other. The people in the Sitka area obviously have differing
13 opinions about how they want to go with this.

14
15 From a biological standpoint, either of these proposals
16 would be acceptable. They both would reduce the harvest
17 somewhat and therefore would cause no biological problems.
18 However, the testimony on the need to reduce the harvest
19 differs. And I was hoping we could come to this meeting today
20 and maybe get a consensus from the local people about how
21 they'd like to proceed.

22
23 There's a lot of concern about wanton waste of meat, of
24 people shooting from boats, wounding deer and not following
25 those deer up and retrieving them. You'll recall two years ago
26 when we legalized shooting from boats Staff testified that
27 there would be an increase on wounding loss. This was
28 inevitable. We couldn't quantify that, say how much it was
29 going to be, but it was inevitable that with the number of
30 people you have doing it, especially in the Sitka area, there
31 would be an increase. And that has occurred.

32
33 Shooting more deer than you can handle, we've also had
34 some complaints about that. The fact there's a six deer limit.
35 So one person hunting for another person can shoot 12 deer in a
36 day. We've had reports of deer left and only the heads taken,
37 only the prime cuts of the meat taken, deer thrown into the
38 dumps and, you know, a lot of complaints of this kind. All of
39 those things really should be addressed through educational
40 programs and not through regulation. There will never be
41 enough enforcement officers to keep people from doing things
42 like that or from shooting at a deer and not following it up to
43 see if they hit it, if it runs into the timber.

44
45 So about all we can say is that prohibition of shooting
46 from boats, which has been recommended by some people, would
47 certainly reduce the loss of deer from wounding, but not
48 retrieving, and would alleviate some hunting pressure on the
49 beach areas. Elimination of modification of the designated

50 hunter provision to reduce the number of deer that a person can

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1 have in possession may have some effect on the loss of wasted
2 deer that were improperly cared for, but we can't say to what
3 degree these measures would address the problem. And so our
4 conclusion was that it was inconclusive. We hope that we'll be
5 able to gain something from the Council and the local testimony
6 today to come forward with a recommendation. That concludes
7 the Staff analysis.

8
9 CHAIRMAN THOMAS: Thank you. Questions for Robert.
10 Vicki.

11
12 MS. LeCORNU: I was just noticing there that it says on
13 page 71 that the sport hunters are taking a lot and that we
14 recommend that the sport bag limit and sport hunting season be
15 further restricted. That should be part of this proposal if
16 that's what they want; to restrict those. And are you saying
17 that is 10 percent, is that the sport hunt?

18
19 MR. WILLIS: That's, yes, about 10 percent is non-local
20 harvest.

21
22 MS. LeCORNU: Thanks.

23
24 CHAIRMAN THOMAS: Written comment.

25
26 MR. CLARK: There are two written comments. The first
27 is by Alaska Department of Fish and Game, who write in support
28 of the proposal. Adoption of this proposal will make the
29 Federal and State regulations consistent.

30
31 The second written comments is by Mark Jacobs, Jr. of
32 Sitka, who says that he disagrees. He thinks the main factor
33 here is the hunter's skill and their hunting technique. The
34 deer are not in danger of depletion.

35
36 CHAIRMAN THOMAS: Thank you.

37
38 MS. McCONNELL: Could he read Proposal 12 comments
39 also. It looks like we're looking at both of them.

40
41 MR. CLARK: For Proposal 12 there are two. The first
42 one is the Alaska Department of Fish and Game. They are
43 neutral on this proposal. As is noted in the proposal, very
44 few are taken in January.

45
46 The second is also from Mark Jacobs, Jr. of Sitka. Who
47 says that I agree with a more restricted January harvest due to
48 the deer's physically run-down condition. I also think that
49 the doe now carrying a potential spring fawn should be allowed

50 to reproduce.

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1 CHAIRMAN THOMAS: Herman.

2

3 MR. KITKA: The deer population is not in any trouble
4 as far as I know. I got my share of the deer when I went. My
5 family only used two. And when the Sitka Centennial came out
6 that the subsistence users was abusing the deer in January,
7 Karl Bonnes (ph) and I we went on a survey in January. Went
8 through (Indiscernible) Creek all the way to Sitkoh Bay and the
9 only hunters I saw was charter boats and they were shooting
10 everything they saw on the beach. And I'm in favor of cutting
11 back to December 31st to eliminate those charter boats hunting.
12 They can only get the deer when the deer is driven to the
13 beach. And then the wasteful carcasses that were left weren't
14 by subsistence hunters.

15

16 And the RCA controlled the designated hunt. They had
17 designated hunters for the people that were in need, unable to
18 do the hunting themselves. It was controlled. There was no
19 waste there.

20

21 CHAIRMAN THOMAS: Can you talk into your mike, Herman?
22 Talk into the mike so the people can hear.

23

24 MR. WILLIS: Mr. Chair, can I ask Herman a question?

25

26 CHAIRMAN THOMAS: Sure.

27

28 MR. WILLIS: Herman, the charter boats you spoke about,
29 do you know that those were non-local hunters or were they
30 local hunters?

31

32 MR. KITKA: Non-local. Most of them hunters that we
33 spot too were from stateside. I don't know if they were
34 hunting for the meat or just for trophy.

35

36 CHAIRMAN THOMAS: Could you relay some of those
37 comments to the teleconference?

38

39 MS. McCONNELL: For you guys on the teleconference,
40 Herman was talking about going through (Indiscernible) Strait
41 to Sitkoh Bay with someone and observing that the only boats
42 they saw out there were charter boats that were out hunting and
43 that they saw a lot of waste and.....

44

45 CHAIRMAN THOMAS: They were non-locals.

46

47 MS. McCONNELL:appeared to be non-local hunters
48 on the water.

49

CHAIRMAN THOMAS: And he would support the

00154

1 shortened.....

2

3 MS. McCONNELL: Yeah, he's in support of the shortened
4 season.

5

6 MR. VALE: Which is?

7

8 MS. McCONNELL: December 31st.

9

10 CHAIRMAN THOMAS: Okay. We have some people that have
11 signed up. Okay.

12

13 MS. RUDOLPH: I was wondering how could we.....

14

15 MR. VALE: Mr. Chairman, I'd like to ask Herman a
16 question.

17

18 CHAIRMAN THOMAS: Just a minute, John.

19

20 MS. McCONNELL: Mary said something.

21

22 MS. RUDOLPH: I was just wondering how could we protect
23 the rural subsistence users? I know in Hoonah we have a lot of
24 people that do depend on the harvest of deer. I had my mother
25 staying with me a couple of times these last few months and I
26 was very impressed with the amount of food that was brought up
27 once they knew she was staying by me and a lot had to do with
28 the deer and stuff.

29

30 So I'm just kind of worried of putting a restriction on
31 the users that are using. I haven't -- I don't think I've
32 hardly seen our Native men carrying around a trophy of a deer
33 head more than the amount of meat that they carry to the
34 residents. Especially the elders in our community. So I'm
35 just wondering how can we protect the actual subsistence users
36 and eliminate all these problems we're having with the ones
37 that are coming into our communities?

38

39 CHAIRMAN THOMAS: We'll just shoot the abusers. John,
40 you had a question for Herman?

41

42 MR. VALE: Thank you, Mr. Chairman. I couldn't hear
43 anything that he or Mary said, but I gather from Mim that he
44 favored the shortened season. And I was wondering what he
45 thought about the reduced bag limit on Proposal 12 and also the
46 possession limit -- I mean the first one in Proposal 11 and the
47 possession limit in Proposal 12. I was wondering what he
48 thought about those two issues.

49

CHAIRMAN THOMAS: Well, John, I don't know if he's in a

00155

1 position to respond to that because he was pretty much
2 concentrating on 11, even though we did the analysis on 11 and
3 12.

4

5 MR. VALE: Okay.

6

7 CHAIRMAN THOMAS: I don't know how I could convey that
8 question without confusion.

9

10 MR. VALE: Okay. Just that reduced bag limit then.

11

12 CHAIRMAN THOMAS: Herman, you're against the reduced
13 bag limit?

14

15 MR. KITKA: The bag limit don't matter. The changed
16 dates is the more important. There's more wasteful from the
17 charter boats January when the deer is forced to the beach. If
18 it closes December 31st, bag limit 6 is fine, 4 is fine. It
19 don't make any difference. Because most of the families like
20 me, I only use two bucks and that's all I took this year.

21

22 MR. WILLIS: Mr. Chair.

23

24 CHAIRMAN THOMAS: Yes. Let me get back to John. He
25 said that the shortened season made more sense than cutting
26 back on the bag limit. Four is acceptable, six is acceptable.
27 Personally he used two for himself. But he said that the
28 limiting of the bag limit isn't as material or as productive as
29 probably shortening the season.

30

31 MR. VALE: Okay. Thank you.

32

33 CHAIRMAN THOMAS: Okay. John, thank you. Rob.

34

35 MR. WILLIS: Thank you, Mr. Chair. I just wanted to
36 point out that if any non-local hunters were hunting deer in
37 this area in January they were hunting illegally because the
38 January season is restricted to subsistence users only. The
39 State season, I believe, ends on December 31st. So anyone
40 hunting under subsistence regulations in January is going to be
41 a subsistence user or else they're hunting illegally.

42

43 CHAIRMAN THOMAS: We'll just shoot them.

44

45 MS. PHILLIPS: Chairman Thomas.

46

47 CHAIRMAN THOMAS: Patty.

48

49 MS. PHILLIPS: I have a question. Is Proposal 11

50 dealing only with the Sitka local use area?

00156

1 CHAIRMAN THOMAS: Unit 4, yeah.

2

3 MS. PHILLIPS: Or is it dealing with all of Unit 4?

4

5 CHAIRMAN THOMAS: It says Unit 4.

6

7 MS. McCONNELL: It's all of Unit 4. Unit 12 deals with
8 the Sitka area.

9

10 CHAIRMAN THOMAS: You know, we've got a lot of local
11 interest that have signed up to testify. Why don't we give
12 them a chance. They're fighting for a place in line back
13 there. They're not talking to each other. Yesterday they were
14 working in the kitchen together. So we will call now on Mr.
15 Martin. He is speaking on 11 and 12.

16

17 MR. WADE MARTIN: Thank you, Mr. Chairman, Advisory
18 Members. After looking on Proposal 11 and 12, I think I do
19 oppose 11 for a few reasons. The last couple of years around
20 here we've had real mild winters and with the mild winter we've
21 had a lot of -- I took one deer in January and that deer I took
22 in January I've always -- my belief was always that in January
23 the deer were pretty run down.

24

25 CHAIRMAN THOMAS: We have a hard time doing anything
26 about that because our speaker table is removed from the --
27 okay. We're going to bring the mountain to Mohammed.

28

29 MS. McCONNELL: Why don't you state who you are again.

30

31 MR. WADE MARTIN: My name is Wade Martin and I work for
32 STA, I'm the Traditional Food Coordinator for the tribe. And I
33 oppose Proposal 11. Like I saw saying earlier, I took one deer
34 in January. I've always believed that in years when there was
35 a lot of snow the deer were on the beach and there was a lot of
36 hunting in those times from a few people, but in these last
37 couple of years we've had some really mild winters. And the
38 deer I took in January, that deer was very fat. He looked like
39 a fall deer. And so that told me that their herd is pretty
40 well healthy. And like right now it looks like springtime
41 outside around here and the deer -- their food isn't covered up
42 and they're thriving pretty good.

43

44 And then on 12, I think I agree that the charter boat
45 fishery -- not the fishery, but the hunting, charter hunting, I
46 think that that is something that should be addressed and I
47 strongly urge the Advisory to do something and act on that. I
48 think in the years we've had a lot snow around here these user
49 groups are going out there and they're basically looking for

50 trophies. They're not looking to ship meat out of the state.

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1 They're looking to take horns home.

2

3 And myself and John Nielson and some other people have
4 witnessed these things. They talk about the wanton waste of
5 deer, they just take the horn and then they throw their
6 carcasses on the beach. And we've got documentation of that.
7 And for a subsistence user to do something like that and waste
8 food is morally wrong and we just don't hunt in those kind of
9 practices. And I think if you clean up this charter hunting,
10 this sport hunting, I think this would stop. And that's all my
11 comments.

12

13 CHAIRMAN THOMAS: So you're speaking against Proposal 7
14 -- 11?

15

16 MR. WADE MARTIN: Yes.

17

18 CHAIRMAN THOMAS: Any questions for Marty? If they're
19 not tough questions, don't ask them.

20

21 MS. McCONNELL: So.....

22

23 CHAIRMAN THOMAS: Mim.

24

25 MS. McCONNELL: So, Marty, Proposal -- so you said
26 you're opposed to 11. And so what would be your position on 12
27 then?

28

29 MR. WADE MARTIN: I think it needs amending, but I'm
30 okay with it.

31

32 MS. McCONNELL: And how would you amend it?

33

34 MR. WADE MARTIN: On amending it I'd have the charter
35 people be recognized first as being the first of the user
36 groups to be impacted with a bag limit.

37

38 CHAIRMAN THOMAS: John.

39

40 MR. FELLER: Yeah. I was going to ask Wade if he goes
41 along with what Herman said about closing the season on
42 December 31st?

43

44 MR. WADE MARTIN: Well, I know there are people around,
45 subsistence users that -- because I run a food bank and there's
46 a lot of need in town. And I think if the deer are healthy and
47 you could pretty much focus on spikes and bucks I think it
48 would be okay. I agree that I don't -- two for one shooting
49 the doe, you're basically killing two animals at that time.

50 But if you could -- I don't know, with the horns dropped a lot

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1 of people have a hard time noticing -- telling the difference
2 between a buck and a doe. I don't, but that like something
3 somebody else mentioned earlier, it's hunter education. If we
4 could educate our hunters for that time of the year I think we
5 wouldn't have a problem with it.

6
7 CHAIRMAN THOMAS: Mim.

8
9 MS. McCONNELL: Yeah. I have another question for you.
10 At our last meeting you had said something about the trophy
11 hunting that was promoted by some local businesses.

12
13 MR. WADE MARTIN: Yes.

14
15 MS. McCONNELL: And how has that gone this winter? Was
16 that still happening and could you tell us something about
17 that?

18
19 MR. WADE MARTIN: Yes, I talked to the owners of Max
20 Sporting Goods and Winrose Enterprises and I told them that
21 they're promoting basically wanton waste because they're taking
22 animals, people are bringing in the horns and they're not
23 really processing the animals. And when we were in Kake we
24 discussed things, of bringing in the whole animal to weigh them
25 and then you know they're bringing the whole animal in. But
26 they didn't -- I talked to them and they agreed with me but
27 both merchants didn't do nothing. So they're basically just
28 doing as they've been doing for all these years.

29
30 And I thought when we were in Kake we worked up a
31 pretty good deal and I thought these people would be very
32 interested in cutting down on the wanton waste, but I haven't
33 seen it.

34
35 MS. McCONNELL: Have you ever considered boycotting the
36 businesses? That might be a way of promoting the business'
37 eliminating wanton waste, is to get a boycott going.

38
39 MR. WADE MARTIN: No, I haven't thought of that idea,
40 but it might be a good idea. Because for myself and the way I
41 was raised and everybody else in the community, wasting food is
42 a moral sin for me. And we don't practice those kind of -- we
43 don't live those kind of ethics. It's unethical.

44
45 CHAIRMAN THOMAS: Herman.

46
47 MR. KITKA: Years ago before statehood the Federal
48 regulation ran from September 1st to November 15th. For years
49 it was like that. All of the residents abide by that

50 regulation. We didn't have any problems. Just today we're

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1 having problems on account of the late season when the snows
2 drives everything to the beach. I don't approve of wasting the
3 subsistence food at stake. And most of the harm is done by the
4 charter boats. And they were only successful in January. I
5 went up in my boat and went to -- we stopped by all hunters,
6 talked to them. And I disagreed with what they were doing.
7 They said they were entitled to take six deer. Because they
8 were new up here from stateside, I think they were only
9 interested in taking the trophy back, not the meat. And if we
10 chop the season off December 31st, that would eliminate all
11 that waste.

12
13 CHAIRMAN THOMAS: Fine. Okay. Thank you.

14
15 MR. WADE MARTIN: Can I speak?

16
17 CHAIRMAN THOMAS: Yeah. We'll call the next guy? You
18 want to say something else?

19
20 MR. WADE MARTIN: Yes. I was just going to go on
21 record saying that in January the deer usually slip their
22 horns. They usually lose horns. So I don't know if you could
23 find a deer that time of the year that had a rack on him, he'd
24 probably be pretty well mature, be a pretty good size rack, but
25 I -- in my running around in January most of them I've seen had
26 one horn or they didn't have any horns and I've picked up quite
27 a few horns out there at Slokum Arm on the beach in December.
28 But I'm not going to argue it one way or another. Everybody
29 have their opinion and what I just presented was mine. Thank
30 you, Mr. Chairman.

31
32 CHAIRMAN THOMAS: Mark Jacobs.

33
34 MR. JACOBS: Thank you, Mr. Chairman, members of the
35 Board. My name is Mark Jacobs, Jr. for the record. I live in
36 Sitka, 73 years old, lived here all my life. I'd like to
37 clarify some of my positions. And that was mentioned a few
38 minutes ago. And I qualify that by saying that the deer
39 population is not in danger. So right now we've got a very
40 light winter and a lot of deer I think are still pretty fat and
41 compared to late fall deer.

42
43 I think this proposal is premature. I think that they
44 should be writing regulations that will interfere with the
45 outlying villages. There was mention of charter boats. A
46 friend of mine I went out with on a boat (indiscernible) and we
47 dropped anchor in (indiscernible), part of West Chichagof and
48 there was a charter boat and we noted that there was no Native
49 aboard. And they had kind of a loud speaker and informed us we

50 were here first. A number of deer hanging around that. And we

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1 had just arrived for our turn in hunting. And that's the
2 situation now. I should have taken pictures of the boat
3 because it was registered in Juneau, so you could see that, and
4 it was a charter boat with a number of people on it. And each
5 one was using their bag limit.

6
7 I did make mention in some of my proposals that a
8 pregnant doe should be allowed to carry its full term. I
9 myself feel a little squeamish when I have to cut a deer that
10 has a well developed fetus in it. So I don't take any deer in
11 January. But (indiscernible) from proxy hunters. And very
12 recently in the last five or six years I haven't been able to
13 hunt. But I think this proposal is premature because deer is
14 not endanger population.

15
16 This also brings up the question of over-population.
17 When you have over-population and you begin to see bucks with
18 deformed horns. Because there's a lot of competition for
19 (indiscernible). For this reason we've always opposed the
20 transplant of elk. Elk will be competition to full supply.
21 And also in speaking of the winter die-out, there is so much
22 clear cut that the full supply will not be available in heavy
23 winter and old growth. And that's where the deer survive, is
24 in old growth. With too much clear cut it does reduce the full
25 supply for the deer in wintertime. I think that's all I need
26 to say at this present time. I say that those proposals should
27 be voted down by the Board.

28
29 CHAIRMAN THOMAS: Thank you, Mark. Any questions for
30 Mark.

31
32 MS. LeCORNU: What time of the year did you see that
33 charter boat?

34
35 CHAIRMAN THOMAS: What time of the year did you see the
36 charter boat?

37
38 MR. JACOBS: It was during the January season.

39
40 MS. LeCORNU: So after the sports hunt was closed?

41
42 MR. JACOBS: Yeah. The provision is that there's rural
43 communities that are listed in the regulations, and Juneau is
44 not one of them. And I don't think that provision should be
45 abused by a larger community. Because those communities
46 designated areas around a larger community like Ketchikan and
47 Juneau as non-subsistence areas.

48
49 They can take the fish and game resources from that

50 area but subsistence can't do it. That's just the way the

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1 regulation is. They can't take the subsistence crab pots and
2 put it in those areas, while locals can use sport fishing and
3 use that area.

4

5 CHAIRMAN THOMAS: Thank you very much.

6

7 MR. JACOBS: Thank you.

8

9 CHAIRMAN THOMAS: Dan G. Marino, Jr., front and
10 center. Change your mind? Oh, okay.

11

12 MR. MARINO: Had to go back to my original thought.
13 Thank you, Mr. Chairman, Board. My name is Daniel G. Marino,
14 Jr. I am Kaagwaatann. I've subsisted for at least 30 years in
15 the State of Alaska, since I was young. I'd like to address
16 some issues on Proposal Number 11.

17

18 I agree with part of this proposal. I agree with
19 closing up the hunting season at the end of December. Mostly
20 because I like to get my deer earlier in the year and mostly
21 because the flavor of the meet is better. And I do hunt
22 throughout the year, throughout the season. I usually start my
23 hunting season on the opening day if I'm not fishing during
24 that time.

25

26 I don't agree with limiting the number of deer. I,
27 myself, I usually eat the first couple of deer that I get
28 rather quickly and I don't -- and I eat the whole thing. There
29 isn't many parts that I don't eat on the deer. I think the --
30 citing the reason that the logging has caused a decline in the
31 deer population, because I've hunted around the areas where
32 they have logged, I've hunted above them, and the deer are
33 still there. So I don't really know how much that really
34 impacts the deer because I've seen deer in the logged off areas
35 eating and especially during the time when they start being
36 driven down by the snow. And I've seen them up above the
37 logged off areas.

38

39 Also the part where the vessels in the Sitkoh Bay is
40 commercial charter boats as impacting that, this is my
41 understanding, this is -- we're here to discuss subsistence and
42 I don't think any one of those guys are out there for
43 subsistence. And I think that needs to be addressed strictly
44 to alleviate that problem.

45

46 As for the deer derbies, I have participated in those.
47 And a lot of the guys that I know that participate in that are
48 avid hunters and they do utilize all the meat that they get. I
49 don't think that that is causing a problem.

00162

1 Also on the declining deer population, I don't see it.
2 And I hunt a lot. And to me the people that say they don't see
3 a lot of deer, I don't think a lot of them know what they're
4 looking for. And mostly because I've seen boats, guys running
5 by in speed boats and I'm going along in a slower boat and
6 there's deer walking there. And I've hollered at them and
7 pointed at the deer and they've just looked at me and waved.
8 And, you know, a lot of people, especially nowadays, they don't
9 know what they're looking for when they go hunting.

10
11 As for the proposal being proposed by the Tongass
12 Hunting and Fishing Coalition, I don't even know who these
13 people are. I've never heard of them before. And they say
14 they're the voice of the subsistence users. My people have
15 been living on this food item for at least 8,000 years and I
16 don't think that they represent my people. So I've never heard
17 of the group and I don't know anybody. I've talked to the
18 Staff here and they haven't heard of this group either.

19
20 So I'm in favor of ending the season at the end of
21 December, but I'm not in favor of limiting it to four deer.
22 That concludes my testimony.

23
24 CHAIRMAN THOMAS: Thank you. I still think shooting
25 them is the best way, but -- any comments, questions for Dan?

26
27 MS. LeCORNU: Can I ask, how many deer would you
28 recommend then, sir, I didn't hear you?

29
30 MR MARINO: Well.....

31
32 CHAIRMAN THOMAS: Leave it at six?

33
34 MR. MARINO: Yeah. At least six.

35
36 CHAIRMAN THOMAS: Twelve?

37
38 MR. MARINO: I have some other, you know, concerns on
39 that. But maybe I'll address that on the next proposal.

40
41 CHAIRMAN THOMAS: Okay.

42
43 MS. McCONNELL: Did you have comments on Proposal 12?

44
45 MR. MARINO: Yes.

46
47 MS. McCONNELL: Because you might -- are we hearing
48 comments on both right now?

49

CHAIRMAN THOMAS: Um-hum.

00163

1 MR. MARINO: Okay. Well, on Proposal 12 I don't --
2 once again I don't believe that the deer are less abundant I
3 just think that there are just a lot of people they say, well
4 ran all the way up to Hoonah Sound, we didn't see any deer.
5 And the reason being, a lot of them they don't know what
6 they're looking for. And I've talked to guys that have been up
7 there that crab in the fall-time and they told me that while
8 they're working, you know, they look around, see what's going
9 on and then they look up and they see some deer standing on the
10 beach. And the deer are standing there eating and all of a
11 sudden an ear perks up, they look down the channel, here comes
12 a speed boat. The deer walks up into the woods, the speed boat
13 goes by, the deer walks back out. And so that's one of the
14 things that I don't agree with.

15
16 And as far as the designated hunter, I've utilized that
17 system once. I usually -- I hunt not only for myself, but for
18 my parents, single mothers, other elders who are unable to go
19 out and get their deer. So I'm in favor of keeping that system
20 in place.

21
22 As far as, you know, them saying -- another reason why
23 I disagree with them saying there is a decline in population,
24 it's jus common sense that if you go to the beach and you get
25 shot at, you're going to quit going to the beach. And a lot of
26 places where I've seen deer historically on the beach, I go up
27 and I hunt the woods. And I've always gotten deer at places
28 where I've seen them on the beach before but they don't come
29 out because so many boats are going out and terrorizing them,
30 more or less.

31
32 I think this year more than previous years more people
33 have been hunting and I think that's because of economic
34 reasons. With the mill closure more people are having to
35 depend on deer meat to see them through throughout the year.
36 So I think that maybe a factor as to why some of the people
37 saying there's not as many deer. So I think that's pretty much
38 all.

39
40 CHAIRMAN THOMAS: Thank you. Nels Lawson.

41
42 MR. LAWSON: Thank you, Mr. Chairman. Thank you
43 Council members. Thank you for this opportunity to testify.
44 My name is Nels Lawson, I'm President of the Alaska Native
45 Brotherhood Camp Number 1, and we come before you to speak on
46 Proposals 11 and 12.

47
48 We oppose Proposal Number 11. Basically we can live
49 with Proposal Number 12. And as testified earlier, Proposal

50 Number 12 needs to be amended to include restrictions on

00164

1 charter boat operators. We also would oppose any reference to
2 the elimination of the designated hunter provision.

3
4 I myself am a subsistence user. I use many of the
5 resources provided on the land and on the sea. I've hunted
6 from Hoonah Sound into Salisbury Sound and up West Coast
7 Chichagof. The issue has been put forth that the deer numbers
8 are declining because people don't see as many deer as they
9 used to. With the introduction of high speed boats, with the
10 introduction of the ability to shoot deer from the boat, I
11 believe that has changed the habits of the deer.

12
13 My experience in the places I hunt I see sign of lots
14 of deer. I've seen a lot of deer. Seen deer tracks. Lot of
15 deer tracks in the fresh snow. Areas where there are a lot of
16 deer I've seen where the deer have come close to over-browsing.
17 Over-browsing means there's a lot of deer, too many deer. The
18 deer seem to be smaller, which means that when there's a lot of
19 deer and less food, more competition for food, but the smaller
20 deer will tend to survive. We've also had a lot of easier
21 winters. So when we have easier winters that means when if
22 you're used to hunting the shoreline there's fewer deer there
23 because they're still higher up in the mountains. The deer
24 will remain as high as the snow allows them. So if you're not
25 going up to where the deer are, of course you will see less
26 deer. Thank you.

27
28 CHAIRMAN THOMAS: Thank you, Nels. Questions or
29 comments for Nels, anybody?

30
31 MS. McCONNELL: I have.

32
33 CHAIRMAN THOMAS: Mim.

34
35 MS. McCONNELL: I have a question I probably should
36 have been asking all along. I'm curious, it's been mentioned
37 about -- well like Mark had mentioned about doe that may be
38 carrying young in January. I'm just wondering how common do
39 you think that is and would you know about that? How likely is
40 it for a doe to be pregnant in January, is that.....

41
42 MR. LAWSON: It's quite likely.

43
44 MS. McCONNELL: So I would assume also that maybe it'd
45 be less likely in early January than in later January?

46
47 MR. LAWSON: Yes.

48
49 MS. McCONNELL: We're getting some no's back here.

00165

1 MR. SCHENCK: Two rut periods. The main one is in
2 November, another one.....

3
4 MS. McCONNELL: Get a good discussion going on.

5
6 MR. SCHENCK: Ted Schenck, Chatham Area Wildlife
7 Biologist. For the -- just to clarify a biological point, as
8 we know the deer rut in Southeast, there's a peak rut in
9 November. There's a second rut that's shorter duration for
10 fewer number of the does in December. And then there is some
11 occasional breeding that goes on late in December, early in
12 January. But the bulk of the breeding is done in November and
13 December. So while there's a little bit of activity going on
14 in the early part of January, many of the does have been bred
15 at least once by then. And whether or not they got pregnant
16 and need to recycle, I wouldn't know. But most of the
17 reproductive effort takes place into November and then again
18 some time in December. Maybe Gabe or John or some of the other
19 folks have seen breeding activity late in January, but.....

20
21 CHAIRMAN THOMAS: But with the hormonal enhancement we
22 got for them now that could be different.

23
24 MS. McCONNELL: So basically even just with -- I mean
25 it's just as likely to have a doe pregnant in December as it is
26 in January it sounds like. So.....

27
28 MR. LAWSON: If the does are impregnated into November,
29 yes, they will be with young in January. If they're
30 impregnated in December, they will still be carrying the fawns
31 in January. So the biologist's viewpoint just supports our
32 contention that there's a high likelihood they will be with
33 fawn in January anyway. So that was the question. The
34 scientific evidence supports our contention anyway.

35
36 MS. McCONNELL: Sounds like it.

37
38 CHAIRMAN THOMAS: Are you through?

39
40 MS. McCONNELL: Yes.

41
42 CHAIRMAN THOMAS: I never thought we'd get this low in
43 our discussion in subsistence. Thank you, Nels. John.

44
45 MR. FELLER: Thank you, Mr. Chairman. He mentioned
46 that he opposes 11. And then number 12 you think it should
47 have amendments addressing the sports hunters? Do you have any
48 suggestions for the Council.

49

MR. LAWSON: Restrictions imposed on the other users

00166

1 need to happen first before subsistence hunts are impacted.

2

3 MR. FELLER: On the lines of ANILCA.

4

5 MR. LAWSON: Yes.

6

7 MR. FELLER: Yeah.

8

9 MR. LAWSON: Imposing restrictions on charter boat
10 operators would seem reasonable.

11

12 MR. FELLER: Maybe earlier closure then?

13

14 CHAIRMAN THOMAS: Let me offer something. See these
15 are -- I'll give you a comparison of how things work. In
16 Ketchikan we have a very active PTA association, was
17 predominated by school teachers. So when you confront them
18 with this, they say well we're parents too. So over here
19 you're going to have subsistence eligible people with charter
20 boats. How are you going to deal with them, you know? I mean
21 if you live in a location that's eligible, you're residentially
22 eligible. So, you know, that's a pretty tough task.

23

24 But our job is to provide the opportunity for
25 subsistence users. And by definition of the law, if you're
26 living in an eligible community you've got the same privileges
27 of anybody else. We can't do anything about managing
28 consciences and things like that. I'm not disputing anything
29 you're saying but it's really a tough area to get into to bring
30 it into a better order. I think shooting them is the best way
31 yet.

32

33 MR. LAWSON: That's a very good point, Mr. Chairman.
34 We do not oppose a subsistence user using their vessels to
35 partake of the resource. They have the same rights as we do.
36 However, we do oppose subsistence -- or charter boat operators
37 taking clients out and partaking of the resource.

38

39 CHAIRMAN THOMAS: I know, I got a petition about that.
40 Okay. Well, we'll do the best we can with what we've got.
41 Appreciate it.

42

43 MR. LAWSON: Thank you, Mr. Chairman. Thank you,
44 Council.

45

46 CHAIRMAN THOMAS: Thank you. That's all the written --
47 Mark, you want to do some follow-up?

48

49 MS. McCONNELL: You've got a hand in the back.

00167

1 CHAIRMAN THOMAS: You've got a comment, Ralph?

2

3 MR. GUTHRIE: I asked -- I got a written comment in.

4

5 CHAIRMAN THOMAS: Do you?

6

7 MR. GUTHRIE: I believe I do.

8

9 MR. JACOBS: Thank you, Mr. Chairman, members of the
10 Board. I just want to tell a joke.

11

12 CHAIRMAN THOMAS: All right.

13

14 MR. JACOBS: There's two old-timers from Angoon, both
15 of them are over 70 years old and right now one of them is
16 still living, 95 years old. The older man had a speed boat
17 with a wheel up in front and outboard. They decided to go
18 beach combing. And they caught up with a charter boat from
19 Juneau. They ran on ahead and they spotted a big buck on the
20 beach. So they shot it. And the owner of the boat kind of had
21 trouble speaking English. He said, just pull him aboard we'll
22 clean him after the boat passed them. So they pulled the buck
23 aboard and they headed back toward town. After they passed --
24 after they met the boat again there was a number of people on
25 deck and everybody taking pictures. I wonder why they're
26 taking pictures of us. And they looked back and they saw the
27 buck standing in their boat; it was only knocked out.

28

29 CHAIRMAN THOMAS: Thank you. True story. Ralph. You
30 talking on 11 and 12 also?

31

32 MR. GUTHRIE: Yeah. I want to comment on them.

33

34 CHAIRMAN THOMAS: And on your own or you're
35 representing somebody?

36

37 MR. GUTHRIE: No, I'm on my own.

38

39 CHAIRMAN THOMAS: Okay.

40

41 MR. GUTHRIE: The draft document doesn't show that the
42 deer on a decrease due to hunting pressure. Actually it's sort
43 of fluctuating up and down with the weight of the winters, you
44 know. So I feel that in the areas that have good old growth we
45 have good deer population at the moment.

46

47 And that was real consistent with when I was a child
48 and -- well, not as child, I started hunting in 1951 when, you
49 know, the deer population was on the rise and it went from like

50 two deer to four deer at that time and there was about 90,000

00168

1 deer in Southeastern Alaska. So then we had some heavy winters
2 and it knocked it off. Anyway, that's what I feel where we're
3 at there. We'll have problems if we do have a bad winter with
4 the clear cuts, of course. You know, that's the basic
5 consensus of all of the Staff reports.

6
7 There's been always these problems for a long time, you
8 know. It seem like deer don't measure up to beef standard.
9 And a lot of my observations will come from my growing up. But
10 during the years that the 1st of December closure was, I
11 remember going to the garbage dump and seeing as high as 30
12 deer laying rotting, you know, they hadn't even been skinned
13 out.

14
15 And I believe that that's been the case around Sitka
16 too and it's still the case. So I'm not sure how you solve
17 that problem, you know. I wrote a letter stating my views is
18 that a lot of times your deer doesn't smell good, but once the
19 hide is off and properly taken care of the deer is very tasty,
20 you know, like a deer should be.

21
22 But, you know, education is a real major part of for
23 children. And the new adults that come into the hunting
24 population. So that we don't have wastage.

25
26 You know, there's one thing, everybody's talking about
27 charter boats. You know, I don't believe the charter boats are
28 the only problems on running the beaches. With the fancy new
29 high powered cruisers that we have, there's a lot of them
30 around Sitka, you know. We have a lot higher percentage of the
31 population that seems to be afraid to go into the woods. And
32 with the shooting from the skiff situation, you know, they
33 don't have to do that. And this hunting in the Sitka area
34 starts in the first of the season when there's small deer on
35 the beach, you know, and it continues all the way through till
36 the end.

37
38 And so, you know, there is a place to think about, if
39 you want to stop the shooting and leaving problem, is in how
40 you address that situation. You can address it by shortening
41 the period of time you can shoot from the skiff, or eliminate
42 that position all together in this area. Because it looks like
43 this area has a major problem in that manner. And in areas
44 like, you know, Angoon or Kake, I haven't seen that. I haven't
45 seen what goes on like it's going on here, you see. And I
46 don't understand why it's going on. I've been hunting since I
47 was 13; 47 years, and I never had to shoot a deer from the
48 beach and I've never left one in the woods, you know, that I
49 could find.

00169

1 So that's what I have to say there. I guess that's all
2 I have to say too. I feel you've got a very complicated
3 problem to solve and I'm not sure how you can solve it.

4
5 CHAIRMAN THOMAS: Well, our only charge it to provide
6 the opportunity. Regulating people is not part of our job.
7 That's up to all these guys out here, Schroeder and Schenck
8 take care of all of our violations out there. And they're
9 authorized to shoot on sight any violations they come across.
10 But, anyway, you know, supposing we eliminated shooting from
11 the boat, supposing we shortened the season, say we had a two
12 month season, say we lowered the bag limit, you'll still find
13 deer in the garbage dump, you'll still find mortality deer
14 wounded from somebody that's going to shoot from the boat no
15 matter what. I mean if there's nobody to enforce anything,
16 leaving man to their own devices, excluding you and me, of
17 course.....

18
19 MR. GUTHRIE: You, that's why I say I understand, you
20 know, this had been a long term problem and just sitting here
21 trying to legislate morals into people and ethics is not what
22 we're going to be able to accomplish. But maybe there are ends
23 that you can meet, and I'm not one to tell you how to meet
24 them.

25
26 CHAIRMAN THOMAS: Appreciate it. Thank you very much.

27
28 MR. GUTHRIE: Okay. Thank you. And you have a nice
29 day.

30
31 CHAIRMAN THOMAS: Okay.

32
33 MR. GUTHRIE: I'm not a Kaagwaatann, I'm a
34 (indiscernible).

35
36 CHAIRMAN THOMAS: Any comments from the agencies? Ted.
37 With your new authority, come on up.

38
39 MR. SCHENCK: Thank you, sir. For the record, I'm Ted
40 Schenck, Chatham Area Forest Service. And I'd like to
41 acknowledge Dolly Garza joining the Board. Glad to have you,
42 Dolly, hope you're feeling better.

43
44 MS. GARZA: I hope I don't give you guys my germs.

45
46 MR. SCHENCK: I have a couple of comments about this
47 issue. It's one that the Board has revisited several times.
48 And it's been a subject of a good bit of discussion here in
49 Sitka with the Sitka Tribes Subsistence Committee, the Local

50 Advisory Council. And I'd just point out a couple of thing.

00170

1 Game Management Unit 4 is a large area and we have a large
2 number of different kinds of subsistence users here.

3
4 Hoonah is different from Port Alexander, that's
5 different than Pelican, that's different than Angoon, and it's
6 different here in Sitka. All of those subsistence users are
7 now under one regulation that provides a broad opportunity for
8 lots of people.

9
10 The concern has been that in the Sitka area where there
11 are the abundance of people who live here, there's over 7,000-
12 8,000 residents here that are all subsistence users under the
13 eye of the regulation, that there are symptoms that are
14 indicating that not all subsistence users conduct themselves in
15 a matter that we'd like to see them, right. And there's a
16 difference in subsistence users in Sitka. Some do an excellent
17 job of taking care of their game. And apparently some do not
18 because we're seeing evidence on the beaches, in the spring
19 that deer were used wastefully. We're seeing evidence in town
20 that deer were being used wastefully. So there's a difference.

21
22 Eleven and 12 are proposals from people in Sitka to
23 address the problem in Sitka by putting a big blanket all over
24 everything for all of the subsistence users. So keep that in
25 mind. There may be some subsistence users elsewhere that like
26 to use deer in January and like to have six deer. Right now we
27 have no evidence that the deer populations in all of Game
28 Management Unit 4 are in trouble or any reason. So this isn't
29 a biological issue. This is a perception of a problem that
30 people are seeing from things that are happening here around
31 Sitka, a response.

32
33 Since the Kake meeting, the Sitka Tribe of Alaska,
34 Alaska Department of Fish and Game, the Fish and Protection
35 Officers and the Forest Service have been working to increase
36 the awareness of what's going on around Sitka to try to
37 encourage people to conduct themselves in a good way so that it
38 doesn't threaten the use of the subsistence and the
39 opportunities. And I think what you see is a response to do
40 that.

41
42 Proposal 11 is a response to shorten the season to make
43 it like the State season. The would reduce opportunities for
44 subsistence users in the whole game management area, not just
45 in the Sitka area.

46
47 Proposal Number 12 represents a hard work by the Local
48 Sitka Advisory Board and the number of people on that group to
49 come to a compromise on what might help maintain a subsistence

50 opportunity and still address this problem of hunters in Sitka

00171

1 not conducting themselves in a proper manner, leading to
2 wasteful of deer by not retrieved in the woods or getting too
3 many. That's the purpose of number 12. And what it would
4 means is it's not taking away any opportunity, but it would
5 reduce the bag limit. So you could go out and get one per day
6 and hunt everyday. It would increase the number of trips.

7
8 So I hadn't here anybody tell you how the Local
9 Advisory Council got to that one. And as a member of the Sub-
10 committee that was working on that proposal with Dolly and Wade
11 and Ralph and Nels, there's a bunch of us worked on that
12 project. And it was a compromise that was reached to try to
13 acknowledge this situation in the local Sitka area.

14
15 CHAIRMAN THOMAS: Well, I think it would behoove that
16 to continue because Game Unit 4 is the only subsistence
17 community with a population that exceeds 7,000 people. And
18 when you have that, that's a natural target for this kind of
19 activity and behavior.

20
21 And I have to also say that this is the only management
22 unit that lists these particular concerns that amount to
23 anything. And they're very serious ones. And it's something
24 that really needs to come under control pretty soon or, you
25 know, there's always consequences for violations. And so I
26 think the community has the responsibility to do what they can
27 to make sure that their user groups are taking advantage of
28 this in a more acceptable fashion.

29
30 MR. SCHENCK: I would tell you that last spring --
31 well, in January of 1995, Jim Farrell walked five miles of
32 beaches around Sitka and found -- well, he found five deer in
33 one mile of beach up in Naquasena (ph). Last spring he walked
34 14 miles of beach and found 11 deer that had been -- apparently
35 died during the hunting seasons. Their bone marrow was in
36 really good condition and we typically don't find deer in that
37 kind of shape that have starved to death in the winter.

38
39 Okay. This year because the weather hasn't been really
40 good for hunters, but it's been fairly good for deer, the deer
41 haven't been as abundant on the beaches and there haven't been
42 a lot of snow where people hunt, and I think this year we
43 haven't been seeing the number of reports of blood trails
44 leading from the beach into the woods with a deer at the end.
45 We just didn't get that number of reports.

46
47 We've had a number of articles in the newspaper trying
48 to increase awareness and doing a few things in the community
49 to help prevent this kind of activity. It's too early to tell

50 whether or not it's working, but the early signs that we have

00172

1 right now would suggest that it is. And there's a lot of
2 people that would like to continue to be able to be subsistence
3 users in Sitka, and that are concerned about this.

4
5 CHAIRMAN THOMAS: Mim.

6
7 MS. McCONNELL: Yeah, Ted, I had a question about the
8 charter boat issue. First of all, I think we need to recognize
9 the fact that there could be some local people going out on
10 these charter boats and, you know, you see a boat and you can
11 make assumptions, but we don't really know who's on that boat,
12 unless you go up and ask. So there's that one thing I think
13 that we need to be cautious about.

14
15 Also, I need some clarification about who those charter
16 people can take out. I mean is it legal for them to have
17 someone from out of State on their hunting? I mean, what's
18 legal for the charter boats?

19
20 MR. SCHENCK: Good question. One of the first things
21 I'd point out is that there's a lot of boats in Sitka
22 relatively recently that are being used for charters by Sitka
23 residents, that last year and year before may have been from
24 out of State, that people have moved out, there are a number of
25 these fast boats up here that have registration numbers and
26 stuff on them that say Bellingham, Washington. So there could
27 be some confusion.

28
29 And right now I don't know that there's any Federal
30 subsistence regulations about who can go out on charter boats
31 or who can't. I do know that in January only qualified
32 subsistence users can be hunting on Federal public lands. So
33 that would mean that if there was a charter boat out there, the
34 only way that they could be doing it legally if they had rural
35 residents on board that could hunt on Federal public lands.

36
37 Hunting on State lands or below mean high tide would
38 not be legal in January.

39
40 MS. McCONNELL: That's closed in January, right?

41
42 MR. SCHENCK: That's closed in January. So it could be
43 possible that a charter boat could be out there with six people
44 on board, each of whom could get six deer, but they would all
45 have to be Sitka or rural residents of Alaska.

46
47 MS. McCONNELL: Okay. Prior to January, August till
48 the end of December, can they have residents on Board that are
49 from Juneau or people from Juneau?

00173

1 MR. SCHENCK: Sure.

2

3 MS. McCONNELL: It's legal for them from anywhere to
4 come hunting, right?

5

6 MR. SCHENCK: That's correct. The season would be
7 opened.

8

9 MS. McCONNELL: On State or Federal land?

10

11 MR. SCHENCK: Right.

12

13 MS. McCONNELL: So the c&t determination doesn't effect
14 that?

15

16 MR. SCHENCK: Until there's some reason to.....

17

18 MS. McCONNELL: Reason to restrict the hunting?

19

20 MR. SCHENCK: Right.

21

22 MS. GARZA: I think Dale has a comment.

23

24 MR. KANEN: My name is Dale Kanen. I believe in the
25 State of Alaska still you cannot take hunters out on a charter
26 on a pay basis without an outfitter/guide license. So that
27 you've also got an illegal -- even if it's qualified rural
28 residents on board, if they are actually chartering the vessel
29 I believe that the operator also has to have a outfitter/guide
30 license in the State of Alaska.

31

32 MR. GEORGE: Dale.

33

34 MS. GARZA: Gabriel.

35

36 MR. GEORGE: Of course there's a lot of things going on
37 here and everybody's talking about charter boats. As they are
38 registered is one thing. You have a definition of what a
39 charter -- a vessel is in State of Alaska in terms of what you
40 can or can't do and what is happening all over in terms of what
41 is reality and what the law is? Do you know the difference?

42

43 MR. KANEN: Well, being a Federal employee I wouldn't
44 want to speak for the State.

45

46 MR. GEORGE: Does anyone know what's the rule in terms
47 of taking someone out and giving them six gallons of gas or a
48 sandwich, is that chartering? Is that -- the answer is yes.
49 So in terms of talking about charter boats, in terms of the

50 proposals in front of us, a lot of the activities I believe

00174

1 that's going on, you know, falls under the guise or definition
2 -- legal definition of charter boating, you know. And whether
3 it's legal or not, it's probably not legal under the law in
4 terms of having a six pack license and license to carry people
5 for hire and all. But if you do take someone out and you buy
6 them gas, technically and legally you're chartering that
7 vessel.

8
9 So when you start using those terms without a
10 definition of what's actually happening in reality, you're
11 going to be affecting a lot of people in coast-wise Alaska,
12 Southeast Alaska and all of Alaska and soon. So I just wanted
13 to clear that up in terms of definitions because I think that
14 we're talking about one thing but it's going to affect, you
15 know, a lot of, lot of people.

16
17 And I assume that it's also going to affect people that
18 hunt together. Somebody who takes out someone for hunting and
19 the passenger or the friend buys the gas, technically, legally
20 that's chartering. Legally -- is that illegal? I don't know.
21 You know, I don't think anybody enforces that but, you know,
22 under the law that's the case, I believe. I guess that's the
23 only comment I wanted to have at this time. Thanks.

24
25 MS. GARZA: Okay. Herman.

26
27 MR. KITKA: On the charter boats that we contacted in
28 our survey, I asked them how much they charge? 250 per person,
29 half a day. And I don't think no subsistence hunter would pay
30 that amount to hire a charter boat to go out and get his
31 subsistence meat. I know he can buy a whole lot of beef for
32 that amount without going out to get the deer. That's why I
33 was in favor of eliminating that January season all together.

34
35 MS. GARZA: Okay. Thank you, Herman. On
36 teleconference we have Patricia. You have a comment or a
37 question.

38
39 MS. McCONNELL: Go ahead, Patty.

40
41 MS. PHILLIPS: Mim asked about who could harvest deer;
42 if a person from Juneau can. And the way I'm reading the
43 regulation out of the purple book is that deer -- rural
44 residents of Unit 4 and residents of Kake, Gustavus, Haines,
45 Petersburg, Pt. Baker, Klukwan, Point Protection, Wrangell and
46 Yakutat. Juneau is not eligible.

47
48 The Board has made the customary and traditional use
49 determination that says only these residents shall harvest

50 deer. If there was no Federal subsistence priority then

00175

1 hunting and fishing may be permitted under the State of
2 Alaska's regulations, but -- so there is a designation that
3 says on Federal lands in Game Unit 4, only those residents will
4 harvest deer. Could someone else clarify any different?

5
6 MS. GARZA: Ted.

7
8 MR. SCHENCK: Patty, this is Ted. State season for
9 deer in GMU 4 I believe is four deer and the season closes in
10 December, December 31st. So.....

11
12 MS. PHILLIPS:only on State land, or are they
13 allowed to manage sport hunt on Federal land?

14
15 MR. SCHENCK: They can hunt on Federal public lands
16 during the time that their season is opened.

17
18 MS. PHILLIPS: Okay. So, you know, what we could do is
19 recommend to this Tongass Hunting and Fishing Coalition that
20 they need to take their proposal to the State Board.

21
22 MS. GARZA: Vicki.

23
24 MS. LeCORNU: I think it's like the situation we had
25 with the Prince of Wales. And I think it's within our right to
26 restrict all non-customary and traditional users first. Isn't
27 that a Section 804? I had one other comment here. It
28 says.....

29
30 MS. PHILLIPS: I was wondering what -- is someone else
31 talking?

32
33 MS. LeCORNU: Patty, I just have one more comment. On
34 page 75 it says persons having customary and traditional use of
35 deer in Unit 4 are rural residents of Unit 4 and residents of
36 Kake, Gustavus, Haines, Petersburg, Pt. Baker, Klukwan, Point
37 Protection, Wrangell and Yakutat. And I don't think that's a
38 valid statement. So my point is that we need to find the
39 customary and users and offer them that priority.

40
41 MS. GARZA: Patty, did you have a follow-up to that?

42
43 MS. McCONNELL: Patty, did you have a follow-up to
44 that? Did you hear her.....

45
46 MS. PHILLIPS: What happened to our recommendation to
47 turn Game Unit 4 into subunits?

48
49 MS. GARZA: Patty, this is Dolly and that's exactly

50 what I was thinking about. I know that at our last meeting in

00176

1 Kake we had talked about breaking Game Management 4 into three
2 units just because Sitka was a separate issue when it came to
3 deer management.

4
5 But I think that even when we look at c&t
6 determinations, the issue that we have with both Proposal 11
7 and 12, if i understand it right, is that there really isn't a
8 conservation issue at this time, and so we're not denying
9 access to customary and traditional users. The concern at
10 least by the Sitka members who brought the Proposal 12 forward
11 is just that there is waste of the resource and we'd like to
12 see that stopped.

13
14 MS. McCONNELL: Did you guys hear Dolly okay just then?

15
16 MS. PHILLIPS: Not really. Well, I think that we
17 should communicate with these people through some sort of a
18 letter, stating that we understand their concerns, that they
19 should go to the State Board of Game, that we understand that
20 this could affect the subsistence user in the future and the
21 resource has finite numbers which demands finite users, but not
22 just to ignore their request.

23
24 MR. VALE: I'd like to comment. This is John.

25
26 MS. GARZA: Okay. John, go ahead.

27
28 MR. VALE: As I read it Proposal 11, in response to
29 Patty's comment there, would change the Federal season to be
30 identical to the State season. So I guess it doesn't make
31 sense to go to the State Board on that one. And on Proposal
32 12, you know, since there's no State season in January, you
33 know, reducing the bag limit to one deer, you know, with
34 strictly Federal type proposal. So I just wanted to sort of
35 point that out. That's all.

36
37 MS. GARZA: John, this is.....

38
39 MS. PHILLIPS: Is the State's bag limit four?

40
41 MR. VALE: Yes.

42
43 MS. GARZA: This is Dolly and I'll try talking a little
44 louder here. I'm sorry, but I'm sick Patty.

45
46 MS. McCONNELL: Let me see if they can hear you. Did
47 you hear that?

48
49 MR. VALE: Yes.

00177

1 MS. PHILLIPS: Yes.

2
3 MS. GARZA: One of the concerns we had with cutting the
4 season back from January to the end of December is that it
5 would in effect reduce a customary and traditional opportunity.
6 Considering that there's no conservation issue, it's sort of a
7 difficult issue to support. You know, if you look at the
8 criteria that the Federal Subsistence Board has to use, it
9 doesn't meet one of those criteria of conservation.

10
11 And so that was how the Sitka Coalition came together
12 with the one deer in possession for January, so that the
13 opportunity would still be there. But if that's the month when
14 we have a harvest and perhaps of waste, then perhaps we would
15 be able to reduce the amount of waste that we see.

16
17 But Ted has stepped down and I guess we have no other
18 agency report. So this does formally open this up to Council
19 comments.

20
21 MS. RUDOLPH: Yes. I just want to mention, I've been
22 going over a lot of these books here and I've been talking to
23 Fred about the possibility of having the State and the Federal
24 come out to our area in Hoonah to go over the State and Federal
25 regulation so that our people are not incarcerated because of
26 lack of knowledge on all these laws that are there. And not
27 really having too many of our people half the time even bother
28 to read these regulations.

29
30 So I've been talking to Fred about the possibility of
31 having them come out. And I talked to Bob Schroeder. And see
32 if we can have kind of like a workshop in our community to
33 start some of our people to get involved with some of these
34 things so that they have -- maybe realize that they can have an
35 input on their concerns.

36
37 I'm impressed with some of the younger men here in
38 Sitka that are coming forward and making their comments, you
39 know. And I'd like to see that happen in different communities
40 because I know one day I went to a hearing in Hoonah when a
41 couple of our boys were put on trial for getting a deer and
42 couldn't prove that they got it without spot lighting. And one
43 of the things that was mentioned at the hearing before they
44 came into the courtroom was that they have the same problem in
45 Craig with one of the young men there, was basically what the
46 judge had said. And mentioned that we needed to realize that
47 we weren't the ones that had all of the rights that we spoke of
48 at the hearing.

49

So I think it's really important that the ones that are

00178

1 knowledgeable in this, if they're going to be putting out all
2 these laws, that they need to maybe work with the communities.
3 And like some of the things that was mentioned at the hearing
4 -- the court hearing was the boys firmly stood on their rights
5 as Natives to hunt and they had their way of hunting, and that
6 was ignored. So I think to better understand all of these laws
7 I think we in the community need to get together with all these
8 lawmakers and just going over and just realizing by what Patty
9 said; we need to turn some of this over to the State that apply
10 to the State. I hadn't thought of that in that sense until she
11 mentioned it.

12

13 So I thought maybe I'd bring it up that we are trying
14 to have, hopefully with Fred, get something going, to get a
15 workshop going so that some of our people could hear some of
16 the things that are in these books and maybe get more people
17 knowledgeable in what these laws apply to.

18

19 MS. McCONNELL: Did you guys get any of that?

20

21 MR. VALE: No.

22

23 MS. McCONNELL: Okay. Mary was talking about what
24 they're doing in Hoonah, or what she wants to get going there
25 is to have a work shop for Hoonah residents on educating them
26 on the regulations that are in the State and Federal regs.
27 She's going to be working with Fred and getting something like
28 that going.

29

30 MR. VALE: Okay.

31

32 MS. GARZA: Okay. So we are open for Council comments.
33 Gabriel.

34

35 MR. GEORGE: Thank you, Madam Chair. There's a couple
36 of comments I'd like to state. One is that Angoon submitted
37 the proposal for the January hunt. And the reasoning for that
38 was the fact that there was three people picked up with deer,
39 their deer was taken away, their guns were compensated and
40 taken away and a couple of them had no jobs, didn't have no
41 refrigerator and was truly indeed the deer that was taken.
42 Their deer was given away, their guns were kept and the reality
43 of the whole thing was, is that subsistence in a sense was
44 trying to be accomplished at that time.

45

46 I went from house to house and talked to a lot of
47 people in Angoon at time and talked to them about hunting in
48 January. And certainly the people in Angoon were not
49 unanimous. There are people who are definitely against hunting

50 in January. They strongly believe that they shouldn't hunt in

00179

1 January. The fact is people hunt in January. The fact is
2 people need the deer in January. So the proposal went forth.

3
4 So it was not a political proposal. It was a proposal
5 that was presented from Angoon for subsistence needs and we
6 went through the process.

7
8 MS. GARZA: Okay. Just one second here. Fred, you had
9 an announcement you needed to make quickly?

10
11 MR. CLARK: Yes. There is a ride available to the
12 airport if anybody needs to go to the airport for this next
13 flight.

14
15 MS. McCONNELL: Hang on. Fred's making an announcement
16 about a ride to the airport.

17
18 MR. CLARK: "Roadkill's" heading out if anybody needs
19 to go.

20
21 MS. GARZA: Okay. So was that it Gabriel, then?

22
23 MR. GEORGE: Oh, no. So that's how the proposal for
24 the January hunt came about. It was subsistence people having
25 to go to court, having their deer and their guns taken away.
26 And like I said, not everybody agrees with January hunt.

27
28 You've heard testimony that some of the deer during the
29 mild winter is still good. It's a decent deer to eat. You've
30 also heard some things about charter boat operators and trophy
31 hunters. Mr. Martin was right, every time I've shot a deer
32 late in the season he either had one antler or no antlers, or
33 they had antlers and you shot it, the antlers fell off as it
34 fell. So if you're trophy hunting there's an easier way to do
35 it. Like Mr. Martin said, you can go pick them up off the
36 ground.

37
38 But nonetheless, I think that the concerns that the
39 Sitka people have and other people have with the January hunt
40 is a real concern. But the opportunity for those that need the
41 deer in January and do go out and get deer in January is the
42 proposal that we have put forth, the proposal that we're bound
43 to protect and so I speak against proposal -- changing the
44 dates. In the areas that's a different story and it all
45 depends on what's proposed. But I do know that people do hunt
46 in January, people need deer in January, people need deer at
47 other times.

48
49 As Vicki pointed out, an issue in terms of bag limits,

50 the bag limit for six deer does not meet the needs of

00180

1 subsistence hunters in many places. I think the designated
2 hunter has addressed some of that to some extent. But in
3 reality I don't think we know yet. Or we have an indication of
4 what deer subsistence needs are. And I think Schroeder would
5 probably have a decent number, but he's running out. And there
6 is some questionnaires about that in terms of subsistence
7 needs. I guess that's all.

8
9 MR. KOLASINSKI: Madam Chairman, if we can go off
10 record for just a minute I'm going to try to move that speaker
11 and I don't want to blast anybody's ears off while I do it.

12
13 MS. GARZA: Okay. So we're at ease for a few seconds.

14
15 (Off record)

16
17 (On record)

18
19 MS. GARZA: We've had the speaker rearranged. The
20 three teleconference people, can you hear me now?

21
22 MR. VALE: Yes. It's a lot clearer.

23
24 MS. GARZA: Okay. Great. And then, John, you had a
25 comment or a question?

26
27 MR. VALE: No, I just had a question. Are we directing
28 comments at this time just to Proposal 11, or are we commenting
29 on both proposals?

30
31 MS. GARZA: It's my understanding we were looking at
32 both 11 and 12.

33
34 MR. VALE: Okay. I just wanted to be clear on that.
35 Thank you.

36
37 MS. GARZA: Okay.

38
39 MS. PHILLIPS: Question.

40
41 MS. GARZA: Patty.

42
43 MS. PHILLIPS: I was wondering on Table 1, page 75, the
44 deer harvest on Baranof Island. What percentage would be the
45 mortality? Is mortality included in these numbers, and if not
46 then what would the percentage be for mortality?

47
48 MS. GARZA: So, Patty, are you asking if there is a
49 higher number if we were to take into account the deer that may

50 have been left on the beach that were shot but not retrieved?

00181

1 MS. PHILLIPS: Right.

2

3 MS. GARZA: Okay. Ted, do you have numbers on that or
4 were you listening? He's shaking his head, yes, but he just
5 ate something, Patty. So you'll have to wait a second.

6

7 MR. SCHENCK: Thank you. We had.....

8

9 MS. GARZA: And I think you need to be at a mike.

10

11 MR. KOLASINSKI: Yes. Thank you.

12

13 MR. SCHENCK: Okay. Last year we walked 14 miles of
14 beach and we found 11 deer that we attributed to crippling
15 losses. And there was about 26 deer all together that we
16 found. So about half the deer that we found had died sometime
17 between hunting season and when we walked the beaches in April
18 and May had real good marrow in their bones and healthy with
19 good marrow in their bones generally don't starve to death. So
20 they died from another reason.

21

22 And we are finding them along the beach into
23 approximately a hundred yards in from the beach. So there may
24 have been more along there that we just didn't find. does that
25 Answer your question?

26

27 MS. PHILLIPS: Do you have a number or a percentage
28 that would like in 1995, the harvest with 2,656, what
29 percentage would be mortality?

30

31 MR. SCHENCK: Extra crippling loss beyond that?

32

33 MS. PHILLIPS: Right.

34

35 MR. SCHENCK: We don't have any really good numbers,
36 Patty. I could give you some guidelines that we use, but we've
37 never checked them out for sure. So I'd be real hesitant to
38 tell you. I don't know what that means along the beaches that
39 we saw. I'd hate to expand it.

40

41 MS. PHILLIPS: Okay.

42

43 MS. GARZA: Ted, I guess I'd like to ask you a
44 question. When we had met this -- was it the summer or this
45 fall?

46

47 MR. SCHENCK: This fall.

48

49 MS. GARZA: Sort of the little Sitka Coalition, and the

50 impression I got from you was that there was no conservation

00182

1 reason for us to reduce the opportunity for subsistence harvest
2 of deer. That's correct?

3
4 MR. SCHENCK: That's correct.

5
6 MS. GARZA: So with that as a basis, if we were to
7 support Proposal 11 and it went before the Federal Subsistence
8 Board, they could easily vote against us because we had no
9 meaningful foundation on which to base our decision?

10
11 MR. SCHENCK: I'm not the expert at that, but I'd say
12 there's not a conservation with the herd that would lead you to
13 restrict.

14
15 MS. GARZA: Okay. So I guess what I'm trying to do is
16 to try and get to some kind of resolution because I do know we
17 have other things we need to discuss this afternoon.

18
19 And my feeling is I don't that we have a foundation to
20 support Proposal 11. And I'm not -- I'd like to speak to
21 Proposal 12 separately.

22
23 MR. VALE: I agree, Dolly. This is John. Can I
24 comment for a minute?

25
26 MS. GARZA: Go ahead, John.

27
28 MR. VALE: Yeah. I agree with your last statement.
29 And if we're at a time when it's appropriate, I'd be prepared
30 to make a motion just to move us along to adopt Proposal 11 and
31 have a vote on that one. I so move, if it's appropriate.

32
33 MR. ANDERSON: I second John's motion.

34
35 MS. GARZA: Okay. So there is a motion by John Vale
36 and a second by Lonnie Anderson to.....

37
38 MR. VALE: Adopt Proposal 11. And I'd like to speak to
39 that motion.

40
41 MS. GARZA: Okay. To adopt Proposal 11. It's been
42 moved and seconded. John, you also would like to speak to the
43 motion?

44
45 MR. VALE: Yeah, I am not supportive of this proposal
46 because there isn't a identified conservation problem that's
47 being addressed here. And so I think it would be inappropriate
48 for us to reduce the bag limit and the season. And that's all
49 I have. Thank you.

00183

1 MS. GARZA: Is there any further comment on Proposal
2 11? Marilyn.

3
4 MS. WILSON: I speak against adopting this motion for
5 11 because we're closing off the subsistence opportunity for
6 our subsistence users. And like everybody says, without a
7 sound basis of conservation loss or danger. So I speak
8 against. I'll vote against it.

9
10 MS. GARZA: Mim.

11
12 MS. McCONNELL: Yes, I'd like to offer an amendment to
13 this proposal. And it would be amended by not changing the
14 number of deer, keeping it at six. And the other change would
15 be to do the December 31st closure date for the Sitka area
16 only. And I have some language for that for describing what
17 that area entails. And it's about four lines long and I could
18 read that, but it's out of some old -- some other documents
19 from a while back that's been used by the Forest Service in the
20 past for -- or Fish and Wildlife or whoever, for a prior
21 regulation.

22
23 Anyway it's -- I've got a map sitting in front of me
24 too that shows the area. It's pretty similar to what's in your
25 book on page 78. The only difference is that it look like it
26 would -- well, let me grab this in front of me. It looks like
27 it would come down to Whale Bay on the outer coast, then kind
28 of slant up towards Kelp Bay -- just below Kelp Bay. I can't
29 remember what the bay is below Kelp Bay. And then it would
30 cross over Peril Strait and it would go to kind of the north
31 shore of Peril Strait and a little bit of the Chatham Strait
32 part there and also come around down around the Salisbury sound
33 area, both sides. In other words, it would pretty much take
34 care of the whole shoreline coastal area there, in addition to
35 what's already marked on the map.

36
37 So I hope that's not too confusing. As I say, I do
38 have the language here. I could read that if you want me to.
39 So that's what the amendment would be.

40
41 MS. GARZA: Okay. So there is a motion to amend
42 Proposal 11 to keep it at six deer and to redefine some
43 boundaries. Is there a second to the amendment?

44
45 MR. KITKA: Second the motion. And I also like to have
46 the bag limit changed back to six. To leave Proposal 11 like
47 it exist in regulation, only the changes should be chopping off
48 January 31st back to December 31st.

49

MS. McCONNELL: Herman, did you -- you meant for the

00184

1 Sitka area to have it cut back to December 31st, or did you
2 want all of Unit 4?

3
4 MR. KITKA: Some of the families, subsistence users, do
5 use six deer. And for years that six deer was for everybody
6 and didn't have any impact on the population in this area. So
7 there's no need to cut back to the four.

8
9 MS. GARZA: Okay. Gabriel.

10
11 MR. GEORGE: Yeah, I just want to get a clarification.
12 We're on Proposal 11 and it talks about bag limits and dates.
13 And the amendment that was put forth more addressed Proposal
14 12, which talks about the Sitka area. But right now the
15 proposal on the floor is Proposal 11. The Council can
16 certainly do whatever they want to do with any proposal, but I
17 would recommend that the amendment be withdrawn and brought
18 back up under Proposal 12.

19
20 I would speak against the Proposal Number 11 because I
21 think that the bag limit at this point may or may not meet the
22 subsistence needs of the subsistence users by certainly
23 reducing it without any biological reason. You know, it goes
24 contrary to why we're here. And certainly the season going
25 back, we have no justification to reduce that, other than
26 personal bias for or against a January hunt. And reality is
27 people hunt in January and subsistence hunt in January.

28
29 So I speak against the motion on Proposal 11 and would
30 ask the person amending the proposal to withdraw their
31 amendment and bring it back up under Proposal 12.

32
33 MS. GARZA: Mim.

34
35 MS. McCONNELL: That'd be fine with me. I'll go ahead
36 and withdraw the amendment. Does my second concur? Herman, is
37 that okay? We'll bring this amendment up for number 12?

38
39 MR. KITKA: (Nods in the affirmative).

40
41 MS. GARZA: Okay. So we have on the table Proposal 11,
42 as now unamended. We have had the majority of the Council
43 speak against the amendment. Is there any further discussion
44 or are we ready to vote?

45
46 CHAIRMAN THOMAS: Question.

47
48 MS. GARZA: Mary.

49

MS. RUDOLPH: I think I would have to concur with

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1 Gabriel there because I think in the rural areas starting -- by
2 that time we're already starting to feel the impact of
3 financial problems for a lot of our people with no jobs and
4 being in the rural areas these hunting for deer and our
5 subsistence use are very important during that time. So I
6 would hate to see any changes come unless otherwise -- unless
7 we were hurting our deer population.

8
9 MS. GARZA: Okay. Question has been called. All in
10 favor of the motion signify by saying aye.

11
12 (No affirmative responses)

13
14 MS. GARZA: Opposed.

15
16 IN UNISON: Aye.

17
18 MS. GARZA: Abstain.

19
20 (No abstentions)

21
22 MS. GARZA: Motion fails.

23
24 MS. McCONNELL: I move that we adopt Proposal 12 with
25 an amendment. The amendment would.....

26
27 MS. GARZA: Wait. You have to have a second to the
28 Proposal 12.

29
30 CHAIRMAN THOMAS: Second the motion.

31
32 MS. GARZA: It's been moved by Mim and seconded by
33 Bill. Mim.

34
35 MS. McCONNELL: So I would like to amend this Proposal
36 Number 12 by -- let's see, this different language here.

37
38 MS. GARZA: Mim, maybe we should take a five minute
39 recess and get people who are in this boundary together around
40 the table here and sort of get an idea of what boundaries we're
41 talking about. In other words, we might not feel comfortable
42 about it.

43
44 MS. McCONNELL: How about if I read out first before we
45 do that what the actual boundary says in here.

46
47 MS. GARZA: Okay.

48
49 MS. McCONNELL: It would all drainages of Baranof

50 Island extending north of the divide from north point of

00186

1 Kasnyku Bay southwest to North Cape of Whale Bay and all
2 drainages on Chichagof Island draining into Peril Straits,
3 Hoonah Sound and Salisbury Sound, east of Pt. Leo and all
4 offshore islands including Kruzof, Biorka and Catherine.

5
6 MS. GARZA: And what is the intent of that amendment?

7
8 MS. McCONNELL: The intent is to limit the -- it would
9 be to close -- for that area the season would end December 31st
10 instead of January 31st. The rest of the unit would still
11 remain open until January 31st.

12
13 The intent is to deal with the problems that have been
14 brought to us today for the Sitka area. I believe that it is
15 more of Sitka problem than the whole unit. And this addresses
16 that issue.

17
18 MS. GARZA: Okay. So actually Proposal 12 is not a
19 date closure, but a possession change. And so by restricting
20 the area.....

21
22 MS. McCONNELL: It's both.

23
24 MS. GARZA: Okay. But Proposal 12 as presently written
25 does not reduce the date of hunting back from January 1, it
26 leaves it open.

27
28 MS. McCONNELL: So what I would do is amend it by
29 eliminating that last portion of the proposed regulation where
30 it says, and from January 1st to January 31st only one deer may
31 be in possession. I would remove that and instead I would add
32 that from -- for all drainages of Baranof Island, et cetera.
33 But what I was just reading would be -- would close December
34 31st. So I would amend the proposal in that way.

35
36 MS. GARZA: Okay. But, Mim, that was not the intent of
37 the people who wrote Proposal 12. And it's my understanding
38 that it would reduce the opportunity. See, the trick here is
39 we can't do anything to reduce the opportunity, considering
40 there's no conservation concern. And so I think that if we
41 were to subdivide Game Management Unit 4, perhaps what we could
42 do was say that the possession limit for the Sitka area would
43 be one deer a day, but we couldn't reduce it back and close out
44 January without demonstrated conservation purposes, which we
45 don't have.

46
47 MS. McCONNELL: So.....

48
49 MS. GARZA: But it was your intent to say, okay, Sitka,

50 you guys have a problem. We'll figure out the geography and

00187

1 you take care of your problem within your region and leave the
2 rest of alone?

3

4 MS. McCONNELL: Right. That's correct.

5

6 MS. GARZA: Okay.

7

8 MS. McCONNELL: So are you recommending then, Dolly,
9 that we would go ahead and adopt Proposal 12 as it stands?

10

11 MS. GARZA: Well, I think if the amendment you're
12 trying to put in is a geographic one, I'm not saying I'm
13 opposed to that, but you would just say that for the Sitka area
14 you would have one deer a day possession. For other areas of
15 Game Management 4 you would continue to have whatever
16 possession limit there is, and I think that's six.

17

18 MS. LeCORNU: Per month, not per day, right?

19

20 MS. GARZA: It's per day.

21

22 MS. McCONNELL: In possession.

23

24 MS. GARZA: Possession limit means per day.

25

26 MS. McCONNELL: So actually what the language that I
27 have here on the geographical description, that could be used
28 to describe what Sitka area we're talking about.

29

30 MS. GARZA: Right.

31

32 MS. McCONNELL: It's a little different than what's in
33 the book.

34

35 MR. GEORGE: But it is a geographical proposal in terms
36 of.....

37

38 MS. McCONNELL: Yes, it is. So that would.....

39

40 MR. GEORGE:in terms of this Proposal 12.

41

42 MS. McCONNELL: It'd be appropriate to do that. So
43 actually I would be amending this proposal by changing the
44 geographical description a little bit. And that's the only
45 change that I would be recommending then.

46

47 MS. GARZA: Except for that one deer possession limit
48 would only be for that area?

49

MS. McCONNELL: Right. Okay. So I withdraw that idea

00188

1 about no hunting at all for January. Bill, did you -- you
2 seconded that amendment didn't you?

3
4 CHAIRMAN THOMAS: Yes.

5
6 MS. McCONNELL: Is that okay with you?

7
8 CHAIRMAN THOMAS: Yep.

9
10 MS. GARZA: Okay. Can you draw on this where it is for
11 me?

12
13 MS. McCONNELL: How about if I just show you that.

14
15 MS. WILSON: Mim, could you write out this amendment
16 for us so we can read it, as we might want to pass it.....

17
18 MS. McCONNELL: Yeah. Let me see what I can do here.

19
20 MS. GARZA: She withdrew it from Proposal 11, but
21 reintroduced it in Proposal 12.

22
23 MS. McCONNELL: Maybe Ted could come up and say why
24 using this geographical description is a good idea instead of
25 what's in the book, or something about -- or maybe Bob Willis.
26 There was something that you guys said to me about why --
27 that's backed up with some data that you've had from the past.

28
29 MR. SCHENCK: Yes. The boundary that we were proposing
30 is based on a boundary that we drew several years ago when
31 there was a resource concerns after a couple of serious
32 winters. And we used the TRUCS data, the Tongass Resource Use
33 Survey information, on where people hunted by communities, and
34 where the deer habitat capability was being harvested at a rate
35 that we thought might be a herd concern, and picked that out.

36
37 That area then is based on where people from Sitka get
38 90 plus percent of their deer. It's not everywhere, but it's
39 those places where Sitka hunts. Now, there's overlap with some
40 other communities there, certainly. So you'll want to take
41 that into account. But that's basically the day trip hunting
42 and hunting by Sitka hunters that we know of, to the best of
43 our knowledge.

44
45 MS. McCONNELL: Thanks.

46
47 MS. GARZA: Okay. So I guess in looking at it, there
48 are some Council members that have concerns with these
49 boundaries. And I don't know how to sit down and try and

50 figure it out. Gabriel.

00189

1 MR. GEORGE: Yeah. I don't know how either. Certainly
2 the geographical area as described on the chart there, would
3 affect Angoon hunters, it would affect Sitka hunters, it would
4 affect Petersburg hunters, Kake hunters and I'm not sure of
5 Tenakee hunters or not. Probably not. But Kelp Bay is an area
6 where a lot of hunters and resource users venture to. I think
7 that came out in a study. I know it was part of that in there.

8
9 But I think that the geographical area is too large as
10 described.

11
12 CHAIRMAN THOMAS: Madam Chairman.

13
14 MS. GARZA: Bill.

15
16 CHAIRMAN THOMAS: We've not had a break since we
17 started at 8:30 this morning. I was wondering if now wouldn't
18 be an appropriate time maybe to relax for a little bit and get
19 some people together to consider those boundaries and arrive at
20 some consensus with regard to the boundaries, and then take it
21 up possibly after lunch.

22
23 MS. McCONNELL: How about if I withdraw the amendment.

24
25 CHAIRMAN THOMAS: Okay?

26
27 MS. McCONNELL: I'm going to go ahead and withdraw the
28 amendment to change the geographical boundary at this time. So
29 as it stands now we'd be looking at Proposal 12 as it stands in
30 the book.

31
32 MS. GARZA: Okay. So you're suggesting we recess for
33 lunch, but have a working group perhaps meet right here and
34 talk about if we were to subdivide what kind of boundaries we'd
35 be looking at?

36
37 CHAIRMAN THOMAS: That's correct, Madam Chairman.

38
39 MS. GARZA: Okay. So we'll recess until 1:00.

40
41 (Off record)

42
43 (On record)

44
45 CHAIRMAN THOMAS: Okay. We're coming back to order.
46 When we went on break we were considering Proposal Number 12.
47 And before lunch was served a group got together to discuss
48 boundaries. I wasn't part of that process, so we will now
49 consider Proposal Number 12, taking up where we left off.

50 What's the wish of the Council?

00190

1 MS. GARZA: Mr. Chairman, I don't know if there's
2 someone from that sub-committee that would like to let us know
3 what they came to an agreement on as to where the new boundary
4 should be. Marty, can you come up here? And then we're going
5 to need you to speak into a mike, Marty.

6
7 MR. MARTIN: Thank you, Mr. Chairman. Speaking with
8 Gabriel George of Angoon and knowing what we do -- okay.

9
10 MR. ANDERSON: Okay. Lonnie Anderson and John Vale are
11 on.

12
13 CHAIRMAN THOMAS: Okay. We're back to discussing
14 Proposal 12. When we broke at 11:30 a group of folks got
15 together to discuss boundaries within Game Management Unit 4.
16 And we're now listening to Marty give us some explanations
17 regarding those boundaries. And so Marty has not got the
18 floor.

19
20 MR. MARTIN: Thank you, Mr. Chairman. Like I was
21 saying earlier, speaking to Gabriel George we came to an
22 agreement that we thought a good line from inside of Peril
23 Strait was front Point Moses across to Lindeburg Head on the
24 Light by Todd Cannery. And I guess that's already a line that
25 was established by the Mammal Commission here I believe in
26 Sitka.

27
28 And then going down south of Sitka there were some
29 testimony given. I thought maybe North Cape was good and
30 somebody else thought maybe Point Lauder was good. That would
31 give us Whale Bay. So I think with everybody's best interest
32 at heart, I think Point Lauder and coming up into the Great
33 Arm, and then from Great Arm we could run across to -- by
34 Mountain Harding by Red Bluff Bay. And I guess a line would
35 probably go from like Point Lauder across to Cape Edgecumbe.
36 So it would give us the outside coast to Kruzof to hunt and up
37 towards Herbert Graves, up in there. And then run the beach,
38 Herbert Graves, up into Black River, where Black River -- you
39 just follow the water stream up to the head of North Arm. And
40 that was the boundary we established when we were speaking.
41 And I have this on the chart.

42
43 CHAIRMAN THOMAS: Okay. Further discussion? Dolly.

44
45 MS. GARZA: So, Mr. Chairman, it's my understand,
46 Marty, that this unit describes the area immediately
47 surrounding Sitka, so that if it were passed as an amendment to
48 Proposal 12, for that area that you described, during the month
49 of January we would be able to possess only one deer a day. And

50 outside of that unit we would continue to be able to possess

00191

1 six deer a day. That's correct?

2

3 MR. MARTIN: Go ahead, Mark. Maybe Mark can answer
4 that. But that was my understanding.

5

6 CHAIRMAN THOMAS: You want to bring another chair up to
7 the mike.

8

9 MR. JACOBS: Thank you, Mr. Chairman, members of the
10 Board. My name is Mark Jacobs, Jr. for the record. I am
11 reminded of the battle that we had to keep Sitka as determined
12 to be rural. But you're now playing with designation of local
13 use, drawing lines, which would be a simple matter to take
14 those lines and say that Sitka is no longer rural.

15

16 We fought very hard to keep Sitka as rural. It was
17 still under the Fish and Game when they called for a meeting in
18 Anchorage to determine what is rural and what is not. I don't
19 usually attend the meetings by Indian time, but that's exactly
20 what happened in Anchorage.

21

22 Nobody was notified that there would be two buses
23 waiting outside the lobby in the Hilton Hotel. I got aboard
24 one of them buses because they were going to take us to the
25 site of the hearing. When those two buses took off we learned
26 that we were headed for Alyeska, over an hour drive by bus.
27 Those villagers that came from outlying communities were left
28 standing in the lobby. What happened to where we were suppose
29 to participate in this public announcement on determining what
30 is rural, what is not?

31

32 In that particular hearing in Alyeska I made sure I
33 stuck to my guns on that particular hearing. A lot of the
34 participants jumped on the lift up to the top of the mountain.
35 And during most of the participants being up on top of the
36 mountain, the discussion of rural areas was coming to a vote.
37 We were successful in keeping Southeastern Alaska as rural. So
38 we were happy with that.

39

40 And then when they reconvened with some of the
41 participants coming down the hill from the top of the Mountain,
42 Valdez representative says, we want to go with Southeastern.
43 We want to get out from the influence of Anchorage. Naturally
44 Cordova would go along with that tune.

45

46 The discussion the rural status for Southeastern Alaska
47 came up again. This time Ketchikan, Juneau and Sitka was in
48 jeopardy. I fought very hard for Sitka. But we had to prove
49 that Sitka was still rural because you can't use a head count

50 to determine what rural is. They claimed to have used the

00192

1 criteria used by census people. I said you can't use census
2 laws to deprive me of my (indiscernible). So we kept Sitka as
3 rural.

4
5 Again they threw some criteria in after the 2,500
6 designation. They increased the designation to 7,500. That
7 meant that Sitka was still in rural -- still in jeopardy
8 because Sitka had 8,300 in population at that particular time.
9 And when that issue came up I protested the head count
10 criteria. There's other factors in determining what rural is.
11 Sitka is one of the communities that suffer lack of ferry
12 service when there is a breakdown or behind schedule problems.
13 Sitka is usually knocked out. They can only reach Sitka by
14 water or by air. We have no road connection.

15
16 And this was a long fight. I don't think I need to go
17 into the deal. But when I told the argument of 2,500 came in,
18 I mentioned the fact that a lot of the Eskimo villages along
19 the coast are in the neighborhood of 2,500. It's very possible
20 that you will find one with 2,500 population. Is that rural or
21 is it urban? Well the 2,500 is still rural.

22
23 And then the thing develops in town, a young develops a
24 -- delivers a baby. We got 2,501. Is it still rural? No, the
25 law would say it's urban now because you have 2,501. A few
26 days later an elder dies. You got 2,500 again. I said how
27 ridiculous can you people get. So I say don't play with your
28 borderline. Don't put us in jeopardy again. It takes a lot of
29 heart ache to fight these kind of a thing. And as far as
30 drawing these lines are concerned and crowding us back into a
31 small area. Thank you.

32
33 CHAIRMAN THOMAS: Marty.

34
35 MR. MARTIN: Well, there was a couple of questions
36 raised, Mr. Chairman, on the proxy hunting, if we would still
37 be able to proxy hunt in January for tribal citizens or elders,
38 disabled, and I guess basically the bag limit. And I guess
39 Mark has a good point, but if this is for one month I don't
40 know -- I haven't heard anybody say that this would jeopardize
41 our borough status of what is Sitka and what isn't. And I just
42 wondered if you had anything to add to that because I really
43 don't know.

44
45 CHAIRMAN THOMAS: Well, unless we have some way of
46 insuring that the possible threat that Mark eluded to, then I
47 think we probably ought to weigh on the side of the wisdom that
48 he expressed by not doing anything with those boundaries.
49 Because I think it's too delicate to speculate. And if we

50 speculate in error, I don't know that we could recover from

00193

1 being confronted with the threat of losing the status of a
2 rural consideration. So that would be my concern. Dolly.

3
4 MS. GARZA: Mr. Chairman, I guess my concern is that
5 basically Sitka community pulled together Proposal 12, and with
6 a lot of work. And I understand the concern from other area,
7 Angoon or from Port Alexander that they don't have this problem
8 of potential waste in their area and that this potential waste
9 issue is specific to Sitka.

10
11 And so I guess I still support designating for this
12 particular regulation that it be limited to one area. This
13 does not say that Sitka can only hunt in this area, it just
14 says that for those people who hunt in this area, they can only
15 have one deer in possession during the month of January.

16
17 It doesn't say that we don't have any rights to hunt
18 beyond the boundary if we were to go below Whale Bay or to go
19 above whatever the northern is; we could still take six deer a
20 day. What we're saying is for the area of Sitka that there is
21 an issue of waste that we're trying to deal with, and to be
22 considerate to the people of Angoon and to the people of PA,
23 we're willing to exclude those areas from our concern.

24
25 CHAIRMAN THOMAS: Good argument both ways.

26
27 MR. JACOBS: May I respond? My stand is don't play
28 with it. Don't give a tool that can be amended and amended
29 very easily. Our deer population is not in danger. There's
30 enough restrictions on subsistence already. I have fought very
31 hard for Sitka. Even though we had 8,300 population, we proved
32 that Sitka is rural. Not using a head count.

33
34 The reason we retained Sitka as rural is because in
35 Petersburg they amended the regulation by disqualifying the
36 Coast Guard personnel and their families because they are
37 temporary residents of Sitka. And I thought, fine and dandy,
38 let them go ahead and put that in because I know they're going
39 to count that Coast Guard population against us. You see it in
40 the 7,500 designation. So they went ahead and they say Coast
41 Guard personnel and their families will not be eligible for
42 subsistence preference and kept that on the books.

43
44 And then they brought the subject of you are counting
45 the Coast Guard personnel against us, trying to say that Sitka
46 is not rural. I don't want to go through that kind of a battle
47 again. Let's not play with it.

48 CHAIRMAN THOMAS: We had another sign up for 12. Ray,
49 did you still want to comment? Ray.

00194

1 MR. NIELSON: Yeah. I was just going to fill out
2 another form.

3
4 CHAIRMAN THOMAS: Don't scare me.

5
6 MR. NIELSON: Thank you, Mr. Chairman, Board. Ray
7 Nielson here. We put a lot of work into this proposal, the
8 Advisory Committee. And the language we have in there, the one
9 deer in possession is a conservation measure and to eliminate
10 the possibility of wanton waste. But the wanton waste does not
11 happen just during January. It happens a lot. And they tried
12 to pin it on the Native shooters. Well, no, we utilize most of
13 the deer, try to shoot them high in the head so we don't waste
14 that neck roast.

15
16 And the sixth deer -- well, we're comfortable with six
17 deer, but four deer -- a lot of us will provide deer for those
18 that can't get the deer, don't have the opportunity, or ways or
19 means. And the boundaries, we just adhered to that as our
20 customary and traditional boundaries as designated in
21 (indiscernible) and that's what we adhere to. And whether we
22 use boundaries or not, we just don't want to trespass on
23 another community's toes. And that was the reason for
24 boundaries for the Sitka Sea Mammal Commission. That took
25 almost two years to do too.

26
27 And we really stand on a stance of no wanton waste. So
28 that was the main thing about our proposal. Thank you.

29
30 CHAIRMAN THOMAS: One question, Ray. With those
31 changes are you convinced that the waste problem will go away?

32
33 MR. NIELSON: There's a lot of little boats go out
34 there with like semi-auto, big parties, we're trying to
35 eliminate that from the December -- January month I mean.

36
37 CHAIRMAN THOMAS: Do you think that will stop though
38 with those changes?

39
40 MR. NIELSON: That was our wish. That's the intention.

41
42 CHAIRMAN THOMAS: I understand. I'm not challenging
43 it, I'm just trying to see what the sense was for this. I know
44 it's really a difficult situation and I'm not trying to corner
45 you. But, yeah, those are some tough variables to consider.
46 Anybody else have any questions for Ray? Marilyn.

47
48 MS. WILSON: Mr. Chairman, I wanted to know about the
49 boundaries. Is Seymour Canal in these boundaries, do you know?

00195

1 MR. NIELSON: No, that's.....

2
3 MS. WILSON: No. Okay. I wanted to pass on something
4 that my husband Paul told me when he went hunting down in
5 Seymour Canal and they -- it was very stormy, the weather was
6 stormy. So they were kind of storm bound in this canal for two
7 days, three days. And by the time they were able to get out,
8 well the crab fishermen had already -- there was a lot of crab
9 fishermen in there and they hunted deer at the same time, I
10 guess, as crabbing. So I thought I should bring that concern
11 in, just to interject that thought.

12
13 But I wanted to also say that this whole issue has been
14 very confusing with the pros and cons of having a boundary.
15 And so I'm trying to listen to both sides, and yet at the same
16 time keep an open mind and keep this subsistence usage open to
17 everyone.

18
19 CHAIRMAN THOMAS: That's all we can ask. We're all
20 having the same problem. But we're going to work through it.
21 Gabe.

22
23 MR. GEORGE: Yeah, Mr. Chairman, Dolly made an
24 interesting comment about the boundaries and all in terms of
25 possession limit. As far as subsistence hunters in Unit 4, all
26 those people that have c&t in Unit 4 will certainly always have
27 the right, as I see it, to subsistence hunt in Unit 4. What
28 the boundaries or this proposal brings forth is a possession
29 limit within a certain boundary.

30
31 Now how you get around that boundary when you hunt in
32 Sitkoh Bay and get two deer, and then come back to Sitka, which
33 under the current rules and regs you have a right to, and you
34 go to a one deer boundary area and they stop you there. And,
35 you know, then.....

36
37 CHAIRMAN THOMAS: Well, was that a question for Ray?

38
39 MR. GEORGE: No. No. Just a comment on the proposal.

40
41 MR. NIELSON: Well, I'd just like to respond to that
42 too. One proposal, our department wanted to eliminate January.
43 Well, we looked at that as a problem they have because they
44 don't have the resources nor the manpower. Well, in our minds
45 we're leaning towards co-management. Who better than tribes
46 knows the area better than bringing in someone from Iowa or
47 somebody that has to learn. Our people already know it. So
48 that's another stance on the tribal issue, of tribes going into
49 co-management, whether it goes management or enforcement. Be

50 more than happy to do that.

00196

1 CHAIRMAN THOMAS: Mim, you had a question? Thank you,
2 Ray.

3
4 MR. NIELSON: Thank you. Daniel.

5
6 MR. MARINO: Thank you, Mr. Chairman. Once again my
7 name is Daniel G. Marino, Jr. for the record. I guess in
8 thinking on this, to me if it is going to maybe cause a problem
9 as far as our designation as a rural area, I would be against
10 the Board passing this proposal. Mostly because this isn't --
11 the wanton waste issue doesn't just -- isn't just during the
12 month of January where the subsistence time is being used.

13
14 So to me it's not an issue of a boundary. I think it's
15 more of an issue of education. And I think that by defining a
16 boundary line, that just gives individuals the opportunity to
17 take away our designation as a rural area, which would take
18 away our cultural and traditional usage. So that's pretty much
19 what I wanted to say.

20
21 CHAIRMAN THOMAS: Well, thank you. You were really
22 paraphrasing Title -- Section 802 of ANILCA. It says the
23 purpose of this title is to provide the opportunity for the
24 rural residents engaged in a subsistence way of life to do so;
25 non-wasteful subsistence uses of fish and wildlife and other
26 renewable resources shall be a priority consumptive uses of all
27 such resources on public lands of Alaska when it is necessary
28 to restrict taking in order to assure the continued viability
29 of a fish or wildlife population or the continuance of
30 subsistence uses of such populations, the taking of such
31 population for non-wasteful subsistence uses shall be given
32 preference on public lands over other consumptive uses.

33
34 So the reason I read that is I'm starting to consider
35 the benefits of us trying in our effort to provide subsistence
36 to do it to regulate the user groups at the same time. I'm not
37 sure that's possible.

38
39 MR. MARINO: Mr. Chairman.

40
41 CHAIRMAN THOMAS: Mim.

42
43 MS. McCONNELL: Did you want to let Dan go?

44
45 CHAIRMAN THOMAS: No, ladies first.

46 MS. McCONNELL: Okay. I've just been listening to
47 people here and kind of looking at the issues. It seems to me
48 that from what I'm hearing, no matter what action is taken here
49 the wanton waste is still going to be a problem. Okay. That's

50 one thought.

00197

1 The other thought that I have is that this rural
2 designation issue had occurred to me also. And the reason why
3 it did is because if you're looking at a community and talking
4 about restricting how many deer they can get, that's like a red
5 flag going up that there's a problem in that area due to the
6 population growth. And so if Sitka has grown so much that no
7 matter what you do there's still going to be a problem with
8 wanton waste because the make-up of the population is changing,
9 or whatever, then yeah, you could be facing another battle over
10 rural designation.

11
12 But it doesn't sound like -- you know, you'd have to
13 really restrict things to keep things under control or you need
14 to emphasize, like what I've been hearing, the education part.
15 You do have a lot of people that have moved in the area that
16 are not from around here and they don't know the ways. And so
17 they need to be taught.

18
19 So instead of doing the restriction, which goes against
20 what -- you know, it's an internal problem. It's not that
21 there is -- there are people that are not residents, like you
22 know non-resident people that are taking too many deer, that's
23 not the case, it's only 10 percent we've been told. So it's an
24 internal problem.

25
26 And for us to restrict the take means that we'd have to
27 restrict it for the residents. And that's not what we're here
28 for. We're supposed to protect their subsistence takes. And
29 so I would be more inclined to go with the education thing and
30 promoting -- you know, even if it's like writing a letter or
31 maybe to those businesses that are promoting the trophy
32 hunting. You know they didn't respond to Marty's talking with
33 them, maybe they need a letter from us saying, hey, you guys
34 have got to stop this, you're not helping the situation, and
35 put some pressure on them and threaten boycotting. It seems
36 like that would accomplish more than to restrict the residents
37 from getting the deer they need. So, anyway, that's kind of
38 where I'm leaning.

39
40 CHAIRMAN THOMAS: You know, as naive as I am, if I
41 wasn't a subsistence user and I had strong objections to the
42 concept of provisions of ANILCA, what better thing to do than
43 to take a couple of guys on a boat and leave deer laying on the
44 beach. Hey, look what your plan is doing to the population.
45 So, you know, sabotage is very easy. But I mean it's a problem
46 that's as old as prostitution. The results aren't as good,
47 but.....

48
49 MS. McCONNELL: I didn't think our conversation would

50 go that low.

00198

1 CHAIRMAN THOMAS: We wanted them to go the full term a
2 while ago. But anyway, so you're kind of damned if you do and
3 damned if you don't do type of thing. Okay. Dan, go ahead.

4
5 MR. MARINO: Yes. On the amendment, I asked Marty
6 about the designated hunter proxy hunter; how would this affect
7 the proxy hunting? To my knowledge you can get six deer for
8 one individual and that I could go out, I could go down to the
9 Forest Service, fill out an application or the forms to do
10 that.

11
12 Now, I would be able to go out and shoot one deer for
13 myself, and then I'd be able to shoot six deer for somebody
14 else? Is that reflected in the amendment?

15
16 CHAIRMAN THOMAS: If you're hunting in the same area on
17 either permit the take restrictions would apply to both of
18 them. So you wouldn't be allowed six on one and one on the
19 other. If the allowable limit is one, it'll be one for the
20 other person as well.

21
22 MR. MARINO: Okay. So I would be in favor of status
23 quo, as is. Thank you.

24
25 CHAIRMAN THOMAS: Thank you.

26
27 MS. WILSON: Mr. Chairman.

28
29 CHAIRMAN THOMAS: You know, wait a minute. You guys
30 are making me look pretty bad. I told people we'd be done by
31 2:00 o'clock. We're not even out of this one yet. Marilyn.

32
33 MS. WILSON: I think I've come to a decision in my own
34 mind listening to everybody. But I'd vote against this
35 amendment and the proposal, the original proposal. And mainly
36 because I think it's an enforcement issue and an educational
37 issue. And I do not like making more restrictions because
38 we've seen that happen in the State level. And it just doesn't
39 do any good if you don't have the enforcement. So I'm in favor
40 or not passing this amendment or.....

41
42 CHAIRMAN THOMAS: Okay. I have a parliamentary
43 adjustment to make. While we were discussing the amendment
44 before the break, we didn't have one. When we went to the
45 table we still didn't have one. When we came back, we still
46 don't have one. However, if such a motion is made, all
47 discussion that we've had so far will apply to that motion.
48 And that's the fault of the Chairman, only because I got
49 flustered thinking about the time. Dolly.

00199

1 MS. GARZA: Mr. Chairman, I would call for the question
2 on Proposal 12 as is.

3
4 CHAIRMAN THOMAS: Okay. That motion is on the table.
5 The question has been called for Proposal 12 as it's in the
6 book. All those in favor of adopting Proposal 12 say aye.

7
8 MR. VALE: May I have a clarification please.

9
10 CHAIRMAN THOMAS: Okay.

11
12 MR. VALE: The motion to adopt the proposal as current
13 or with the amendment?

14
15 CHAIRMAN THOMAS: As you see it in the book.

16
17 MR. VALE: Okay.

18
19 CHAIRMAN THOMAS: The question has been called. All
20 those in favor of adopting Proposal Number 12 say aye.

21
22 MS. GARZA: Aye.

23
24 CHAIRMAN THOMAS: Those opposed.

25
26 IN UNISON: Aye.

27
28 CHAIRMAN THOMAS: Okay. Proposal 12 fails.

29
30 MS. GARZA: We're not inviting you guys back here any
31 more.

32
33 CHAIRMAN THOMAS: Proposal 13. Is that Rachel's? 13.
34 I think we'll just skip 13, John.

35
36 MR. VALE: The next three are all on the same line
37 there.

38
39 CHAIRMAN THOMAS: Okay. We're now on Proposal 13,
40 black bear, Unit 5.

41
42 MS. MASON: Thank you, Mr. Chairman. Before I start in
43 on this group of four proposals that all deal with Yakutat, I
44 wanted to give credit to some other people worked on the
45 customary and traditional analyses. Due to a number of
46 factors, including trying to get all of the backlog out of the
47 way this year, I was overwhelmed with work and so I was very
48 fortunate to have the assistance of Fred Clark, who actually
49 completed the analysis of two of the ones that we've already

50 considered, as well as from Carol Herne who worked on all four

00200

1 of the ones that we are about to consider. So, anyway, I
2 wanted to publicly thank them, but also state that any errors
3 that are included I will take the responsibility for them.

4
5 MS. WILSON: We want Carol to stand up.

6
7 MS. MASON: Oh, Carol, please stand up.

8
9 MS. HERNE: Oh, no.

10
11 MS. MASON: All right. Proposal 13 is one that
12 requests a positive customary and traditional use determination
13 for black bear in Unit 5 for residents of Unit 5. And under
14 current federal regulations there's no c&t determination for
15 black bear in Unit 5, however, residents of Unit 5(A) have a
16 positive c&t for black bear in Unit 6(A). And that's as a
17 result of action taken by the Council and the Board last year.

18
19 As you know, Yakutat is the only permanent community in
20 Unit 5(A), and indeed in Unit 5. And the 1990 population of
21 Yakutat was 534, approximately 55 percent of which was Alaska
22 Native. Black bear have traditionally been an important
23 resource for the indigenous people of Southeast Alaska,
24 including the Tlingits who lived in the Yakutat area. And we
25 have considerable ethnographic information which points to the
26 extensive use of black bear meat, bones, teeth, hide and skin.

27
28 From subsistence harvest data collected by ADF&G,
29 Division of Subsistence, we have an indication from two years,
30 1984 and 1987. There is data indicating that 18 black bears
31 were obtained in 1984, and one black bear harvested in 1987.
32 From harvest ticket information we know that Yakutat hunters
33 reported the harvest of 47 black bears in the years 1972 to
34 1994. And 38 of those were taken in Unit 5(A).

35
36 If you'll look at your Unit 5 map, I'm going to be
37 talking a little bit about the harvest areas. In the 1940s
38 Yakutat elders were interviewed about the local areas where the
39 black bears were harvested. And they mentioned a number of
40 areas mainly in Unit 5(A), but also some that adjoined to Unit
41 5(B). The areas they mentioned were located in and around
42 Disenchantment Bay, which is in both Units 5(A) and 5(B).
43 There's a misprint in the book, it should be Nunatak Fiord,
44 Russell Fiord, Dangerous River, Italio River and Dry Bay. And
45 all those latter ones are in 5(A).

46
47 Then 40 years later ADF&G researchers interviewed
48 Yakutat residents again about black bear use areas and again
49 the areas mentioned were largely in Unit 5(A), but also

50 mentioned were Yakutat Bay, one shore is on 5(A), the other is

00201

1 on 5(B). And the areas -- also mentioned were Russell Fiord,
2 the areas around the Situk, Akwe and Italo Rivers, and the
3 entire Dry Bay area.

4
5 So essentially there are certain areas in 5(A), but
6 also 5(B) that over the past 40 years or 50 years and more have
7 been mentioned by Yakutat people as their traditional bear
8 hunting areas.

9
10 So our conclusion was to support the proposal with the
11 following modification; that instead of saying residents of
12 Unit 5, the proposal should refer to the residents of Unit
13 5(A). And the justification is that black bears have been
14 customarily and traditionally harvested in Unit 5 by Yakutat
15 residents. And there seems to be ample ethnographic and
16 harvest information to support that. That concludes my
17 presentation.

18
19 CHAIRMAN THOMAS: Thank you. Given that, I was
20 wondering how does that differ from Proposal Number 10.

21
22 MS. MASON: What do you mean?

23
24 CHAIRMAN THOMAS: With the rural definition or the
25 limited area, limited access. We were requested to reconsider
26 10, to leave it as all rural rather than identify 1(A), 2 and
27 3.

28
29 MS. MASON: Right.

30
31 CHAIRMAN THOMAS: And so this is essentially written
32 the same way, would have the same end result. And so that
33 would be limiting access by other subsistence users.

34
35 MS. MASON: In fact, they're very similar proposals.

36
37 CHAIRMAN THOMAS: Right.

38
39 MS. MASON: And so you are asked to determine whether
40 you would like to leave it open to all rural residents as it is
41 now, or to restrict it to the people that actually live in that
42 area and have demonstrated use.

43
44 CHAIRMAN THOMAS: Well, my feeling is that given the
45 dialog that we didn't have when we recommended that change, and
46 with the information we've gathered since then, I have reason
47 to feel that we may have been out of order in suggesting that
48 change. But I want to incorporate the thought of the rest of
49 the Council with regard to that. Mim, did you have a question?

00202

1 MS. McCONNELL: No.

2
3 CHAIRMAN THOMAS: Dolly. John, talk to us. Oh, oh,
4 wake up, John. John Vale, are you there?

5
6 MR. VALE: Yeah, I'm here, Mr. Chairman. I couldn't
7 hear what you were saying there in your last statement. But I
8 would make some comments.

9
10 CHAIRMAN THOMAS: Okay.

11
12 MR. VALE: Well, I guess we're at a point of getting a
13 motion. I would move to propose the proposal with the
14 amendment that the residents of Unit 5(A) have a positive c&t
15 determination.

16
17 CHAIRMAN THOMAS: Dolly.

18
19 MR. VALE: And I'll speak to that motion if I get a
20 second.

21
22 MR. ANDERSON: Mr. Chairman, I second that motion.

23
24 CHAIRMAN THOMAS: Okay. Lonnie, thank you.

25
26 MR. VALE: Okay. On the separate proposal, is there
27 customary and traditional use of black bear? And, yes, there
28 is. And it should be recognized and that's why it should be
29 supported by the Council. And in addition to that, I would
30 point out that the Wrangell-St. Elias Subsistence Resource
31 Commission, which of course recommends on subsistence
32 management on the park, since primarily 5(B) is in support of
33 this proposal also. So, it's pretty simple. I don't see any
34 negative impacts to anyone on this. The Federal season is
35 identical to the State season in season dates and bag limits,
36 and so there's ample opportunity for other residents to harvest
37 bears, you know, under the State system.

38
39 CHAIRMAN THOMAS: John, in your mind what would be the
40 recognizable change from all rural residents to rural resi.....

41
42 MR. VALE: Well, we'd be going from a no determination
43 to a positive determination for residents of Yakutat.

44 CHAIRMAN THOMAS: Okay. Mim.

45
46 MS. McCONNELL: Yeah. John, what about going from Unit
47 5 to Unit 5(A), what's being gained there?

48
49 MR. VALE: Well, for one, it would be consistent with

50 other c&t determinations that are specific to Unit 5(A). And

00203

1 the reason for that is because in the last few years there's
2 been development of a logging camp in the Icy Bay area on Unit
3 5(B), and I think it's inappropriate to extend a positive c&t
4 determination to the residents of that logging camp which are
5 primarily made up of non-local residents who don't have a
6 history of customary and traditional use. So that's why we're
7 being specific to 5(A) instead of all of Unit 5.

8
9 MS. McCONNELL: Thanks, John. That's good to know
10 that.

11
12 CHAIRMAN THOMAS: Okay. So that would be an amendment?

13
14 MS. McCONNELL: Yeah. Which we need to vote on.

15
16 CHAIRMAN THOMAS: Has that been offered as an
17 amendment?

18
19 MS. McCONNELL: Yeah. It was seconded by Lonnie.

20
21 CHAIRMAN THOMAS: No, he'd moved to adopt the proposal.

22
23 MS. McCONNELL: John, you already offered the amendment
24 for 5(A), right?

25
26 MR. VALE: Yeah. The motion was to support with
27 amendment to residents of Unit 5(A).

28
29 CHAIRMAN THOMAS: You made that motion to adopt with an
30 amendment?

31
32 MR. VALE: Yes.

33
34 CHAIRMAN THOMAS: Okay. You've got to do it one at a
35 time.

36
37 MR. VALE: One at a time?

38
39 CHAIRMAN THOMAS: Yeah.

40
41 MR. VALE: Okay. Well, then the motion is to adopt
42 with my second's concurrence and then I would offer a second
43 motion to amend to residents of Unit 5(A).

44
45 CHAIRMAN THOMAS: Somebody want to second it?

46
47 MR. ANDERSON: The second concurs.

48
49 CHAIRMAN THOMAS: Okay. Thank you. Now that we have
that in order, what's the discussion with regard to the

50 amendment to rural residents of Unit 5(A)? Mim.

00204

1 MS. McCONNELL: I'd be in support of the amendment. It
2 sounds like there is good reason for it and so I'm in favor of
3 that.

4
5 CHAIRMAN THOMAS: Anybody else?

6
7 MS. WILSON: Mr. Chair.

8
9 CHAIRMAN THOMAS: Marilyn.

10
11 MS. WILSON: I just want to make a remark. Vicki was
12 mentioning this same problem when we made amendments for our
13 other proposals and she was saying we're including all these
14 logging camps and these people that never did have customary
15 and traditional usage. So it seems like we're treating one
16 area a little different than the other area. I don't know.
17 That's the idea I get anyway.

18
19 CHAIRMAN THOMAS: Well, the reason because 5(B) is in a
20 different region. See, that's in Southcentral. That's a
21 different area. Why it's that way, I can't answer you.

22
23 MS. McCONNELL: It's bigger.

24
25 CHAIRMAN THOMAS: Further discussion?

26
27 MS. GARZA: Call for the question.

28
29 CHAIRMAN THOMAS: The question's been called. All
30 those in favor of the amendment say aye.

31
32 IN UNISON: Aye.

33
34 MR. CLARK: Those opposed say no.

35
36 MR. GEORGE: No.

37
38 CHAIRMAN THOMAS: Amendment passes. Discussion on the
39 main motion as amended.

40
41 MS. GARZA: Question.

42
43 CHAIRMAN THOMAS: Question's been called for to adopt
44 Proposal 13 as amended. All those in favor of adopting that
45 say aye.

46
47 IN UNISON: Aye.

48
49 CHAIRMAN THOMAS: Opposed no.

00205

1 MR. GEORGE: No.

2

3 CHAIRMAN THOMAS: That proposal passes. Barely, but it
4 passes. Proposal 14.

5

6 MS. MASON: Proposal 14 begins on page 86 of your
7 books. And this one again consolidates both the backlogged and
8 deferred c&t proposals. Proposal 14 requests positive
9 customary and traditional use determination for goat in both
10 Units 5 and 6(A) for the residents of Unit 5.

11

12 I should mention also that these proposals which deal
13 with both the Southeast and the Southcentral regions were
14 brought before the Southcentral Regional Council at their
15 meeting last week, but they declined to take any action on
16 them, stating that they did not want to speak for something
17 that was out of their region.

18

19 Under the current regulations there's no c&t
20 determination for goat in Unit 5. Nor is there a c&t
21 determination for goat in Unit 6(A).

22

23 The Yakutat elders who were interviewed in the 1940s
24 described some traditional use areas for goat and the areas
25 that they described are -- actually, many of them are similar
26 to the ones that I mentioned for black bear and you can again
27 see them in your regs books on page 35 in the Unit 5 map.

28

29 The areas that they described included Disenchantment
30 Bay and the fjords and inlets above the bay, as well as goat
31 habitat in the vicinities of several rivers, most of them along
32 the coast line or they're rivers running down to the coast,
33 including the Situk, Anklen, Ahrnklin, Italio, and Stihinuk
34 Rivers. I'm probably butchering these names and John will.....

35

36 CHAIRMAN THOMAS: No, beautiful. Masterful job.

37

38 MS. MASON: Thank you. And Dry Bay. And these are all
39 in Unit 5(A). And they were identified as places that they
40 regularly used to hunt goat. Research done in the 1980s
41 confirmed the same places and also added to the list because in
42 addition to these sites that were mentioned that were in 5(A),
43 Yakutat residents in the '80s mentioned that they had hunted
44 for goats in the vicinity of Icy Bay, which is located between
45 Units 5(B) and 6(A).

46

47 And they described that as a prime goat hunting area,
48 but because there had been reduced harvest limits in 1975, they
49 did not think it was worth it to travel as far as Icy Bay just

50 to get one goat. So they didn't think that the cost was

00206

1 justifiable. So although that was a traditional area, because
2 of regulations they couldn't do it any more.

3
4 On looking at the picture of the ethnographic evidence
5 and harvest data, we decided to recommend supporting the
6 proposal with the modification that the residents of Unit 5(A),
7 rather than the Unit of 5, have a positive determination for
8 goat in Unit 5. And so the Staff conclusion was to reject the
9 portion of the proposal that deals with Unit 6(A).

10
11 And, unfortunately, just when I was reviewing this,
12 before I noticed that there is a mistake in the conclusions,
13 and the justification refers to both 5 and 6(A), but that's
14 actually -- that should not be what you think of as the Staff
15 conclusion. The justification for our view that it should be a
16 positive determination in 5 but not 6(A) was that there is
17 ample evidence of a harvest by Yakutat residents in Unit 5, but
18 it doesn't appear that there is a strong interest in harvesting
19 in 6(A) now, nor is there a contemporary harvest in that area.

20
21 So our recommendation was to reject that proposal, so
22 that would leave a no determination in 6(A), giving the widest
23 possible opportunity to all rural residents. That concludes
24 the presentation.

25
26 CHAIRMAN THOMAS: If all the Unit 5 or 5(A) was
27 considered, wouldn't that automatically reject 6?

28
29 MS. MASON: No. The proposal was for 5 -- the original
30 proposal was for 5 and 6(A). The request was for a positive
31 c&t determination for mountain goat in Unit 5 and 6(A) for
32 residents.....

33
34 CHAIRMAN THOMAS: Okay. So we'll need a couple of
35 motions.

36
37 MS. MASON: Correct.

38
39 CHAIRMAN THOMAS: To accept one, and one to reject the
40 other one.

41
42 MR. VALE: Yes, we do, Mr. Chairman.

43 CHAIRMAN THOMAS: Excuse me?

44
45 MR. VALE: I was agreeing with you that we need a
46 couple of motions.

47
48 MR. ANDERSON: Mr. Chairman, this is Lonnie, do you
49 hear me?

00207

1 CHAIRMAN THOMAS: Yep.

2

3 MR. ANDERSON: I need to cut out for a while.

4

5 MS. MASON: Okay, Lonnie. You're leaving it in good
6 hands. John's there.

7

8 MR. ANDERSON: Very good.

9

10 CHAIRMAN THOMAS: Thank you, Lonnie.

11

12 MR. ANDERSON: I'm off the air for a while.

13

14 CHAIRMAN THOMAS: Thank you.

15

16 MR. CLARK: Mr. Chairman.

17

18 MR. VALE: Are we ready for the motion on this one, Mr.
19 Chairman?

20

21 CHAIRMAN THOMAS: Do you have questions for.....

22

23 MR. CLARK: Would you like public comments?

24

25 MR. VALE: Hello? Am I still hooked up?

26

27 MS. McCONNELL: Yeah, you are. Hang on.

28

29 CHAIRMAN THOMAS: Yeah, you're still hooked up. We've
30 got a process. Thank you, Fred. Written comments.

31

32 MR. CLARK: There are two written comments that were
33 submitted. One is from the Copper River/Prince William Sound
34 Fish & Game Advisory Committee in Cordova. They say that we
35 find this particularly insulting to the long-term users within
36 the unit and would further suggest that the precedent
37 established by granting this request would be even more
38 problematic elsewhere in the State. The Alaska Department of
39 Fish and Game has data documenting the historic harvest in Unit
40 6 by residents of the unit.

41

42 The second comment is from the Wrangell-St. Elias
43 National Park Subsistence Resource Commission. John Vale will
44 probably recognize this one. Support; the taking of goats did
45 occur on Federal lands on the eastern portion of Unit 6(A).

46

47 CHAIRMAN THOMAS: Okay. That was the written comments,
48 right?

49

MR. CLARK: That's correct.

00208

1 CHAIRMAN THOMAS: Okay. Public comment. Agency
2 comment. Council action.

3
4 MR. VALE: Mr. Chairman.

5
6 CHAIRMAN THOMAS: John.

7
8 MR. VALE: Yeah. I would make a motion to support the
9 proposal.

10
11 CHAIRMAN THOMAS: A motion has been made. Is there a
12 second?

13
14 MS. WILSON: I second that, Mr. Chairman. I'd like to
15 make -- or ask a question.

16
17 CHAIRMAN THOMAS: Just a second. Dolly's got the
18 floor.

19
20 MS. GARZA: I was just going to ask if there was a
21 motion made.

22
23 CHAIRMAN THOMAS: Oh, okay. Marilyn, you've got the
24 floor.

25
26 MR. WILSON: I'm confused about this motion to accept
27 this proposed regulation. Is that what the motion was?

28
29 CHAIRMAN THOMAS: Um-hum (affirmative).

30
31 MR. WILSON: Okay. It says Units 5 and 6(A) goat. And
32 all rural residents are crossed out and rural residents of Unit
33 5 is to be put in place.

34
35 MS. MASON: May I clarify it, Mr. Chairman?

36
37 CHAIRMAN THOMAS: Sure.

38
39 MS. MASON: What would happen, were this proposal to be
40 adopted, would be that it would change from a no determination,
41 so that at present all rural residents of Alaska are eligible
42 to hunt there. What it would change to being exclusively
43 residents of Unit 5. So what -- it would cut out anybody but
44 Unit 5. And what the people in Cordova was mad about was that
45 it would cut out them, who are the residents of 6 from the
46 unit.

47
48 MS. WILSON: Okay. Thank you.

49

CHAIRMAN THOMAS: The motion was to adopt Unit 5 and

00209

1 6(A).

2

3 MR. VALE: Yes, Mr. Chairman. I'd like to comment.

4

5 CHAIRMAN THOMAS: Go ahead, John.

6

7 MR. VALE: Should I go ahead?

8

9 CHAIRMAN THOMAS: Go ahead, John.

10

11 MR. VALE: Okay. I'd like to offer a motion to amend
12 this proposal to read all residents of Unit 5(A) instead of
13 residents of Unit 5, residents of Unit 5(A).

14

15 CHAIRMAN THOMAS: Okay. You heard the amendment. Is
16 there a second?

17

18 MS. McCONNELL: I'll second it.

19

20 CHAIRMAN THOMAS: It's been moved and seconded.
21 Discussion on the amendment.

22

23

24 MS. GARZA: Call for the question.

25

26 MR. VALE: The same -- a motion the same as the
27 previous proposal dealing with black bear.

28

29 CHAIRMAN THOMAS: Hang on, John. Mim's got a question
30 for you.

31

32 MS. McCONNELL: Yeah. I'm just wondering why 6(A).
33 Maybe I missed something that Rachel said, but why is 6(A)
34 not.....

35

36 MR. VALE: I'll get to that, but we probably should
37 deal with the motion on the amendment first, and then I'll
38 speak to the main motion on the proposal, okay.

39

40 MS. McCONNELL: Well, this -- I think this has to do
41 with the amendment.

42

43 MR. VALE: Well, okay. The areas in Unit 6(A) that are
44 traditionally harvested by residents of Yakutat are in the Icy
45 Bay region. And which is split in half by Unit 6(A) and Unit
46 5(B), the boundary runs down the middle of the bay. Goats were
47 harvested on both sides of the bay and both in 6(A) and 5(B).

48

49 Now, this region is within the Wrangell-St. Elias

50 National Park. Now, the only residents that can hunt in this

00210

1 region are the communities that are on the resident zone around
2 the park. There's about 13 communities of which Cordova is not
3 one of those communities. So Cordova cannot legally hunt in
4 Unit 6(A) in the vicinity of Icy Bay because it's within the
5 Wrangell-St. Elias National Park.

6
7 So, you know, the rest of Unit 6(A) -- you know, there
8 are areas that Cordova residents use. But, you know, the
9 concern from Yakutat are, you know, with Icy Bay area and a
10 traditional hunting area on the west side of Icy Bay that's in
11 Unit 6(A). And all that area is within the Wrangell-St. Elias
12 National Park. And of all the other communities on the
13 resident zone list, realistically they are all on the Copper
14 River Basin. So that leaves Yakutat the only community
15 actually that has any real ability to hunt goats in this area.

16
17 MS. McCONNELL: Thanks, John.

18
19 CHAIRMAN THOMAS: Okay. We're still discussing the
20 amendment. The amendment is to read rural residents of Unit
21 5(A).

22
23 MS. GARZA: Call for the question.

24
25 CHAIRMAN THOMAS: Question's been called for the
26 amendment. All those in favor of the amendment say aye.

27
28 IN UNISON: Aye.

29
30 CHAIRMAN THOMAS: Those opposed same sign.

31
32 MR. KITKA: Aye.

33
34 MR. GEORGE: Aye.

35
36 MS. WILSON: I abstain.

37
38 CHAIRMAN THOMAS: Okay. We've got a division in the
39 camp.

40
41 MR. VALE: Okay. Speaking to the.....

42 CHAIRMAN THOMAS: Division in the camp. We've got to
43 count the votes here. Okay. Show of hands for all those that
44 voted yes. One, two, three, four, five. All those that voted
45 no? Two. Five yes and two no's. Okay. So that amendment
46 passed, right. So the amendment passed. So now.....

47
48 MR. VALE: Speaking to the main motion then on the
49 proposal.

00211

1 CHAIRMAN THOMAS: Help me out, John.

2

3 MR. VALE: Okay. First I would point out that this
4 proposal is supported by the Wrangell-St. Elias Subsistence
5 Resource Commission. And, secondly, if I had made it to Sitka
6 I would have with me maps identifying from the Department's
7 subsistence study, identifying those areas historically used by
8 Yakutat. They're well documented.

9

10 I guess I'm a little bit distressed to hear that the
11 Agency is not supporting a positive c&t for Unit 6(A), because
12 that position is not supported by the evidence. There is
13 historical use and it is documented. As I mentioned, some of
14 the reasons for low level of harvest in the Icy Bay area, which
15 would include 6(A), as previously mentioned in the Staff
16 report, have to do with a redemption of bag limits in the past
17 and that has made it less appealing to local residents.

18

19 Also one reason for reduced harvest more recently here
20 is the fact that the Park Service does not allow airplane
21 access. So the only type of access allowed is by boat. And
22 Icy Bay is a very turbulent area, packed full of ice and that
23 restriction to aircraft access makes it extremely difficult
24 access to the population. And that's led to a reduction in
25 use. However, there still is a lot of interest for harvesting
26 those animals.

27

28 And, you know, the problem with the reduction in the
29 bag limit years ago and the less use I believe can be handled
30 with a designated hunter proposal, which I believe will be --
31 the Council will be presented with in the coming years. And
32 that designated hunter will allow for a greater use of those
33 goats in the future and make it more, you know, economical for
34 Yakutat hunters to hunt the area.

35

36 And once again, that area is within the Wrangell-St.
37 Elias Park and the only residents allowed to hunt are those on
38 the resident zone communities, of which no community in Prince
39 William Sound is on that list. They're all on the Copper River
40 Basin, except for Yakutat. And basically Yakutat is the only
41 community that has reasonable access to the area. So we're not
42 really effecting anybody else.

43

44 And this was taken up at the Wrangell-St. Elias
45 Subsistence Resource Commission meeting in December, that very
46 issue was pointed out to all those individuals representing the
47 communities in the Copper River Basin that are on the resident
48 zone list and there were no problems expressed by any of the
49 people or the communities that participated in that meeting.

50 So it was wholeheartedly supported by the Commission and I'd

00212

1 ask our Council to support it as well, proposed 6(A) and Unit
2 5.

3
4 CHAIRMAN THOMAS: Okay. Thank you, John. Typically
5 when we get to this point of our discussion it's in the hand of
6 the Council, with the exception that we have a staff person
7 available with resource information. We'll take advantage of
8 that. With that I will request that Clarence Summers come up
9 and offer us some more information.

10
11 MR. SUMMERS: Certainly.

12
13 CHAIRMAN THOMAS: Thank you, Clarence. Tell us who you
14 are.

15
16 MR. SUMMERS: Clarence Summers with National Park
17 Service. Hello, John. For the record I thought I'd add this;
18 that John's correct, we have identified 18 communities as
19 resident zone communities for Wrangell-St. Elias National Park.
20 And in addition to that, if there are individuals that live
21 outside of the 18 identified resident zoned communities,
22 there's a process where an individual that's in a rural
23 community can petition the Superintendent for a permit. A 1344
24 Permit to be exact. And so there is another way for rural
25 residents that have c&t to participate to hunt in a National
26 Park Service area such as Wrangell-St. Elias.

27
28 So for the record, keep that in mind. It's not a
29 closed door if you're, let's say, residing in a rural community
30 and if you have c&t, you can petition the Superintendent for
31 permission to hunt in the park.

32
33 CHAIRMAN THOMAS: Thank you.

34
35 MR. SUMMERS: Any questions?

36
37 CHAIRMAN THOMAS: Thank you, Clarence. Dolly.

38
39 MS. GARZA: Mr. Chairman, I guess I'm inclined to vote
40 for Proposal 14 as amended. And I think that the issue of
41 whether or not residents in 6(A) should have the opportunity
42 for c&t would be best addressed by the Federal Subsistence
43 Board rather than by the Southeast Council. And so I think
44 that if we supported this proposal as it is in front of us, I'm
45 not sure that we would be denying another region an
46 opportunity.

47
48 CHAIRMAN THOMAS: Okay. The Chair will request the
49 resources of Robert Willis.

00213

1 MR. WILLIS: Thank you, Mr. Chair. Just some added
2 information on the goats in Unit 6(A). John's information's
3 correct, although it doesn't go quite far enough. There are
4 goats in 6(A) besides those on Wrangell-St. Elias National
5 Park. They're found on the BLM lands which you can see on the
6 map, which I believe you have in front of you. There are also
7 a few in a small pocket of Forest Service land which lies in
8 the western-most part of Unit 6(A). So there are I guess
9 communities which would have or could harvest goats that are
10 not on the Wrangell-St. Elias list of communities that could
11 harvest on the BLM lands, that little piece of the Forest
12 Service land.

13
14 I'll also point out that those lands are quite far
15 removed from the coast. They are difficult to access, but
16 there are goats on Federal land there. And that's something
17 that you should probably consider in making this decision.
18 Thank you.

19
20 CHAIRMAN THOMAS: Thank you. Okay. Further comments?
21 Would you repeat your last statement, Dolly, I think it washed
22 out of my thought process. Sorry about that.

23
24 MS. GARZA: It could have washed out of mine too, Mr.
25 Chairman. I guess I'm speaking.....

26
27 MR. VALE: I have a question for Robert.

28
29 CHAIRMAN THOMAS: John, wait. Somebody's got the
30 floor.

31
32 MR. VALE: Okay.

33
34 MS. GARZA: I'm speaking in favor of Proposal 14 with
35 the amendment of rural residents of Unit 5(A). I think that if
36 there is an issue of residents in Unit 6(A) having potential
37 c&t, that that could be dealt with by the Federal Subsistence
38 Board, not by the Southeast Region.

39
40 CHAIRMAN THOMAS: Okay. John, Dolly was speaking in
41 favor to support Proposal 14 with the amendment.

42 MR. VALE: Thank you, Mr. Chairman. And I support
43 Dolly's last statement. And my understanding is that the goat
44 hunts in Unit 6(A) are managed under State registration permits
45 and there are no Federal permits that I'm aware of. So, you
46 know, a positive c&t determination for Yakutat still leaves
47 those animals available to other residents under the existing
48 hunting seasons that are established.

49

And, also, I don't have any problems with a positive

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1 c&t determination for residents of Cordova because I do know
2 they utilize goats in Unit 6(A) and other locations. However,
3 as Dolly just said, I agree with that. I think that's the
4 Prince William Sound residents, their concerns for c&t should
5 be addressed to the Southcentral Regional Council and not us.
6 And I think we should deal with Southeast. Thank you.

7
8 CHAIRMAN THOMAS: Thank you, John. Robert, you're
9 going to give us some more information.

10
11 MR. WILLIS: Thank you, Mr. Chair. Just to respond to
12 what John said. It's true that there currently are no Federal
13 hunts for goats on those BLM lands. But it's my understanding
14 of the process that c&t determinations are supposed to be made
15 independent of whether or not there's currently seasons, bag
16 limits or whatever. If I'm not correct in that someone can
17 correct me, but I believe that's right.

18
19 And the reason the Southcentral Council at the meeting
20 last week did not want to address this issue, is because their
21 member from Cordova, Ralph Lohse, was not present and they were
22 uncomfortable making a recommendation on this proposal without
23 his input. Thank you.

24
25 CHAIRMAN THOMAS: Thank you. Further comments?

26
27 MS. GARZA: Question.

28
29 CHAIRMAN THOMAS: Question -- are we on the amendment
30 yet? Are we in a proposal. Okay. On the proposal as amended.
31 All those in favor say aye.

32
33 IN UNISON: Aye.

34
35 CHAIRMAN THOMAS: Those opposed same sign.

36
37 (No opposing responses)

38
39 CHAIRMAN THOMAS: Proposal 14 passes.

40
41 MS. MASON: We're on to 15.

42
43 CHAIRMAN THOMAS: We're on to 15.

44
45 MS. MASON: 15 starts on page 94 of your books. This
46 one requests a positive customary and traditional use
47 determination for moose in Unit 5 and 6(A) for residents of
48 Unit 5. So this is a similar proposal in the area that it
49 covers, but it's for moose instead of goat.

Currently rural residents of Unit 5(A) have a positive

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1 c&t determination in Unit 5. And the regulations allow a
2 harvest limit of one moose by State registration permit only in
3 the Nunatak Bench, and one antlered bull by Federal
4 registration permit in all the other areas. And currently
5 there is a no subsistence determination for taking moose on
6 Federal lands in Unit 6(A).

7
8 As we saw in the last two proposals, Yakutat in Unit
9 5(A) is the only permanent community located in Unit 5. There
10 are no permanent communities in Unit 6(A). But the single
11 community whose residence have reported taking the most moose
12 in Unit 6(A) during the years '84 to '96 is Cordova, which is
13 in Unit 6(C).

14
15 Moose have only within the last -- since the 1920s or
16 '30s been available in Unit 5 in the Dry Bay area, and they
17 began to populate areas closer to Yakutat sometime in the
18 1930s. By the 1950s Yakutat residents were able to harvest
19 moose regularly in their area. Moose are a relatively new
20 resource in the Yakutat area, but even before that their hides
21 were a desirable trade item.

22
23 According to ADF&G harvest tickets, 656 moose were
24 reported taken in Unit 5(A) between 1983 and 1995, and 62
25 percent of those were by Yakutat residents. In Unit 5(B), of
26 the total 151 moose taken, Yakutat hunters took 46 percent.
27 And there were no moose harvested in 5(A) or 5(B) by Cordova
28 residents or any residents of Unit 6 during those years.

29
30 However, Cordova residents were well represented in
31 6(A) moose harvest, better so than the Yakutat residents. And
32 during the 13 year period between '84 and '96, Cordova
33 residents took 39 percent of the more than a thousand moose
34 taken in 6(A), and Yakutat residents took about three percent
35 of those moose.

36
37 The areas that were formerly hunted by the Tlingit in
38 traditional areas include the vicinity of the Alsek River. And
39 they apparently began to move into the Yakutat area from the
40 Alsek River in the 1930s. Between 1983 and 1995 harvest sites
41 for moose were concentrated in Unit 5(A) and in the Yakutat
42 Forelands, and along the Gulf of Alaska Coast from Yakutat
43 south to Glacier Bay National Preserve. And, again, you could
44 look at your Unit 5 map in the regs book to see that.

45
46 In Unit 5(B) most of the moose taken were in the
47 Malaspina Forelands on the north side of Yakutat Bay and in the
48 coastal land southwest of Yakutat Bay and the east side of Icy
49 Bay. In Unit 6(A) for the years 1984 to '96, harvests were

50 concentrated around the Kaliakh River and around Controller

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1 Bay, and especially the area north of Kanak Island.

2
3 Upon considering the evidence, harvest data and of use
4 areas, our preliminary conclusion was to reject the proposal
5 that would change the -- the part of the proposal that would
6 change the current c&t use determination for Unit 5 of rural
7 residents in Unit 5(A) to rural residents of Unit 5. And that
8 had gone back to the past before this Council decided to change
9 it from Unit 5 to 5(A). This was from a backlogged proposal
10 that would have changed it again back to 5.

11
12 So for the reasons that John Vale said for changing
13 those other ones to Unit 5(A), we would recommend changing it
14 -- rejecting the portion that would make it Unit 5(A) -- 5
15 instead. The recommendation was to adopt the portion of the
16 proposal regarding moose in 6(A) with a modification that would
17 give a positive customary and traditional determination in Unit
18 6(A) to the residents of Unit 5(A) and to Unit 6(C).

19
20 Our reason for the second part of those conclusions is
21 that rural residents of both Units 5(A) and 6(C) have
22 historically used 6(A) to harvest moose. Residents of Cordova
23 show a strong and consistent pattern of moose harvesting in
24 Unit 6(A).

25
26 MR. VALE: Could you speak a little closer to the mike,
27 please?

28
29 MS. MASON: Okay.

30
31 MR. VALE: And a little louder.

32
33 MS. MASON: Yes. The suggested modification of the
34 proposal which would give a positive c&t to residents of both
35 Unit 5(A) and Unit 6(C) is based on Cordova's strong and
36 consistent harvest in 6(A) along with Yakutat record of harvest
37 in both Unit 5 and 6(A). Thank you. That's it.

38
39 CHAIRMAN THOMAS: Questions. Comments. Public -- any
40 written comments?

41
42 MR. WILLIS: Yes, Mr. Chairman. There's one written
43 comment by the Copper River/Prince William Sound Fish and Game
44 Advisory Committee in Cordova. It's identical to the one from
45 the previous proposal. It reads, we find this particularly
46 insulting to the long-term users within the unit and would
47 further suggest that the precedent established by granting this
48 request would be even more problematic elsewhere in the State.
49 The ADF&G has data documenting the historic harvest of moose in

50 Unit 6 by residents of the unit.

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1 CHAIRMAN THOMAS: Any comment from the audience?
2 Agency comments? I don't want to see all kinds of flags out
3 there now when I pass you up. Okay. Bring it to the Council
4 for action. What's the wish of the Council?

5
6 MS. WILSON: I have a question on the proposed
7 regulation. Unit 5 moose, rural residents of Unit 5. Why is
8 it not unit 5(A)? As usual, I'm confused.

9
10 MS. MASON: Mr. Chairman, may I explain?

11
12 CHAIRMAN THOMAS: Sure.

13
14 MS. MASON: The proposal was a backlogged proposal.
15 And it was either last year -- I think it was last year that
16 this Council changed it on the recommendation of John Vale,
17 changed rural residents of Unit 5 to 5(A) for the current c&t
18 determination. And this one was back before that had been
19 done.

20
21 MS. WILSON: Okay.

22
23 MS. MASON: So, largely as a house cleaning measure,
24 our recommendation was to modify the proposal and to make it
25 Unit 5 -- keep it as Unit 5(A), reject that portion of the
26 proposal.

27
28 MS. McCONNELL: Can I ask her a question?

29
30 CHAIRMAN THOMAS: Yes. Mim.

31
32 MS. McCONNELL: And also to add 6(C)? Is that also
33 kind of housekeeping or what?

34
35 MS. MASON: That's not a housekeeping proposal. As it
36 stands, the proposal would -- instead of a no proposal in Unit
37 6(A) for moose, it would give exclusive use to rural residents
38 of Unit 5. And our recommendation was -- would make it the
39 rural residents of Unit 5 and 6(C). And essentially that would
40 add the residents of Cordova who have a strong and consistent
41 pattern of use in that unit.

42
43 MS. McCONNELL: Is that all of 5 or 5(A)? In the back
44 here, at the end of -- in the justification section, it looks
45 like it would be 5(A).

46
47 MS. MASON: It should be 5(A).

48
49 MS. McCONNELL: Okay.

00218

1 MS. MASON: So that would be a house cleaning.....

2
3 MS. McCONNELL: 5(A) and 6(C).

4
5 MS. MASON: Correct.

6
7 MS. McCONNELL: Okay. So I move -- well I guess we
8 have to adopt the proposal first, right?

9
10 CHAIRMAN THOMAS: Yes.

11
12 MS. McCONNELL: We haven't done that yet?

13
14 CHAIRMAN THOMAS: No.

15
16 MS. McCONNELL: Are we ready for that yet?

17
18 CHAIRMAN THOMAS: We are ready.

19
20 MS. McCONNELL: Okay. Then I move that we adopt
21 Proposal 15.

22
23 MR. VALE: Second.

24
25 CHAIRMAN THOMAS: It's been moved and seconded to adopt
26 Proposal 15. Discussion on the proposal.

27
28 MR. VALE: Mr. Chairman.

29
30 CHAIRMAN THOMAS: Yes, John.

31
32 MR. VALE: I'd like to make a motion to amend the
33 proposal to remove the portion of it that would say rural
34 residents of Unit 5 and leave it as it is in Unit 5(A). So I
35 would just delete that portion of it out and amend it to read,
36 that the positive c&t for moose in Unit 6(A) for residents of
37 5(A) and I'm intentionally not including 6(C) and I'll speak to
38 that as soon as I have a second.

39
40 MS. McCONNELL: Second. I second it.

41 CHAIRMAN THOMAS: Okay. It's been seconded. Would you
42 repeat the motion?

43
44 MR. VALE: Okay. The motion is.....

45
46 CHAIRMAN THOMAS: No, I'm just teasing you, John.

47
48 MR. VALE: The motion is to delete the portion saying
49 for residents of Unit 5, so it would remain as is, residents of

50 Unit 5(A). And the proposal then would read a positive c&t

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1 determination for moose in Unit 6(A) for residents of Unit
2 5(A).

3
4 CHAIRMAN THOMAS: Thank you.

5
6 MR. VALE: And the reason for not including Unit 6(C)
7 -- for residents of Unit 6(C) in there is because that is of
8 course where Cordova is and I think an initiative for a c&t
9 determination on moose for Unit 6 should come from themselves.
10 They should propose that themselves and it should be dealt with
11 by the Southcentral Regional Council who more or less has
12 jurisdiction in this area here. So I think we should refine
13 our efforts or restrict our efforts to once again Southeast and
14 to the unit -- Yakutat residents in Unit 5(A). Okay.

15
16 CHAIRMAN THOMAS: Everybody's agreeing with you, John.
17 Okay. We had a motion and second. Further discussion?
18 Marilyn.

19
20 MS. WILSON: That clarified it a lot for me. Thank
21 you.

22
23 CHAIRMAN THOMAS: Okay. Further questions?

24
25 MS. WILSON: Call for the question, please.

26
27 CHAIRMAN THOMAS: Question has been called for on the
28 amendment. Thank you. All those in favor of the amendment say
29 aye.

30
31 IN UNISON: Aye.

32
33 CHAIRMAN THOMAS: Those opposed same sign.

34
35 (No opposing responses)

36
37 CHAIRMAN THOMAS: Amendment passes. Now, we're dealing
38 with Proposal 15 as amended. Further discussion on the motion
39 as amended?

40
41 MS. WILSON: Call for the question.

42
43 CHAIRMAN THOMAS: Question's been called, all those in
44 favor.....

45
46 MS. WILSON: She wanted to ask a question.

47
48 MS. RUDOLPH: I'm sorry. Instead of 6(C) we're going
49 to go 6(B)?

00220

1 MS. McCONNELL: No, just 5(A).

2
3 CHAIRMAN THOMAS: We're on 5(A).

4
5 MS. RUDOLPH: Still on 5. Okay.

6
7 CHAIRMAN THOMAS: Okay. Question's been called for.
8 All those in favor of Proposal 15 as amended say aye.

9
10 IN UNISON: Aye.

11
12 CHAIRMAN THOMAS: Opposed same sign.

13
14 (No opposing responses)

15
16 CHAIRMAN THOMAS: Proposal 15 passes. Now we have 6(A)
17 to deal with or no. Leave that to the other guys? Leave 6(A)
18 to the other region, huh, John?

19
20 MR. VALE: Yeah. 6(A) is in Southcentral and, you
21 know, those folks there should deal with that.

22
23 CHAIRMAN THOMAS: Okay.

24
25 MR. VALE: Did I answer that? Questions?

26
27 MS. WILSON: Is that for Proposal 16?

28
29 MS. MASON: We're on 16 then?

30
31 CHAIRMAN THOMAS: 16.

32
33 MS. MASON: Okay. This proposal requests a positive
34 customary and traditional use determination for wolf in Unit 5.
35 It begins on page 102 in your books. It's requesting a
36 positive c&t for wolf in Unit 5 and 6(A) for the residents of
37 Unit 5. And there is a footnote here which explains that as
38 it's presented in your proposal book, the portion of the
39 proposal that affects the Unit 6(A) would effectively revoke
40 the very expansive c&t finding that are currently there for
41 residents of 6, 9, 10, 11 to 13 and the residents of Chickaloon
42 and 16 60 26, and replace it with just the residents of Unit 5.

43
44 So it would replace it with an exclusive use by Unit 5.
45 But, actually, upon examination of the original backlogged c&t
46 form, the language on that requested that residents of Yakutat
47 be added to the current c&t rather than to replace it. So it
48 seemed evident that the intent of the proposal was to expand
49 opportunities for the Unit 5 residents rather than to revoke

50 them for all these other people. But.....

00221

1 MR. VALE: That's correct.

2

3 MS. MASON: That's correct. Okay. And but in Unit 5
4 it's a different story. Currently there's no c&t there; it's
5 all rural residents, which is almost what it is for 6(A).

6

7 Again, Yakutat's the only permanent community in Unit 5
8 that's relevant to this analysis. Ethnographic research shows
9 that wolves have in the past and continue to be an important
10 subsistence resource for the indigenous people of Southeast
11 Alaska. Hunting and trapping activities associated with the
12 Tlingits living in the Yakutat area were documented by early
13 explorers in the mid to late 1800s. And the wolf was pursued
14 for its fur, which was primarily used for clothing and for
15 decorative items.

16

17 In the same study that I've referred to repeatedly, the
18 Goldschmidt and Haas study, Yakutat elders were interviewed in
19 the 1940s about the areas where they went to to set traplines
20 for wolf and other furbearers and they mentioned several areas
21 in Unit 5(A). And the specific areas they mentioned included
22 the Situk River and the mouth of the Anklen or the Ahrnklin
23 River. And one elder mentioned Dry Bay as well, which as I
24 remember Dry Bay is in 5(A) also.

25

26 The ceiling records for the Yakutat community, which
27 have been kept since 1983 in the current format, they show that
28 wolves have been almost exclusively hunted and trapped in Unit
29 5(A) and in the Uniform Coding Units that are closest to the
30 Community of Yakutat and south down the coast to the Dry Bay
31 area. But trapping areas have been located also north of
32 Yakutat along the coast line and extending to the southern side
33 of Icy Bay in Unit 5(B). And those came from interviews with
34 Yakutat residents in the mid-1980s.

35

36 Traditionally the areas that were used for trapping in
37 the Yakutat area were informally recognized as belonging to
38 either individuals or groups of people and local land use
39 rights similar to the traditional land system of ownership
40 meant that permission had to be sought before trapping in a
41 specific area that was associated with an individual or a
42 group.

43

44 Upon weighing this evidence or examining this evidence,
45 our preliminary conclusion was to support the positive
46 determination of customary and traditional use of wolf in Unit
47 5, with the modification that residents of 5(A) should have a
48 positive c&t rather than Unit 5. And this is similar to those
49 other proposals.

00222

1 Our recommendation was to reject the proposal affecting
2 the current determination of c&t use in Unit 6(A). And there's
3 no doubt that wolves in Unit 5 have customarily and
4 traditionally been harvested by Yakutat residents and there's
5 ample evidence of that. It seems that wolves continue to be
6 harvested by community members as part of a long established
7 seasonal round.

8
9 Regarding the proposal affecting 6(A) there hasn't been
10 any wolf harvest by residents of Unit 5(A) for the years 1979
11 to 1995, or at least none has been recorded outside of Unit 5.
12 And neither is there any ethnographic evidence supporting the
13 Yakutat use of Unit 6(A) as a traditional area of wolf harvest.
14 And it's therefore recommended that the request to add the
15 residents of Unit 5 to the customary and traditional
16 determination that's already there for residents of 6, 9 and
17 10, 11 to 13, and the residents of Chickaloon and 16 to 26, it
18 was recommended that that be rejected. Thank you.

19
20 CHAIRMAN THOMAS: Okay.

21
22 MS. WILSON: What to be rejected?

23
24 MS. MASON: The portion of the proposal that refers to
25 Unit 6(A).

26
27 MS. WILSON: Oh, okay.

28
29 MS. MASON: And to make it easier for you, our
30 conclusion was developed before the Council had considered the
31 other three. And you have -- on those your conclusion has been
32 that this Council doesn't want to act on something in 6(A). So
33 that's a little different from the reasoning that we came to in
34 rejecting 6(A).

35
36 MR. VALE: I'd like to ask a question.

37
38 MS. MASON: Yeah.

39
40 CHAIRMAN THOMAS: Go ahead, John.

41
42 MR. VALE: Yeah, I'd like to ask Staff there how much
43 did their opposition to c&t for wolf in Unit 6(A), how much of
44 that decision was weighed by the view that, you know, we were
45 attempting to only have a designation for residents of Unit 5,
46 as opposed to just including Unit 5(A) with these other units
47 that have c&t in that area? How much did that weigh into your
48 decision to, you know, recommending not to support a c&t for
49 Unit 6(A)?

00223

1 MS. MASON: John, that didn't weigh into it at all.
2 The conclusion was basically based on the idea that there was
3 no ethnographic or contemporary harvest data supporting the use
4 of 6(A) by Yakutat residents.

5
6 MR. VALE: Okay. Thank you.

7
8 CHAIRMAN THOMAS: Written -- Dolly.

9
10 MS. GARZA: I guess I just want to get a clarification
11 here. You had said, Rachel, that in our past actions that we
12 had not taken action on Unit 6(A), but we actually did in
13 Proposal 15. We supported rural residents of Unit 5(A) hunting
14 in Unit 6(A), but did not include rural residents from Unit
15 6(D), given that those residents were out of our jurisdiction.

16
17 MS. MASON: Yeah.

18
19 MS. GARZA: Okay.

20
21 MS. MASON: Disregard.

22
23 MS. GARZA: Okay.

24
25 MS. MASON: I misstated what the actions of the Council
26 were.

27
28 CHAIRMAN THOMAS: Written.

29
30 MR. CLARK: Mr. Chairman, there is one written comment
31 on this proposal. Again it's from the Copper River/Prince
32 William Sound Fish and Game Advisory Committee from Cordova.
33 We find this particularly insulting to the long-term users
34 within the unit and would further suggest that the precedent
35 established by granting this request would be even more
36 problematic elsewhere in the State. The Alaska Department of
37 Fish and Game has data documenting the historic harvest in Unit
38 6 by residents of the unit.

39
40 CHAIRMAN THOMAS: Thank you. Dolly.

41
42 MS. GARZA: Mr. Chairman, I guess one thing that we
43 need to do is have you and Fred work on a letter to these guys
44 and let them know we're not trying to exclude them, we just
45 feel like we can only deal with our area. So we're not
46 intending to insult them to any degree.

47
48 CHAIRMAN THOMAS: I am. Public comment? Agency
49 comment? Cordova comment. Council? What's the wish of the

50 Council?

00224

1 MS. WILSON: I need clarification again, please.

2

3 CHAIRMAN THOMAS: Okay. You got it.

4

5 MS. WILSON: Rachel.

6

7 CHAIRMAN THOMAS: Not a problem.

8

9 MS. WILSON: On Unit 6(A) rural residents of 6, 9, 10,
10 Umiak Island only, 11, 13 and residents of Chickaloon and 16
11 through 26 is crossed out.

12

13 CHAIRMAN THOMAS: That's correct. Currently for Unit
14 6(A) there's a very expansive c&t for wolf and it includes
15 almost the whole state of Alaska. As stated in the proposal
16 book, that would be crossed out and substituted with rural
17 residents of Unit 5. But when we looked at the original
18 proposal for that, and John Vale just confirmed this, their
19 intention was not to cross out everybody else. Their intention
20 was to add, because Unit 5 is one of the few units that's not
21 involved in that already. So they just wanted to add Unit 5
22 residents to that long list that already have c&t there.

23

24 MS. McCONNELL: Now, is that adding Unit 5 or 5(A)?

25

26 MR. VALE: It would be 5(A).

27

28 CHAIRMAN THOMAS: Thank you, John.

29

30 MR. VALE: I'm ready with the motion, Mr. Chairman,
31 when we get there.

32

33 CHAIRMAN THOMAS: A motion's in order.

34

35 MR. VALE: Okay. I move to adopt the Proposal.

36

37 CHAIRMAN THOMAS: You heard the motion, is there a
38 second?

39

39 MS. McCONNELL: Second.

40

41 CHAIRMAN THOMAS: Moved and seconded. Any discussion?

42

43 MR. VALE: Okay. Mr. Chairman, speaking to the motion,
44 it's quite clear that Yakutat residents have customary and
45 traditional use of wolves in Unit 5. You know, the Staff has
46 pointed that out, it's well documented.

47

48 There is a question on Unit 6(A) and I'd like to talk a
49 little bit about that and get some feedback from the other

50 Council members. You know, the situation on 6(A) is such that

00225

1 one reason there isn't any documented historical harvest in
2 that area is the fact that wolves are a somewhat new interest
3 into the Unit 6(A) in that they basically expanded into the
4 area in the last 20 years. So before that time there really
5 weren't any wolves there and that's why there's no documented
6 use of those animals.

7
8 Since that time the use by Yakutat residents I would
9 describe as very light. Although I do have personal knowledge
10 that wolves have been harvested in the past, you know, I don't
11 know what the requirements are for recording or have been. But
12 there has been animals taken. But, you know, when you have a
13 subsistence user they're utilizing resources in the area and
14 they use the resources that are available. And, you know,
15 wolves are somewhat a new animal to the region. And so that's
16 one reason for the lack of documentation.

17
18 So I guess I just wanted to hear a little bit from some
19 of the other Council members, you know, how they feel about
20 that. My feeling is even though the use there is extremely
21 light, that Yakutat residents do use all the resources in the
22 area there and a c&t determination is justified because they
23 will continue to take those animals in the future when they're
24 available.

25
26 CHAIRMAN THOMAS: Okay. Where did you leave me, John?

27
28 MS. McCONNELL: He's waiting for Council comments.

29
30 MR. VALE: Yeah, I was finished. Where I'm having a
31 little trouble with this is, you know, in the c&t where you
32 have a long-term consistent pattern of use and information
33 handed down from generation to generation. Well, some of that
34 is not really applicable on wolves because they're basically a
35 new critter to the region, just coming in in the last 20 years.
36 And how long does it take to establish c&t on an animal? Those
37 kind of questions, are really not resolved. So that's why, you
38 know, I kind of want some feedback from the other Council
39 members as to the appropriateness of a c&t determination on
40 wolves for Unit -- for Yakutat residents.

41
42 Having said that, however though, we do have c&t by
43 these many other communities in the State, as we mentioned by
44 the Staff, practically the entire State and the whole -- the
45 Interior of Alaska. And I do know that those folks virtually
46 never get down to Unit 6(A). So, you know, with that in light
47 I feel like it's appropriate that we do have a positive c&t
48 determination for 6(A).

49

MS. WILSON: Mr. Chair.

00226

1 CHAIRMAN THOMAS: Marilyn.

2

3 MS. WILSON: Mr. Chairman, I think that to provide
4 Yakutat with c&t, even though this critter has been there only
5 20 years or so, it would be the same thing as providing
6 subsistence use to new communities in Southeast that have been
7 there only 20 or so years. So I'm for providing a c&t for this
8 animal for Yakutat.

9

10 CHAIRMAN THOMAS: Mim.

11

12 MS. McCONNELL: It sounds good me to too. I think also
13 it sounds as though there's c&t there for the use of wolf.
14 Maybe not from that unit, but maybe from other ones. So maybe
15 it hasn't been there very long, but the use of wolf certainly
16 goes way back.

17

18 CHAIRMAN THOMAS: Mim.

19

20 MS. McCONNELL: John, it sounds like maybe we need to
21 have an amendment to.....

22

23 MR. VALE: I believe we do, but before I offered one I
24 wanted to get some feedback from the Council members on Unit
25 6(A) so that we didn't have to wade through too much discussion
26 on an amendment. But if you're ready to relieve the floor then
27 I'm willing to go ahead based on what I've heard to make an
28 amendment.

29

30 CHAIRMAN THOMAS: We're reserving our feedback till
31 after you make the amendment. Go ahead, John.

32

33 MR. VALE: Okay. I move to amend the proposal to say a
34 positive c&t determination for wolves on Unit 5 and 6(A) for
35 residents of Unit 5(A).

36

37 MS. McCONNELL: Second.

38 CHAIRMAN THOMAS: You heard the motion, it was
39 seconded. Did the recorder, did you get all of that?

40

41 MR. VALE: One last comment.

42

43 CHAIRMAN THOMAS: Okay.

44

45 MR. VALE: This is in response to the Prince William
46 Sound Advisory Committee comments on the last three proposals.
47 And I sure would have liked for the other Council members --
48 there seems to be a little bit of a tug-of-war going on between
49 Cordova residents and Yakutat residents over management issues

50 in this region. And I think that's unfortunate because I think

00227

1 some of the Cordova residents feel like that it has to be us or
2 them sort of attitude which, you know, I feel is inappropriate.

3
4 For the most part all of these resources, I think,
5 residents of Cordova and Yakutat both have customarily and
6 traditionally used them. And so I take a little bit of offense
7 in, you know, the position that they -- or the comments that
8 they've made because, you know, they basically are opposing us
9 on that and that's inappropriate. And I think there's enough
10 for everybody in this area here and that both communities and
11 both areas should have c&t on animals in this area.

12
13 CHAIRMAN THOMAS: One of the requirements of being on
14 this Council, John, is that you don't get offended.

15
16 MR. VALE: That's all. Thank you. Mim.

17
18 MS. McCONNELL: Yeah, John, I just wanted to clarify
19 your amendment for Unit 6 wolf. We're still -- is it going to
20 be like the proposed regulation Unit 6(A), or is it going to be
21 Unit 6 and will it have rural residents of Unit 6, 9, 10, et
22 cetera?

23
24 MR. VALE: Yeah. It would have those other areas and
25 it's for all purposes specific to Unit 6(A) for residents of
26 Yakutat because we don't not have c&t on the rest of Unit 6,
27 only 6(A).

28
29 MS. McCONNELL: Okay. Thanks. That helps.

30
31 MR. VALE: All those communities listed there basically
32 have c&t on Unit 6, which includes Unit 6(A). But our
33 interests are only on Unit 6(A).

34
35 CHAIRMAN THOMAS: Where are we at? Are we dealing with
36 the amendment or the proposal?

37
38 MS. McCONNELL: The amendment.

39
40 MS. WILSON: Mr. Chair.

41
42 CHAIRMAN THOMAS: Marilyn.

43
44 MS. WILSON: Clarification.

45
46 CHAIRMAN THOMAS: Clarification.

47
48 MS. WILSON: On John's amendment he.....

49

MR. VALE: Are we clear on the amendment now?

00228

1 CHAIRMAN THOMAS: No, we're winding on.

2

3 MS. WILSON: I need to know the units that are crossed
4 out.....

5

6 MS. MASON: This is what it's going to look like.

7

8 MS. WILSON: Are they going to be added, or are you
9 just adding rural residents of Unit 5(A) to the amendment?

10

11 MR. VALE: We're adding Unit 5(A) to all the rest of
12 the listed units for c&t.

13

14 MS. WILSON: Okay.

15

16 CHAIRMAN THOMAS: Further discussion on the amendment?

17

18 MS. WILSON: Got it.

19

20 MS. McCONNELL: I'd like to call for the question on
21 the amendment.

22

23 CHAIRMAN THOMAS: Question's been called. All those in
24 favor say aye.

25

26 IN UNISON: Aye.

27

28 CHAIRMAN THOMAS: Those opposed same sign.

29

30 (No opposing responses)

31

32 CHAIRMAN THOMAS: Those confused? Okay. Now, we're to
33 the main motion of Proposal 16 as amended. Is there any more
34 discussion on 16?

35

36 MR. VALE: Question.

37 CHAIRMAN THOMAS: Question has been called. All those
38 in favor of Proposal 16 say aye.

39

40 IN UNISON: Aye.

41

42 CHAIRMAN THOMAS: Opposed same sign.

43

44 (No opposing responses)

45

46 CHAIRMAN THOMAS: Proposal 16 is passed. That
47 completes our proposals. I was petitioned by a member of the
48 community earlier to go back and revisit Proposal Number 10.

49 And that being the case, I will stay with my opening comments

50 saying that in Sitka we are blessed with the uniqueness of

00229

1 alert and observant people that are committed to subsistence
2 and we're going to be flexible to take advantage of that.

3
4 MS. McCONNELL: Page 61.

5
6 CHAIRMAN THOMAS: Page 61. Okay. We adopted a
7 regulation that the existing regulation read Unit 3 Wrangell
8 Island moose, all rural residents. Okay. The new regulation
9 scratched out all rural residents and replaced it with rural
10 residents of Units 1(B), 2 and 3. The discussion was that only
11 one part of those units was inhabited. Another consideration
12 was that statistics show that even though there's been effort
13 from other areas, they haven't been productive.

14
15 Okay. It was brought to my attention that by limiting
16 it to 1(B), 2 and 3, we were then restricting access to other
17 eligible users. And I believe that to be true. I don't like
18 to admit it but that will leave us with the first mistake of
19 this Council. But I think we have a chance to correct that. I
20 would like the opinion of the other members of the Council.

21
22 MS. WILSON: Mr. Chairman.

23
24 CHAIRMAN THOMAS: Marilyn.

25
26 MS. WILSON: It seems like when we brought this
27 proposal and wanted to act upon it, and this year we're acting
28 on it, the moose were -- numbers were dwindling. I think
29 that's why we did that. So I'd like to know if the moose
30 population is up and if there's any danger to include all rural
31 residents.

32
33 CHAIRMAN THOMAS: Bill.

34
35 MR. KNAUER: Yes, Mr. Chairman. I think there needs to
36 be some clarification for everyone. When it says in the book
37 they're all rural residents, that is not a positive c&t
38 determination. That is a derivative of the fact that there is
39 no determination. Therefore, what this Council is doing any
40 time they're making a determination is identifying those rural
41 residents who actually use it. And it should not be regarded
42 as restricting others. Although you do wish to try and make it
43 as accurate as possible.

44
45 It's sort of like saying everybody in the world comes
46 to Sitka. That might not quite be true, it might only be
47 certain people that come to Sitka. And so you don't want to
48 say everybody just in a general term.

49

CHAIRMAN THOMAS: Any comments from the rest of the

00230

1 Council? John.

2

3 MR. FELLER: Mr. President. I think the proposal also
4 had Mitkof Island and Petersburg Island. And I said this
5 before, that the hunters in Wrangell felt even at that first --
6 this came up at our first meeting here in Sitka. And they said
7 that the moose are migrating and I think I mentioned that there
8 might be a time when a moose runs into an elk and they're
9 looking at each other wondering about the other, but these.....

10

11 CHAIRMAN THOMAS: In what terms?

12

13 MR. FELLER: Yeah. But our feeling was that the moose
14 population wasn't built up enough. I think they'd harvested,
15 I'm not too sure, one moose on Wrangell and maybe six on
16 Mitkof, more on Mitkof anyway.

17

18 CHAIRMAN THOMAS: Well, looking at the table here from
19 1995 on page 64 it shows that for Wrangell there were 160 hunts
20 that resulted in five moose harvested. They had none before
21 and none since then. Anyway, since there's no more concern
22 within the Council, that concludes our dealing with the
23 proposals.

24

25 There are other parts of our agenda that we haven't
26 addressed. Annual report. Fred, was there anything on the
27 annual report?

28

29 MR. CLARK: Mr. Chairman, all the Council members have
30 received a copy of the Draft Annual Report for 1996. At this
31 time it would be appropriate for the Council to suggest
32 adopting the annual report as written or make suggestions for
33 changing the report. If the Council wants the report changed
34 in any way, they can just -- you can just let me know, I would
35 make those changes, then distribute the new draft to the
36 Council and then do a round of phone calls to adopt that report
37 as the report of the Council.

38

39 CHAIRMAN THOMAS: Do you have a preferred time frame?

40

41 MR. CLARK: I don't have the due date here with me, Mr.
42 Chairman, but I do think we have time to make a round if the
43 Council desires.

44

45 CHAIRMAN THOMAS: Okay. Be advised, members, this
46 annual report that's a draft in your packet, take a look at it,
47 if you have anything you want to offer for a change, advise
48 Fred of that and he will do that.

49

MS. LeCORNU: I just wanted to make a point that number

00231

1 1 on the report: Identification of current and anticipated
2 customary and traditional needs for and uses of wild renewable
3 resources, I think in the act it says identify and evaluate.
4 And I think that's what we've been missing on this Council, is
5 that we do not have an evaluation tool for the needs. We've
6 used TRUCS studies for past use and they have been presented to
7 us as future uses. And that is a really bad history to work on
8 because as we all know, customary and traditional has been
9 outlawed by the State of Alaska. So that evaluation tool has
10 to be part of our identification.

11
12 CHAIRMAN THOMAS: Anybody else? I guess it would
13 probably be proper and relevant now to discuss if we're going
14 to do an evaluation. I think we should all have some
15 understanding or what format we should use in doing so. If we
16 don't have that at the tip of our tongue right now, perhaps we
17 can offer that at a later time. Okay.

18
19 MS. WILSON: What was that?

20
21 CHAIRMAN THOMAS: On evaluating -- adding an evaluation
22 in the annual report.

23
24 MS. WILSON: Oh. Mr. Chairman, I have a question on
25 part of the report. Where that we wanted -- or the Sitka Tribe
26 wanted to have a positive c&t determination for plants, spruce
27 and roots and cedar bark.

28
29 MS. McCONNELL: What page?

30
31 MS. WILSON: Page 4 on Section G. But the Board
32 rejected that on the basis that it wasn't in its power to
33 regulate that. So I was wondering if there is a way we can get
34 around that to make sure because that is part of our
35 subsistence uses. And I think we should maybe make a note of
36 it for the next meeting, or make a proposal for the next
37 meeting.

38
39 CHAIRMAN THOMAS: Mim.

40
41 MS. McCONNELL: Well, I was just reading on there. It
42 also says that the Council initiated communication with the
43 Forest Service to try to get the Sitka Tribe and the Forest
44 Service to attempt to resolve the tribe's concerns through
45 agreements and land designations.

46
47 I remember when that came up at that meeting, that
48 dialog occurring. So I'm assuming that that's still being
49 dealt with. Maybe Dolly could say something about that, or do

50 you know?

00232

1 CHAIRMAN THOMAS: Is there dialog ongoing?

2
3 MS. McCONNELL: Or has it come to a screeching halt?

4
5 CHAIRMAN THOMAS: Is the Forest Service refusing to
6 respond?

7
8 MS. GARZA: No.

9
10 MR. THOMPSON: Jim Thompson, Forest Service, for the
11 record. I can't speak specifically to what has recently
12 occurred in these discussions at the local level. I am aware
13 that there has been within the past year some recognition of
14 the Sitka Tribes of Alaska and there's been some efforts to
15 develop a Memorandum of Understanding or some kind of an
16 agreement, of which I'm certain the intent of which encompasses
17 working with the local Native people on their concerns about
18 vegetation management. I don't know what the conclusions, if
19 any, have been in that regard. I can assure you though that
20 the Council has full jurisdiction to express your opinions,
21 your interests in forest management and to initiate some
22 discussions with the Forest Service on land management
23 activities. And I think you perhaps have done so in the past.
24 You've discussed your interests regarding (indiscernible) and
25 other matters.

26
27 CHAIRMAN THOMAS: Sure. Okay. Thank you. What we'll
28 do, rather than go through this page at a time and come up with
29 these impromptu questions, go through this, send your questions
30 and comments to Fred and he'll deal with them at that point.
31 So, Mim?

32
33 MS. McCONNELL: I move that we adopt the annual report.

34
35 CHAIRMAN THOMAS: You heard a motion to adopt the
36 annual report.

37
38 MR. GEORGE: I second it.

39
40 CHAIRMAN THOMAS: Moved and seconded. Discussion?

41
42 MS. McCONNELL: Question.

43
44 CHAIRMAN THOMAS: Question's been called. All those in
45 favor of adopting the report say aye.

46
47 IN UNISON: Aye.

48
49 CHAIRMAN THOMAS: Opposed same sign.

00233

1 (No opposing responses)

2

3 CHAIRMAN THOMAS: The report has been adopted.

4

5 MR. CLARK: Thanks, Mim.

6

7 CHAIRMAN THOMAS: Yeah, thanks.

8

9 MS. McCONNELL: I thought the report was very well
10 done.

11

12 MR. VALE: Likewise, good job, Fred.

13

14 MR. CLARK: Thank you.

15

16 CHAIRMAN THOMAS: Is there anybody here from the
17 National Park Service?

18

19 MR. SUMMERS: Yes.

20

21 CHAIRMAN THOMAS: You are on 9A, New Business.
22 National Park Service, Report on Comments Received on Draft
23 Review of Subsistence Laws and National Park Service
24 Regulations. Regional Council comments. Yes, sir.

25

26 MR. SUMMERS: Mr. Chairman, Council members. Talking
27 to Jim Capra it sounds like he gave a report yesterday. Does
28 that meet your satisfaction? I can revisit points made. The
29 comment period is still open. We plan to consolidate comments
30 from Regional Councils, Subsistence Resource Commissions and as
31 a group the National Park Service will review the comments and
32 use this input to address some of the issues dealing with
33 subsistence management, cabin permits, access, eligibility, et
34 cetera.

35

36 I can get into the details of specific sections if you
37 want that at this time. If not, I'd like to cover some
38 information that I have here on Wrangell-St. Elias subsistence
39 matters.

40

41 CHAIRMAN THOMAS: Okay.

42

43 MS. McCONNELL: That sounds fine.

44

45 MR. SUMMERS: That's fine? Okay. Before I continue, I
46 brought extra copies of the subsistence issue paper. It's on
47 the outer table and you have a copy of at least the current
48 version with comments from the State and other interested
49 groups/individuals. Okay.

00234

1 Let's see, for your information I've got a roster here
2 of the current membership for the Wrangell-St. Elias
3 Subsistence Resource Commission. Keep in mind that John serves
4 on the Commission, appointed by this body, by you as your
5 representative. He's currently the Chairman. This group met in
6 I think Tok recently, December 5th. They plan to meet again.
7 Here's a copy of the agenda, the upcoming February meeting.
8 And as you can see there are several items that are listed
9 here. One in particular is a rule making -- a draft rule
10 making to add residents zoned communities, the communities of
11 Northway, Tetlin, Dot Lake, Tanacross are communities that
12 we're proposing to add as resident zoned communities.

13
14 The existing situation is we have 18 communities,
15 Yakutat is currently a resident zoned community. Cordova is
16 not. Earlier in the discussion I think there was some
17 reference to eligibility and who could use park lands for
18 subsistence purposes. The resident zone status allows a
19 community to use park lands without the requirement of getting
20 a permit from the Superintendent. And the point that I made
21 earlier was, if you live outside of one of the identified
22 communities, there is an opportunity through a special permit
23 that's available to anyone, as long as you're in a rural
24 community, to apply to the Superintendent. You can petition
25 the Superintendent to use park resources for subsistence
26 purposes. So I just wanted to make that point.

27
28 CHAIRMAN THOMAS: Excuse me.

29
30 MR. SUMMERS: Certainly.

31
32 CHAIRMAN THOMAS: Before Dolly leaves, I wanted
33 everybody to blow her a kiss and say goodbye and thank you for
34 being here. Nice to see you. She said I make her cold so
35 she's going home. Okay. Clarence, sir, continue.

36 MR. SUMMERS: Well, that's all I have in a quick
37 minutes. If -- are there questions?

38
39 CHAIRMAN THOMAS: Okay. Right now I don't know if
40 there are any Fred.

41
42 MR. CLARK: In terms of responding to the draft
43 regulations, would you like the Council members to respond
44 individually directly to the Park Service, or do you want them
45 to send their comments to me and have me forward them to you?

46
47 MR. SUMMERS: Okay. The Council can submit
48 recommendations directly to our Field Director -- or, excuse
49 me, our Regional Director, Bob Barbee, who's -- his office is

50 in Anchorage. You can submit recommendations to your local

00235

1 Park office. And to answer Fred's question, yes, it's okay to
2 submit your recommendations directly to Fred and he can forward
3 them. There's no one way, but -- so it's an open door. And
4 it's an ongoing process. Other questions?

5
6 CHAIRMAN THOMAS: No, but if they come up before we're
7 done here I guess we'll call you back.

8
9 MR. SUMMERS: Certainly.

10
11 CHAIRMAN THOMAS: Thank you very much.

12
13 MR. SUMMERS: Thank you.

14
15 MR. VALE: Mr. Chairman.

16
17 CHAIRMAN THOMAS: John.

18
19 MR. VALE: Just a quick comment on those draft
20 regulation's review there. I've been in involved in this
21 review with the Subsistence Resource Commission over the last
22 year and I guess I'd just state to the Council members, you
23 know, take a good look at what's in there. And I believe this
24 to be a good faith effort by the Park Service to change their
25 regulations to be more in line with subsistence uses and needs.
26 And that I believe they're very willing to listen and to make
27 changes. So I'd just encourage everyone to review that draft
28 and pick anything out that they think needs to be commented on
29 and follow through with some comments, okay?

30
31 CHAIRMAN THOMAS: Thank you, John. Regional Council
32 Membership Nominations Process Update.

33
34 MR. CLARK: Mr. Chairman, really the only update is
35 thing that you all are already aware of. There are several
36 members whose terms are up this year. They have -- you know,
37 we have already received lots of names both from Council
38 members and from non-Council members who have applied for
39 membership. You have until February 28th to get your name into
40 the hat for those people who want to apply still.

41
42 CHAIRMAN THOMAS: Okay. Thank you. Continuing on with
43 Agency reports. Do we have a Federal Subsistence Management
44 Program report by the US Fish and Wildlife? If we don't fine,
45 if we do.

46
47 MR. KNAUER: Nothing much to add, Mr. Chairman, other
48 than the fact that there are two new members of the Staff;
49 Steve Kovach, a Fish and Wildlife Biologist who supported the

50 northern regions has transferred to the Yukon Delta National

00236

1 Wildlife Refuge in Bethel. He has been replaced by Donna
2 Dewhurst. She's coming from King Salmon where she was the
3 Biologist for many years and prior to that a Biologist on Adak.

4
5 Conrad Guenther, the Biologist supporting the two
6 interior regions retired and he has been replaced with Mr. Pete
7 DeMatteo, who some of you may know. Pete most recently was the
8 Fish and Wildlife Biologist for the Koyukuk-Nowitna Refuges in
9 Galena. And he also assisted in some of the efforts during the
10 preparation of the Environmental Impact Statement for the
11 Federal Subsistence Program when it first started. So he is
12 coming back to us.

13
14 CHAIRMAN THOMAS: Thank you very much.

15
16 MS. McCONNELL: Could I bring up two things?

17
18 CHAIRMAN THOMAS: Okay.

19
20 MS. McCONNELL: Mr. Chairman, Fred had written up a
21 copy of the letter to the Board of Fish. It looks really good.
22 And I just wanted to concur with that. And then also I was
23 wondering about if maybe we wanted to have another letter done
24 up on a different issue that also is support from the Council
25 that -- for you, for the Board of Fish meeting, dealing with
26 keeping by-catch for subsistence purposes. And not just
27 necessarily chinook, but also for like when you're long-lining.
28 Of course they're not going to have anything to do with that,
29 but.....

30
31 CHAIRMAN THOMAS: Any by-catch?

32
33 MS. McCONNELL: Yeah, any by-catch for eating purposes.
34 I was thinking that maybe Fred could do up a letter along those
35 lines also so there's something on record that the Council's
36 supporting that. And then the only other thing that I thought
37 would be nice, with this experience today with this
38 teleconference thing, I think it would be a really good idea if
39 we directed the Staff to purchase some proper tele-conferencing
40 equipment so that it just goes with us to the meetings. So
41 that if we ever run into this again where Staff or people can't
42 make it in, that we've got the proper equipment to have them on
43 line and be attending the meeting that way.

44
45 CHAIRMAN THOMAS: That's enabling. Fred?

46
47 MS. McCONNELL: Yeah. It's good enabling.

48
49 MR. CLARK: Mr. Chairman, Ken Thompson and myself have

50 been talking about this idea and thinking that we should

00237

1 actually take it to the Office of Subsistence Management Staff
2 and look at it programmatically and try to provide a mechanism
3 for all Councils to do that very thing based on the experience
4 that we've had here.

5
6 MS. WILSON: Mr. Chair.

7
8 CHAIRMAN THOMAS: Marilyn.

9
10 MS. WILSON: Just for the record, I'd like to commend
11 Joe on setting up this system here. I thought it was pretty
12 neat.

13
14 MS. McCONNELL: Yeah, it's worked well.

15
16 MR. KOLASINSKI: Thank you very much.

17
18 CHAIRMAN THOMAS: Okay. Everybody wave goodbye to Mim.

19
20 MS. McCONNELL: I'm taking off. Thank you everybody.
21 As always, it's been wonderful people to work with and both the
22 Council and Staff. I'm going to spend the almost two hours
23 with my kids before I head back to Juneau. So, as you can see,
24 they've all been hanging around out here. I've got all three
25 of my children and my granddaughter here. So they're taking
26 precedence.

27
28 MS. WILSON: It's going to be quiet here, Mim, after
29 you leave.

30
31 MS. McCONNELL: Be thankful for small favors.

32
33 CHAIRMAN THOMAS: Yeah, we'll be done by 3:30 now.

34
35 MS. McCONNELL: Now, I've been pretty quiet recently
36 here.

37
38 CHAIRMAN THOMAS: Thank you, Mim.

39
40 MR. CLARK: Mr. Chairman.

41
42 CHAIRMAN THOMAS: Fred.

43
44 MR. CLARK: On the topic of Update of Council Requests
45 and Correspondence, the Council requested quite a few things at
46 the last meeting and I think that -- and I won't go down the
47 whole list of them, but I think I've accomplished all of the
48 items that the Council wanted accomplished during that, except
49 for one, and that was a letter to the House Committee on

50 Community and Regional Affairs and other Committees that -- in

00238

1 support of the Division of Subsistence in Funding for their
2 ongoing studies in dealing with subsistence. I wanted to wait
3 until the Legislature was back in session. Now that they are
4 in session I'll be getting that off very soon.

5
6 I do have a draft here that I could distribute to the
7 Council before we all take off so you can let me know if it
8 says what you want it to say.

9
10 CHAIRMAN THOMAS: Okay. Before we do that, in the Park
11 Service's Report, did you say all you could say about Glacier
12 Bay?

13
14 MR. CAPRA: I could add a little bit, Mr. Chairman.

15
16 CHAIRMAN THOMAS: Okay.

17
18 MR. CAPRA: For the record my name is Jim Capra, I'm
19 with Glacier Bay National Park. Not a whole lot to report from
20 Glacier Bay, other than the fact that we're just still trying
21 to expand the knowledge of the traditional uses of the park and
22 this year we've put in for three proposals, mostly related to
23 working with the Hoonah community. And to our surprise we got
24 all three. So we have a number of projects going on about the
25 traditional uses of the Glacier Bay area, and some similar
26 projects working in Yakutat with the elders there.

27
28 CHAIRMAN THOMAS: Can you be more specific on what's
29 happening in Glacier Bay?

30
31 MR. CAPRA: With the Glacier Bay ones, being up in
32 Yakutat I don't get to deal with them one on one, but they have
33 to do with the place names, the actual places and going back
34 and visiting them with some members of the Hoonah community.
35 And finding out what exactly was done there, which clans, what
36 uses, what times of year.

37
38 I can't say exactly where the programs are going to end
39 up. They just got approved in the last 10 days.

40
41 CHAIRMAN THOMAS: Well, that was going to be my next
42 question. You know, that isn't much progress to be able to put
43 a name to something when that -- when the community that
44 originated in Glacier Bay are denied access there but offers no
45 threat of any kind. And I was wondering if that was
46 progressing any at all. And realizing that you don't have
47 anything to do with those intricacies, I thought perhaps you
48 might have saw like text someplace with those regards, but
49 perhaps not. So.....

00239

1 MR. CAPRA: We've been dealing with it mostly just one
2 on one with the Hoonah community between us and the bark. And
3 I -- there's been improvement since last year.

4
5 CHAIRMAN THOMAS: That's good. Thank you. Mary.

6
7 MS. RUDOLPH: On the place names that was done, we had
8 done it I think a few years back under the Traditional Tribal
9 Council. And at the time we still had a lot of our elders that
10 were giving and identifying all the areas. It just hasn't been
11 adopted or they haven't released it yet to the Park Service
12 because of some of the restrictions that the elders have put on
13 it, like he said, not having access to the glacier itself. And
14 a lot of our elders are taking this with a little grain of salt
15 because of the problems we've been encountering in trying to
16 get into the glacier there.

17
18 And the place name is all done. They named off all the
19 areas and made corrections on it. The problem was, is we never
20 met on it. We did meet on it once and there was controversy
21 with Lisianski area. The Ravens didn't want to name that area
22 because of the opposite clans being involved. And since then
23 we've lost even more elders. So that kind of held up the
24 process there.

25
26 And then we were going to have a meeting I think in I
27 think it was in October. We were supposed to go over to
28 Glacier Bay with the elders and meet with the Park Service.
29 And just at the time one of our elders, Charlie Jack died, and
30 a lot of the elders felt they couldn't go over. So that was
31 postponed. So we're still making an effort with the elders and
32 trying to let them know what all we're doing.

33
34 CHAIRMAN THOMAS: Thank you. Pretty soon your elders
35 will be young enough to go over anyway. So you're losing all
36 your elders. But thank you for that information. Anything
37 further from TLMP? Mark.

38
39 MR. JACOBS: Glacier Bay.

40
41 CHAIRMAN THOMAS: Glacier Bay.

42
43 MR. JACOBS: Thank you, Mr. Chairman. Members of the
44 Board, I know that there's been a lot of problems with
45 subsistence users in Hoonah. I would like to point at the
46 history of claim on Glacier Bay.

47
48 Glacier Bay when it was created by an Executive Order
49 became a trespass by the United States Government taking a

50 large piece of real estate without dealing with the owners.

00240

1 The ownership is pretty well established by a court case in the
2 Tlingits and Haidas, when they required in addition to physical
3 relationship, a social relationship would establish the
4 ownership of a geographical area. This includes Glacier Bay.

5
6 That was only enough to prove your ownership was social
7 relationship. In addition to social relationship, the original
8 owner/Indians, in addition to physical and social relationship,
9 also had spiritual relationship to Hoonah. You can establish
10 this by the two old woman that refused to move when the Glacier
11 began to advance. They refused to move out of their uncle's
12 clan home.

13
14 Aren't you going to come; this glacier is going to
15 cover you up, you'd better move. The elder woman says, am I
16 going to meander out of my uncle's house for now; I am old.
17 Let this glacier cover me. So they had a service, the Indian
18 type of memorial. They piled blankets, valuable blankets,
19 Chilkat blankets on those two woman. The glacier covered them.
20 This established spiritual relationship to the Hoonah people.
21 What right does the Federal government to deny that the
22 spiritual relationship is paramount to any kind of action by
23 the United States Congress or any department of law, or
24 judicial branch claiming (indiscernible) powers over original
25 people that was here long before, these people that lived off
26 the land.

27
28 This is very sickening by a bureaucracy denying the
29 actual owners of the area known as Glacier Bay. Further, they
30 made regulations that omitted subsistence users only.
31 Arresting a person for exercising spiritual memorials by
32 killing a seal. All of these things pile up to a nasty thing
33 by the Federal government.

34
35 Now, we are as people, as Native Americans, we
36 outnumber by percentage any time there's a national crisis to
37 volunteer for military service. We are patriotic people. In
38 spite of the way we've been treated by the Federal government.
39 We outnumber any other ethnics when the national crisis comes
40 along. World War I, World War II, Korean War, Vietnam and the
41 Desert Storm. The statistics show that Native Americans by
42 percentage is the largest volunteer people in these services to
43 protect the country.

44
45 I would like these things to be recognized on our
46 ownership. It's too bad we have to bend over backwards so they
47 give us some spiritual ownership of these sacred lands. We are
48 not treaty Indians. We do not possess those documents that are
49 stained with the dripping tears of our chiefs. Thank you.

00241

1 CHAIRMAN THOMAS: Thank you, Mark. Well, TLMP's gone,
2 huh? ADF&G is gone. Any other reports? Ken.

3
4 MR. THOMPSON: Ken Thompson, Forest Service. I just
5 might comment that we appreciate again the opportunity to be
6 here. You may have recognized we've had a number of folks here
7 from our area and district offices at this meeting, some of
8 whom have attended the prior Council meeting.

9
10 We have a new designation for the Ketchikan area. Our
11 Ketchikan area's Subsistence Coordinator is Dave Johnson and
12 you probably all have had an opportunity to meet Dave here in
13 the course of the meeting. I've also, I believe, made a recent
14 designation or designation since a year ago anyway for our
15 Stikine Area Coordinator and that's Jim McKibben. Jim is not
16 able to attend this meeting, but Peg Robertson from our
17 Wrangell District Office was here. And, any other folks that I
18 haven't mentioned, Fred? And I might invite any of our folks
19 here. Jim Llanos is here from Ketchikan, Larry Meshew our
20 Program Manager from Ketchikan.

21
22 And if any of you'd care to make a comment about your
23 district organization or things that the Council should know
24 about, I'd encourage you to come about.

25
26 CHAIRMAN THOMAS: I think we should hear from Larry.
27 He's been pretty silent this whole week here. You know the old
28 tradition of saving the best for now.

29
30 MR. MESHEW: Mr. Chairman and members of the Council,
31 I'm Larry Meshew, I'm the Ecosystem Staff Officer on the
32 Ketchikan area. And as most of you probably know, Hank
33 Newhouse, our Subsistence Coordinator, retired last summer.
34 And for a while we had to get reorganized because we didn't
35 have another person that would could assign the coordinator
36 responsibilities. And also Brad Powell (ph), the Forest
37 Supervisor, felt that it would be beneficial to have the
38 Subsistence Coordinator working with the Ecosystem Staff
39 Officer because the wildlife and fisheries program are included
40 in the ecosystem's program. And so that has happened and I'm
41 now the Staff officer that's responsible for the ecosystem's --
42 or for the subsistence program.

43
44 Later then we assigned Dave Johnson as the Subsistence
45 Coordinator and we felt that it would be beneficial to have
46 Dave, because he's there adjacent to a lot of the rural
47 communities on Prince of Wales Island, as the Subsistence
48 Coordinator. We also felt that it would be beneficial to have
49 the District Ranger there, Dale Kanen who has had

50 responsibilities in subsistence in the past there to supervise

00242

1 Dave. So that's why we've made some of the decisions that we
2 have concerning the Subsistence Coordinator position.

3
4 The other thing that I'll apologize for is that it's
5 taken us a while to get ourselves organized because what we're
6 doing at this point in time is we're dispersing some of the
7 responsibilities that Hank had in the past since we were not
8 able to fill Hank's position. And oftentimes these days in the
9 Federal government we don't fill all of the positions that are
10 vacated. But we're all looking forward to continuing to work
11 with the Council, myself and Dale and Dave, and we believe that
12 by dispersing some of the responsibilities that we'll be able
13 to fill all of the roles and responsibilities that we have.
14 Thank you.

15
16 CHAIRMAN THOMAS: Thank you very much. Appreciate
17 that. Okay. We're going to have a chance to get back to the
18 audience pretty quick. How about location and dates of the
19 next meeting? Saxman put in a bid at the last meeting for a
20 fall meeting.

21
22 MR. VALE: Mr. Chairman.....

23
24 CHAIRMAN THOMAS: What?

25
26 MR. VALE: Yeah, I'd like to suggest Yakutat as an
27 excellent location for a fall meeting.

28
29 CHAIRMAN THOMAS: Well, you're going to have to fight
30 against Saxman.

31
32 MR. VALE: Well, you know, perhaps Saxman would be a
33 good location for the spring meeting, where we would want a
34 location that's more accessible to the public when we take up
35 proposals once again. A fall meeting in Yakutat -- one problem
36 with Yakutat is it's less accessible, generally speaking, to
37 the public and a fall meeting might be more appropriate if we
38 ever are to go to Yakutat.

39
40 CHAIRMAN THOMAS: Why do that if you can't be there?

41
42 MR. VALE: Could hear you, Mr. Chairman.

43
44 CHAIRMAN THOMAS: Why -- yeah, I'm sure you couldn't.
45 Why be in Yakutat if you're not going to be there?

46
47 MR. VALE: Oh, hey, I'll be there. As long as it's not
48 in September.

49

CHAIRMAN THOMAS: Oh, now we're getting picky. Give us

00243

1 your best time.

2

3 MR. VALE: First week in October.

4

5 MR. CLARK: Mr. Chairman.

6

7 CHAIRMAN THOMAS: Fred.

8

9 MR. CLARK: As far as scheduling the meeting, the one
10 real important thing we need to remember is not to overlap the
11 same dates with the Southcentral meeting because we don't want
12 to have to split Rachel and Robert in half and ship half of
13 them one way and half the other way. That would get ugly.

14
15 CHAIRMAN THOMAS: I guess you're right.

16
17 MR. CLARK: And their meeting is scheduled for October
18 7th and 8th. So allowing for travel time on either end of
19 October 7th and 8th, I would.....

20
21 CHAIRMAN THOMAS: Okay. Assuming they adjourn in the
22 morning, we won't need them till the evening.

23
24 MR. VALE: Between the 1st and 7th, any time in there
25 would be good.

26
27 CHAIRMAN THOMAS: That's a bad time, John. How about 1
28 and 2?

29
30 MR. VALE: I didn't hear that.

31
32 CHAIRMAN THOMAS: October 1 and 2?

33
34 MR. VALE: That would be good.

35
36 CHAIRMAN THOMAS: Is that good for everybody?

37
38 MS. WILSON: That won't interfere with the Yukon-Delta?

39
40 CHAIRMAN THOMAS: We don't care about them. What can
41 we anticipate for hospitality?

42
43 MR. VALE: Lots of goodies.

44
45 CHAIRMAN THOMAS: Come on. Come on.

46
47 MR. VALE: Well, there's plenty of lodging. And I
48 think our Council's presence would be very positively received.
49 I know we might have some dancers for you and lots of

50 subsistence.

00244

1 CHAIRMAN THOMAS: Where are we going to meet, the Glass
2 Dart?

3
4 MR. VALE: At the A&B Hall.

5
6 CHAIRMAN THOMAS: Oh, okay. Yakutat the first couple
7 of days in October sound good to everybody?

8
9 MR. GEORGE: So moved.

10
11 CHAIRMAN THOMAS: Okay. It's been moved that we meet
12 October 1 and 2 in Yakutat.

13
14 MS. WILSON: I second that.

15
16 CHAIRMAN THOMAS: Been moved and seconded. All those
17 in favor say aye.

18
19 IN UNISON: Aye.

20
21 CHAIRMAN THOMAS: All those opposed same sign.

22
23 (No opposing responses)

24
25 CHAIRMAN THOMAS: All those that say (Indiscernible)
26 for Saxman say (Indiscernible). Okay. Typically at the close
27 our meetings in this Regional Council, we really appreciate the
28 time that you've taken to be here, the effort that you put into
29 your participation, the generosity of your input and we like to
30 top that off with an opportunity for you to make comments to
31 the people in the building here. And I have you broken into
32 non-Agency people, Agency, Staff and Council. So, if there's
33 any members of the public here that aren't a member of State or
34 Federal agency, if you have any comments to offer we would
35 welcome them at this time. For the good of the order, Mark.

36
37 MR. JACOBS: Thank you, Mr. Chairman. Mark Jacobs, Jr.
38 I read in these regulations here some things that need
39 clarification. One is one permit per household. There's no
40 specification as to whether or not that is a household permit
41 that can be used by other members of that same family. I did
42 have problems with a permit system under the State when they
43 first implemented the abalone permit thing.

44
45 My brother-in-law, who is a Caucasian, went to the Fish
46 and Game Office here locally in Sitka and asked for a household
47 permit. And he got a household permit. At that time was 50
48 abalone, legal size per permit per day. And the permit they
49 gave him was for a household of four. So I thought this was

50 very good. Now, I can afford the gas to go get some abalone

00245

1 for four people, 50 legal size. I'm entitled to 200.

2

3 So I went to the Fish and Game Office and asked for a
4 household permit. And the lady was writing it out for me when
5 the agent came running over and said only the holder of the
6 permit is entitled to 50. And there was an old Caucasian lady
7 standing by there. She says, I came for a household permit.
8 And that same person said, we'll give you a household permit.
9 Now, they're entitled to four and I'm entitled to 50.

10

11 So I called the Juneau office and I asked for an
12 audience in Sitka. We had that thing straightened out and the
13 Department dropped that household permit for abalone right at
14 that moment. We didn't have any permit system for abalone.
15 And since that time abalone has been exploited. They cut us
16 down to a very small amount, while the commercial divers can
17 take quite a bit.

18

19 The household permit was an outright discrimination.
20 When the Biologist -- previous Biologist in the office was a
21 witness to this and when I made a number of calls, I had a call
22 from Anchorage apologizing for this thing that happened to me.
23 I said, you're not to apologize, I'm glad it happened to me. I
24 don't know how many other Indians have been treated this way.
25 So I'm glad it happened to someone that would speak up and
26 point out the discrimination practiced by the Alaska Department
27 of Fish and Game.

28

29 Another one that is a nuisance is a regulation that I
30 find in this book here, is the removal of the dorsal fin from
31 an old salmon that is caught on a subsistence permit. The
32 dorsal fin is very important in our drying of fish. The first
33 thing we do when we cut it open and gut it is we hang it in a
34 rack and I'll skin out with the dorsal fin sticking up. And
35 after an overnight of drying that dorsal fin is rigid. Then
36 when we turn it over and cut it into dry fish, that dorsal fin
37 acts as a leverage to keep the fish from falling off the racks.

38

39 Now, I call this a nuisance regulation to remove the
40 dorsal fin from fishing from any subsistence fish that is
41 caught and especially salmon. So I call it -- and that is a
42 State regulation also. It's a nuisance. It should be applied
43 to everybody and not subsistence only. Shellfish, abalone, sea
44 cucumber, there is nothing the Biologist knew about the sea
45 cucumber when I got called up to the local office. What they
46 wanted to hear from me is, we want to hear from you how the sea
47 cucumber fishery affect your subsistence way of life.

48

49 I said I'm glad you asked that question. Now, that

50 you've fished out Sitka Sound of sea cucumber, which we call

00246

1 yen (ph), how long will it take to replenish itself? They
2 didn't know. How long does it take for abalone -- I mean sea
3 cucumber to mature before they can begin to reproduce? They
4 didn't know. Are they a mobile animal? Can they wiggle away
5 from a danger? They said no. Do you know of any marine life
6 predators of abalone -- I mean I keep saying abalone, sea
7 cucumber? They didn't know.

8
9 Now, we know that crab or rock fish, when they begin to
10 tease the cucumber they stiffen up. And if that harassment
11 keeps up, then they get rid of their innards. And when that
12 happens the table is set for that crab or that rock fish. I
13 asked one question, the Fish and Game Department and US Fish
14 and Wildlife and the Bureau of Indian Affairs held up our boat
15 harbor for three years or more, tripling the cost of that all
16 because there was eel grass present in that cove. They contend
17 that that eel grass contributes to the nutrients of other sea
18 life. So they put a damper on that while the price was going
19 up to build that boat harbor. By the time it was built it
20 tripled.

21
22 Now, I talked about the sea cucumber emitting its
23 innards. That's a system of marine life where yen (ph), sea
24 cucumber, is providing nutrients for other sea life. And it
25 should be treated the same as eel grass. And there should be
26 more known about this animal before it's commercially
27 exploited.

28
29 CHAIRMAN THOMAS: Okay. Thank you, Mark. Anybody
30 else?

31
32 MR. NIELSON: Thank you, Mr. Chair, Board. I'd just
33 like to make some comments concerning the Sitka Tribe and A&B's
34 action on the proposals when we went to the State Board of
35 Fish. Now we were well prepared. This is not just the work of
36 one year, many years, many generations. What we attempted
37 there was finally getting our recognition for who we are, what
38 we are, what we do and how we do it. That pertains to the rock
39 fish, bottom fish, the ones we got c&t designations.

40
41 My intention and the way I feel about it is at this
42 point we no longer want to use the word subsistence pertaining
43 to the proposals that we got through and obtained c&t
44 designations. This is a big victory for us. And it came about
45 through the actions of Sitka A&B Subsistence Committee, Sitka
46 Tribe Subsistence and Cultural Committee and combined joint.
47 And what we pulled off with the State Board of Fish was pretty
48 stunning. Pretty hard to grasp when we got unanimous vote for
49 what we accomplished.

00247

1 And for Boards, that was big. I went to one three
2 years ago. It was night and day. They did their job, we did
3 our job, Sitka Fish and Game Advisory Committee did our job.
4 And this Board is pretty solid too and we enjoy working with
5 good Boards and local level tribe, Native or non-Native. And
6 as far for cooking, I enjoy cooking because it keeps your mouth
7 busy.

8
9 CHAIRMAN THOMAS: Thank you Ray. Anybody else? Jude.

10
11 MS. PATE: My name is Jude Pate, I'm Attorney for the
12 Sitka Tribe. I would like to thank the Council for coming.
13 I'm sorry I've been kind of holed up in my corner and haven't
14 been able to participate as much, but I have been learning of
15 what was going on through the other Staff and representatives
16 here.

17
18 I'd like to make one comment, it's on the extent of
19 Federal jurisdiction. And I realize that you all were briefed
20 on that on the fisheries. I realize that you're experts and
21 your Staff has presented information. I wanted to point out
22 that I think there is a document and there is some evidence out
23 there that Federal jurisdiction may extend beyond the waterways
24 that have been identified in the Federal regulations. That
25 there are some documents, and I'm sorry I don't have it here
26 for you right now, but I've been informed that the Forest
27 Service does have one dated 1925 that shows the jurisdiction
28 extending out some 60 miles.

29
30 I also believe that there is legal and policy grounds
31 for extending jurisdiction of ANILCA out further. It leaves
32 Southeast in a quandary where most of the subsistence foods are
33 left unprotected by ANILCA and relied on State jurisdiction. I
34 realize this is contrary to some of what has been presented,
35 however, I thought you should know that Dot is the legal
36 situation as far as I see it. As Attorney for the Sitka Tribe
37 I'll present you, through Mr. Fred Clark, with a copy of that
38 document when I receive it, which will hopefully be this
39 afternoon. And comments on the annual reports.

40
41 And I wish to compliment the Staff and you all. And,
42 again, thank you for being here.

43
44 CHAIRMAN THOMAS: Thank you very much. Anybody else?
45 Agency. Any Agency people got anything to say? Clarence.

46
47 MR. SUMMERS: Mr. Chairman, Council members, my name is
48 Clarence Summers for the record. I'd just like to thank you
49 for having this meeting here in Sitka, one of my favorite

50 places in Alaska to visit. And I'd like to thank the Sitka

00248

1 Tribe for hosting this meeting. I look forward to your next
2 meeting in Yakutat having lived there for about seven years
3 working for the Park Service. And once again I'd like to
4 compliment you on your work addressing proposals.

5
6 CHAIRMAN THOMAS: Thank you. Any other agency? Jim.
7 Okay. Council. Vicki, any comment?

8
9 MS. LeCORNU: Yeah, I have some closing remarks. In
10 fact I have some here, closing remarks from Hydaburg Advisory
11 Committee. It's February 7th, '96, remarks there to our
12 meeting in Wrangell. They note that ANILCA is Indian
13 legislation. Congress invoked its constitutional authority
14 over Native affairs and its constitutional authority under the
15 property clause and the commerce clause to protect and provide
16 the opportunity for continued subsistence uses.

17
18 The State of Alaska continues to foster a policy
19 adverse to the interests of the cultural heritage of the Native
20 Villages in rural Alaska and their people. Alaska Natives
21 assert their inherent rights of self-government in a sincere
22 attempt to resolve the many problems confronting the villages
23 and people. The State of Alaska has expended vast amounts of
24 scarce resources to frustrate and confound the tribal
25 government. And it also quotes ANILCA where it is a property
26 and commerce clause protection.

27
28 And my other comments were on the comments on the
29 fisheries and the advanced notice. Some of the comments were
30 adverse to Natives, customary trade and I noticed that they
31 divided the comments up. And I don't think they should ever be
32 used as a vote. They're not a vote. They're comments and they
33 should all be checked out for their reason and not the number
34 of votes that were used -- or comments. So check the reasoning
35 and not the -- don't make it a vote.

36
37 And I'm not sure about this proposed rule. I just hope
38 that it extends to protect us and I hope, you know, that's our
39 role to extend it and not just to the Federal proposed rules
40 and that we need to extend the rules to us.

41
42 The other comment I had was on the letter to the
43 Federal Subsis -- from the Federal Subsistence Board to
44 ourselves. And on the fisheries, the preliminary draft is
45 designed to provide a priority for subsistence uses of fish on
46 the public lands with the least possible disruption to existing
47 fishery management systems. And I didn't understand why that
48 was put in there. Who are we protecting; the commercial over
49 subsistence user? That's what that comment looks like. That

50 was from Mitch Demientieff and it's in your packet. So I think

00249

1 that's all I have. Thanks.

2

3 CHAIRMAN THOMAS: Thank you. Herman, no comment?
4 Gabe.

5

6 MR. GEORGE: No comment.

7

8 CHAIRMAN THOMAS: John.

9

10 MR. FELLER: I'll pass too.

11

12 CHAIRMAN THOMAS: Mary.

13

14 MS. RUDOLPH: I just want to thank the Staff and all
15 the ones that were involved in getting all this information and
16 working with us so patiently. And hopefully we were just as
17 helpful to you as you have been to us.

18

19 The thing I wanted to speak on was mention that the
20 concerns we have about a write-up that was done in the
21 newspaper about the spruce and different herbs that were going
22 to be looked into by this guy that wanted to start a business.
23 I know we talked about in Kake where we felt that was knowledge
24 that we needed to keep within our villages and now we're seeing
25 it become a reality. And I was kind of alarmed when I read
26 about it and I thought I would mention it and I totally forgot
27 about it until just a few minutes ago. And it's something that
28 I know some people are concerned about.

29

30 Like just about everything that happened with a lot of
31 our resources and a lot of our things around us, we usually
32 almost wait until we're right up against a wall and I see this
33 kind of happening with this. So I think it should be the
34 response from different places that are dealing with these
35 spruce roots and herbs and different things that we use for our
36 own resources to get back to either the Federal or the State on
37 this.

38

39 Again, I enjoyed seeing all of you and I enjoyed
40 meeting the new ones that came in and had a good time on having
41 our meetings here. So thank all, the Cook and Sitka Tribe for
42 hosting this.

43

44 CHAIRMAN THOMAS: Marilyn.

45

46 MS. WILSON: I have my own. Mr. Chairman, Council
47 members and all of the good people that helped us through this
48 meeting. Just like Mary says, I think we all help each other.
49 And I think I'm starting to remember more names each year I

50 come. I thank the Sitka Tribes for hosting this meeting.

00250

1 Especially for the cooks back there who worked hard to feed us.
2 And it was some good food, subsistence food there, customary
3 and traditional food.

4
5 I wanted to mention too that we never made any comment
6 on the proposed fisheries -- I'm getting tired, I guess, I
7 can't even think. But I think we need to do that as a Council
8 because we can't just let it go forward in case that the
9 Legislature does fund it and it goes to the public. We need as
10 a Council to address this and put our two cents in so that we
11 won't be regulated out of subsistence. And that's about all I
12 have to say.

13
14 CHAIRMAN THOMAS: Okay. Thank you. John, are you
15 still there?

16
17 MR. VALE: Yeah, I'm still here.

18
19 CHAIRMAN THOMAS: Got any closing comments?

20
21 MR. VALE: Yes. I'd be happy to. I guess I would -- I
22 guess I'd like to thank the Staff for their excellent work they
23 did on the Staff reports, the accuracy of the reports. They
24 did a good job once again. And it's refreshing to read their
25 work on -- realizing that a lot of quality work has gone in
26 there. So good job there. And I regret not being in Sitka
27 with you guys. I wished the airplane had stopped and picked me
28 up but they did not. It's been difficult to work over the
29 phone here, but I'm glad at least I was able to participate a
30 little bit. And I'll look forward to seeing you all in
31 Yakutat.

32
33 CHAIRMAN THOMAS: Okay. John, thank you. Well, we're
34 sorry you aren't here either, but your lunch plate is still
35 over there full. Okay. Thank you for taking the time to
36 wrestle with that telephone all afternoon.

37
38 I took would like to thank Sitka Tribe for hosting
39 this. A beautiful facility. There's a lot of displays here
40 that show the progress and the hard work and the commitment to
41 doing a good job in Sitka. Your commitment to subsistence and
42 your identity is commendable. And I think you're a good
43 standard for other areas of the region.

44
45 The cooks, thank you very much, the food was
46 outstanding as usual. And to the local Forest Service, Ted,
47 thank you very much for your hospitality and your help in the
48 many areas of transportation and information and your continued
49 support. We appreciate that very much.

00252

C E R T I F I C A T E

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6

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

7 I, Joseph P. Kolasinski, Notary Public in and for the
8 State of Alaska and Reporter and Owner of Computer Matrix, do
9 hereby certify:

10
11 THAT the foregoing pages numbered 136 through 251
12 contain a full, true and correct Transcript of the Southeast
13 Federal Subsistence Regional Advisory Council, Volume II,
14 meeting taken electronically by me on the 12th day of February,
15 1997, beginning at the hour of 8:30 o'clock a.m. at the Offices
16 of the Sitka Tribe of Alaska, Sitka, Alaska;

17
18 THAT the transcript is a true and correct transcript
19 requested to be transcribed and thereafter transcribed by Mary
20 E. Miller and myself to the best of our knowledge and ability;

21
22 THAT I am not an employee, attorney, or party
23 interested in any way in this action.

24
25 DATED at Anchorage, Alaska, this 23th day of February,
26 1997.

27
28
29
30
31
32
33

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