

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6 VOLUME II

7  
8 Sitka, Alaska  
9 October 12, 2006  
10 8:30 o'clock a.m.  
11

12  
13 COUNCIL MEMBERS PRESENT:

- 14  
15 Bertrand Adams, Chairman  
16 Michael Bangs  
17 Nicholas Davis  
18 Michael Douville  
19 Floyd Kookesh  
20 Dolly Garza  
21 Donald Hernandez  
22 Harvey Kitka  
23 Patricia Phillips  
24 Richard Stokes  
25 Frank Wright  
26  
27  
28 Regional Council Coordinator, Robert Schroeder  
29

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P R O C E E D I N G S

(Sitka, Alaska - 10/12/2006)

(On record)

CHAIRMAN ADAMS: We'll give you one minute to get to your chairs, we're going to call the meeting to order.

(Pause)

CHAIRMAN ADAMS: If Mr. Schroeder would come and take his seat we'll call this meeting to order.

(Pause)

CHAIRMAN ADAMS: Good morning, ladies and gentlemen. It looks like it's going to be a beautiful day today and, you know, it would be kind of sad to be sitting here all day going through these proposals but work has to be done.

Right at the top of our agenda today, and it's not on there, I want to recognize Dewey Skan who was just newly elected as the Grand Camp president for the Alaska Native Brotherhood. He has to catch an airplane this morning so I'd like to invite him to come down and please address the Council.

Mr. Skan.

MR. SKAN: Thank you. Mr. Chairman. Bert. Members of this Board. Staff. Interested persons. Citizens. My name is Dewey Skan. I've been elected to my second term to the Alaska Native Brotherhood Grand Camp.

And it's my duty on behalf of our organization to go forth and build partnerships with everyone, you know, that's involved in our daily lifestyle. The ANB and ANS has been the face of the Tlingit and Haida people for darn near 100 years now and I stand before you and I respect your efforts and I appreciate this opportunity to say a few words.

I served on this Board from 1992 to 1995, and I am the one, along with Vicki LeCorneu of Hydaburg that implemented the one doe per Native family on Prince of Wales Island, we took a lot of heat. The Chairman at

1 that time of this RAC was Bill Thomas, he took a lot of  
2 heat, but we felt that it was important that we harvest  
3 both sides of the harvest, you know, it's not healthy to  
4 take one side of the resource in the old Tlingit culture.

5  
6 I hope you collaborate, you know, and  
7 have due diligence on all the matters that are before  
8 you, show one another respect. I listened to some of the  
9 debate yesterday, it looked like it got kind of testy but  
10 healthy debate with conflicts resolution is what we're  
11 all about as a people. If you come and debate and debate  
12 and you're wrong and you lose then you go away mad and it  
13 doesn't behoove us as a people and we can't move forward  
14 because there's that thought that we don't support one  
15 another. Stand firm in your convictions and inform  
16 people about what you're doing, you know, inform people.

17  
18 And I kind of have heartburn because we  
19 do not have a person from Klawock sitting on this Board  
20 for several years and when you're going to discuss  
21 natural resource issues from each particular region, you  
22 should really be called and look around and see if we  
23 have someone from each village, I believe there's 13  
24 villages in the region, and so we could protect ourselves  
25 individually, you know, with the resources that we have.

26  
27 Not long ago we found out that the sea  
28 cucumber was opened up in our subsistence zone, which I  
29 believe used to be 13(B) I believe, and we found out  
30 about four days before the harvest season and some of the  
31 commercial guys that love the resource from the two towns  
32 of Craig and Klawock were the ones that gave us the  
33 head's up and I'd been on the road quite a bit with  
34 different matters, and I don't know how that happened,  
35 but there's been tremendous, tremendous pressure from  
36 certain individuals on Prince of Wales Island to  
37 commercialize sea cucumber.

38  
39 But I'm just not talking to you as an ANB  
40 member now but as a concerned member of the Tlingit  
41 society.

42  
43 Another thing that you probably shouldn't  
44 be discussing is the Klawock Lake sockeye scenario put  
45 out by another entity. We, in 1986, with our Klawock  
46 Advisory Council gathered one winter in Klawock board  
47 room because we had a concern for this resource. There  
48 was people going up into the river, going up into the  
49 tributary, you know, and harvesting the resource and they  
50 weren't having a chance to escape. We, at this time, we

1 harvest the sockeye in the lagoon, with a tool called the  
2 drag seine, it's like a big boat, you know, if you call  
3 it beach seine, then you got to go beach to beach so we  
4 don't harvest stuff in the river unless we have to, and  
5 that's usually the old humpy, you know, the Tlingit  
6 people like for boiled fish in September and October. So  
7 it's kind of a concern of mine when you're discussing the  
8 Klawock sockeye and there's no one here to protect the  
9 resource, you know, talk about some of the stuff that we  
10 should do to protect it.

11  
12                   So I just would like to voice a concern  
13 over that, you know, if you're going to talk about an  
14 issue, a resource that is near and dear to our heart, we  
15 should be at the table. You know, a lot of people aren't  
16 on your reader's file, and I would encourage you, Staff  
17 people, to get out there and talk about it when you go  
18 visit somewhere, take some copies of what you're going to  
19 do or if you're going into the Ketchikan area or Saxman  
20 area or Klawock area, the main topic for that area, in my  
21 opinion, you should put it in the Ketchikan paper or the  
22 Island News in Klawock, then we're aware of something --  
23 some of the stuff that's going on.

24  
25                   I don't want to sound like I'm bashing  
26 you, I just want to let you know that I'm here to create  
27 a partnership with you people and I hope from this day  
28 forth that, you know, we go forward and help one another  
29 preserve the resource and get some input from people that  
30 your decisions affect.

31  
32                   So I appreciate this opportunity. I've  
33 got one more duty to do and I got to stop in Ketchikan  
34 today so I'm just frazzled, you know, but it's the charge  
35 of my people, the ANB and the ANS to go out and, you  
36 know, put a new face on the ANB and ANS, and that's what  
37 I am, positive, want to do something constructive for our  
38 people, and I respect what you all are doing.

39  
40                   So I thank you, Mr. Chairman Adams, Board  
41 members and Staff, for the opportunity to sit before you  
42 for a few minutes and, you know, just say hello and let  
43 you know who I am and create a partnership with your  
44 entity and I encourage you all, when you head home to pay  
45 your ANB and ANS dues.

46  
47                   Thank you, very much.

48  
49                   CHAIRMAN ADAMS: Thank you, Dewey. Just  
50 stay there, there might be some questions that Council

1 might ask of you. But let me just, you know, reiterate  
2 some of the things that you alluded to us here.

3  
4 I really am a strong advocate, you know,  
5 and I think the Council is, you know, for outreaching to  
6 the communities. Now, maybe we haven't been as effective  
7 as we should, you know, for that, but I think towards the  
8 end of this meeting, maybe tomorrow, I'm going to bring  
9 that up as a matter of discussion.

10  
11 I appreciate the idea that you would like  
12 to partnership, you know, with this organization. ANB is  
13 one of the organizations that can provide us with that  
14 outreach. I'm also a strong believer in local  
15 involvement. Take, for instance, if somebody wants to do  
16 a proposal to change a regulation, you know, writes up  
17 the regulation, in many instances we see on our agenda,  
18 you know, where individuals have submitted a regulation  
19 change, that doesn't go too well with me and, you know, I  
20 think the Council scrutinizes that very closely. If it  
21 goes through the public process, okay, like you have a  
22 strong ANB organization in those communities or an  
23 advisory committee or a member from this community that  
24 might be from that community, I sympathize with you that,  
25 you know, Klawock doesn't have a member on this Board,  
26 maybe that can be corrected in the future, but it needs  
27 to go through a process that will provide us with good,  
28 credible evidence that the community knows what they  
29 want. And if we can make that happen through the public  
30 hearing process, if an organization, you know, even if an  
31 individual presents a proposal, if an organization backs  
32 it up, puts their name on it, then it's going to hold a  
33 lot of weight at this level here. And I have said before  
34 if this Council submits a regulation change to the  
35 Federal Subsistence Board there's a 99.9 percent that it  
36 will become regulation.

37  
38 So that's the process, you know, that I  
39 think that we are looking for here. And if you can  
40 provide that avenue through the Alaska Native  
41 Brotherhood, you know, that'd be great.

42  
43 Thank you, Dewey.

44  
45 MR. SKAN: Thank you, Mr. Chairman.

46  
47 CHAIRMAN ADAMS: Is there any questions  
48 that anyone would like to ask Dewey.

49  
50 Dr. Garza, and then Floyd.

1 DR. GARZA: Thank you, Mr. Chair. I  
2 guess I would like to find out at this last Convention,  
3 whether or not you guys took up any subsistence proposals  
4 or had resolutions to support Sitka, Ketchikan or Saxman  
5 in rural status?  
6

7 MR. SKAN: Like I said, I didn't see any,  
8 and we usually don't interfere in the affairs of the  
9 region, you know, we're here to support.  
10

11 As I say there's two resolutions  
12 concerning a matter from a previous administration that  
13 sunsets Saturday and then, you know, my duties for coming  
14 here so our resolutions aren't in hard copy yet but they  
15 should be by next Tuesday, and if need be then we'll  
16 draft a letter, you know, in support or we'll see what  
17 our executive committee says.  
18

19 CHAIRMAN ADAMS: Mr. Kookesh.  
20

21 MR. KOOKESH: Mr. Skan, again,  
22 congratulations. You know, that when I heard that you  
23 won, I called you and I was very glad to see you sitting  
24 in the position as the Grand Camp President.  
25

26 I was sit here wondering if Bert reads my  
27 notes while I'm writing them while he's making his  
28 speeches.  
29

30 (Laughter)  
31

32 MR. KOOKESH: But one of the things that  
33 I've always been a proponent of is advocating for  
34 regionwide council, not just one council from a certain  
35 area. I believe it's very important that we have a fair  
36 representation all the way across the Board, and I know  
37 that as Grand Camp President you can carry that message  
38 forward for us. I'll continue to advocate for regionwide  
39 representation. We may sit here and speak on our  
40 communities but I want us to represent our region and  
41 hopefully you'll carry that message forward because you  
42 are the Grand Camp president and I know you have that  
43 within you, anyway, regardless of whether or not you sit  
44 in the position of the president or not.  
45

46 One of the problems that I've constantly  
47 recognized here and it bothers me is why we don't have  
48 public comments. There's something failing here. It's  
49 been advocated that everybody has that opportunity and I  
50 don't know. I think maybe it has something to do with

1 the way we're doing our process, we don't even get one  
2 comment from a tribal government. We don't even get one  
3 public comment from an individual. And something's wrong  
4 with our system. We're making decisions that affect  
5 people's lives and yet we're not even hearing boo, and  
6 that bothers me, and hopefully you can carry that forward  
7 and let the delegates know that they need to become more  
8 receptive or come after us and we could point the finger  
9 all over, I guess, if we wanted to, but somewhere it has  
10 to kick in, it doesn't seem to be working here.

11

12 So maybe you can fix that one for us.

13

14 Like I said earlier, this process affects  
15 all the residents in this region and we certainly look  
16 forward to your support and I'm glad to know that you're  
17 out there advocating for everyone to come together and to  
18 be one.

19

20 Thank you.

21

22 MR. SKAN: I appreciate your comments,  
23 Floyd. And that is my remark, you know, if you have a  
24 reader's file let us know because looking at your agenda  
25 a few minutes ago, you're discussing the Klawock sockeye  
26 presentations by another entity that I'm not a member,  
27 I'm about a five or six times Klawock IRA president and  
28 we track all this stuff and how it slipped through the  
29 cracks, I don't know, I'm not a board member of the IRA  
30 in Klawock at this time. But that's what I mean, you  
31 know, if you're discussing a natural resource issue from  
32 some entity that's not here, I don't think that's fair.

33

34 And I've known Bob for a long time and  
35 sometimes it almost feels like the State philosophy is  
36 filtering over into this entity and that's a cause for  
37 concern for a lot of people.

38

39 CHAIRMAN ADAMS: Any other questions from  
40 members of the Council.

41

42 (No comments)

43

44 MR. SKAN: I got one comment. Bob's old  
45 boat's tied up in Klawock.

46

47 (Laughter)

48

49 DR. SCHROEDER: Maybe I can come down and  
50 reclaim it.

1 (Laughter)

2

3 MR. SKAN: Yeah, it's your sovereign  
4 right.

5

6 (Laughter)

7

8 CHAIRMAN ADAMS: Okay, Dewey, well,  
9 thanks a lot for being here and we appreciate your  
10 comments.

11

12 MR. SKAN: Yeah.

13

14 CHAIRMAN ADAMS: Let me just say a  
15 philosophy that I have reiterated here and when John was  
16 the Chairman, you know, he always emphasized that things  
17 begin from the bottom and works its way up.

18

19 And, you know, when the Indian  
20 Reorganization Act came into being in 1934, it caused a  
21 lot of controversy in the Alaska Native Brotherhood, it  
22 was half and half split as to whether we should go for  
23 IRAs or not. And one of the comments that I want to  
24 share with you is that there was an article written in  
25 the Indian Report in 1947 by a guy by the name of Felix  
26 Cohen who addressed the idea of self-governance.

27

28 And he says, not all who speak of self-  
29 governance mean the same thing by the term, however,  
30 self-governance really means that decisions are made, not  
31 by any thrown from Washington or from Heaven, but by the  
32 people who are directly affected by it. And that means,  
33 you know, those kinds of ideas and proposals that we will  
34 be taking here should come from the communities, it  
35 should come from people, your constituents, because we  
36 are making regulations here that are going to affect  
37 their lives.

38

39 And so, you know, with your commitment to  
40 partnership, you know, with us and other organizations, I  
41 think you have a very powerful role there and I wish you  
42 all of the luck as you go forth and bring back the Alaska  
43 Native Brotherhood to the status that it used to be.

44

45 Good luck.

46

47 Gunalcheesh.

48

49 MR. SKAN: That is my intention, Mr.  
50 Chairman, and our 100th anniversary is in 2012, so my

1 goal is to have about 4,000 ANB and ANS members during  
2 that time and any one of you here, no matter what race  
3 you are, are invited to join, wherever you live.

4  
5                   So with that, thank you for the  
6 opportunity and good luck in your endeavors on behalf of  
7 our people.

8  
9                   CHAIRMAN ADAMS: Mike has a comment, so  
10 stay put.

11  
12                   MR. SKAN: Mike.

13  
14                   MR. DOUVILLE: Thank you, Mr. Chairman.  
15 There's many local people upset about the cucumber  
16 opening you're talking about, we always felt it was  
17 closed, Tlingit/Haida addressed this issue many years ago  
18 and it's never been opened since and so everybody was  
19 kind of lulled to sleep, I guess.

20  
21                   The proposal to open it came from the  
22 Southeast Dive Association, and they didn't do anything  
23 wrong, they followed the due process. It's just that  
24 everybody was comfortable that it would never be opened,  
25 but that was not the case, so hopefully the ANB will  
26 address it on the next cycle, and that cycle will be up  
27 before the next cucumber rotation opening will be, so  
28 there's an opportunity to address that issue.

29  
30                   The other thing I'd like to talk about is  
31 this proposal for Klawock sockeye is in saltwater, the  
32 regulation change that it's requesting, and I doubt that  
33 there's very little that we can do to address that, that  
34 would be a Board of Fish issue, however it is in the  
35 book.

36  
37                   MR. SKAN: Thank you, Mike. And I'd like  
38 to let the Board members know that Mike and Thomas George  
39 and a few other of the commercial guys in the Prince of  
40 Wales area were the ones that alerted us in Klawock to  
41 the opening and we thank you, Mike, for your concern for  
42 the resource.

43  
44                   CHAIRMAN ADAMS: Okay, once again, Dewey,  
45 have a safe trip and good luck.

46  
47                   MR. SKAN: Thank you. I'm going to go  
48 home and kick my dog and start all over again.

49  
50                   CHAIRMAN ADAMS: Before we go any further

1 I got something I want to share with you, you know,  
2 sometimes it's a good idea to ingest a little bit of  
3 humor into meetings such as this. And this kind of  
4 demonstrates what can happen when a story gets started  
5 from down there and ends up over here.

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It says here that the Colonel told the Major at 9:00 o'clock in the morning there will be an eclipse of the sun, something which does not occur everyday, get the men to fall out in the company's street in their fatigues so that they will see this rare phenomenon, and I will explain it to them. In case of rain, we will not be able to see anything, so take the men into the gym.

Now, the Major told the Captain, by the order of the Colonel tomorrow at 9:00 o'clock there will be an eclipse of the sun, if it rains you will not be able to see it from the company's street, so then in fatigues the eclipse of the sun will take place in the gym, something which does not occur everyday.

And then the Captain told the Lieutenant, by order of the Colonel in fatigues tomorrow at 9:00 o'clock in the morning the inauguration of the eclipse of the sun will take place in the gym. The Colonel will give the order if it should rain, something which occurs everyday.

The Lieutenant told the Sergeant, tomorrow at 9:00 the Colonel in fatigues will eclipse the sun in the gym as it occurs everyday if it's a nice day. If it rains then, then the company -- then in the company's street.

The Sergeant told the Corporal, tomorrow at 9:00 the eclipse of the Colonel in fatigues will take place by the cause of the sun. If it rains in the gym, something which does not take place everyday you will fall out in the company's street.

And this is what the Private understood.

1                   Tomorrow if it rains it looks as if the  
2                   sun will eclipse the Colonel in the gym.  
3                   It is a shame that this does not occur  
4                   everyday.

5  
6                   (Laughter)

7  
8                   CHAIRMAN ADAMS: Okay. We're still on  
9 Proposal 18 and 19, and we're at a point now where  
10 InterAgency Staff will make comment. And following them  
11 the Fish and Game Advisory Committee, summary of written  
12 public comments and then public testimony will take  
13 place. So InterAgency Staff, please, Mr. Kessler.

14  
15                   MR. KESSLER: Thank you, Mr. Chairman.  
16 Members of the Council. The Staff Committee doesn't have  
17 any comments on this proposal. The proposal is being  
18 well addressed. There are lots of different issues  
19 associated with this. If there are any specific  
20 questions I can answer those.

21  
22                   CHAIRMAN ADAMS: Questions to Steve,  
23 anyone.

24  
25                   (No comments)

26  
27                   CHAIRMAN ADAMS: Thank you, Mr. Kessler.  
28 Any Fish and Game Advisory Committee people here.

29  
30                   (No comments)

31  
32                   CHAIRMAN ADAMS: Dr. Schroeder, do we  
33 have any written comments.

34  
35                   DR. SCHROEDER: Mr. Chairman. There are  
36 no written public comments on this proposal.

37  
38                   CHAIRMAN ADAMS: Okay. We're next on to  
39 public testimony. Is Tom Gamble here.

40  
41                   (No comments)

42  
43                   CHAIRMAN ADAMS: Tom Gamble isn't here.  
44 If he should show up at any time during the day then  
45 we'll give him an opportunity, you know, to have his say.

46  
47                   So the next thing that we need to do now  
48 is Regional Council deliberations.

49  
50                   When we consider these proposals, you

1 know, there is a motion that is going have to be made  
2 either to accept it or -- and then if we want to do, you  
3 know, I think what we need to do is when the motion is  
4 made, it's always been our practice, you know, to make a  
5 positive motion, and then to discuss it and then we vote  
6 on it.

7

8 But then when we go through the process  
9 of discussion, you know, there are four criteria that we  
10 always need to bring out and when you are discussing it,  
11 you know, if you are making the motion or discussing it  
12 you need to address these four criteria.

13

14 1. Is there a conservation concern.

15

16 2. What is the affect on subsistence  
17 users, is it going to be positive or  
18 negative.

19

20 3. Is there adequate or substantial data  
21 to support the recommendations. You  
22 know, we've supposedly have read through  
23 the proposal and we should be, as Council  
24 members, be able to identify those.

25

26 4. What does the effect of this proposal  
27 have on other users.

28

29 So that's the criteria, you know, that I  
30 think the Council has adopted in the past and we will  
31 carry that same process at this time.

32

33 DR. SCHROEDER: Mr. Chairman. I think we  
34 do have some public testimony. The sheets are right  
35 there.

36

37 CHAIRMAN ADAMS: Okay, public testimony.  
38 Mike Miller. Public testimony, we still have some people  
39 that want to do that. Mr. Mike Miller. And then Helen  
40 Lorrigan, is she here, okay. Come forward please.

41

42 MR. MILLER: Thank you, Mr. Chair. Good  
43 morning to everybody, I hope you had a nice evening here.  
44 It's a beautiful day out, wish we were out there.

45

46 I'm going to speak just briefly. My name  
47 is Mike Miller. I always say I'm going to just speak  
48 briefly and then I ramble on a lot of times. But I did  
49 talk yesterday quite a bit about this issue, Proposals 18  
50 and 19, submitted by the Sitka Tribe.

1 I am a harvester of herring eggs in  
2 Sitka. I'm a provider to a lot of people. In my surveys  
3 for the last five or six years when we've been doing  
4 them, I've been averaging around 4,000 pounds of eggs a  
5 year that I ship out on branches to family, friends,  
6 extended family, all around the state and out of the  
7 state also.

8  
9 I do not sell the herring eggs that I get  
10 on branches but give them to the people that ask for  
11 them.

12  
13 I'm going to just reiterate basically  
14 what we said yesterday. I am personally also am in  
15 support of the proposals from the tribe in the closures  
16 of the areas. I've represented the tribe for many years  
17 now on specific issues involving the herring egg fishery  
18 in Sitka Sound.

19  
20 There's a few things that have just been  
21 troubling to me is, you know, why we're here, we talked  
22 about it yesterday but from my standpoint it's personally  
23 troubling because I've been, to be honest, one of the  
24 biggest proponents, I feel, in the tribe, in working with  
25 the State process. I put a lot of effort into the  
26 development of the MOU with the State and really worked  
27 with the tribe to step away from their previous stands of  
28 moratorium on the fishery to working with the State to  
29 help protect the subsistence and also with the tribe to  
30 help protect the commercial fishery.

31  
32 I think from the information you've heard  
33 from the tribe that you can see that they've really taken  
34 a proactive stand about learning about the fish and  
35 getting more information so that we can really defend our  
36 position as we're working with the State. When we first  
37 went to the State Board in 2002 for the agenda change  
38 request, actually in the fall of 2001, the one thing the  
39 State said is, well, yeah, you say that you've got a  
40 problem but how do we know it's true, you need to  
41 quantify that and that's something that we took to heart,  
42 it's a part of our MOU, is that we keep tabs of those  
43 things, so that when we do have a problem we can say,  
44 okay, you guys look at numbers we'll show you the  
45 numbers, and that's what we did.

46  
47 In 2005, when we had another collapse of  
48 the subsistence fishery, and those numbers are  
49 impressive, you know, once we learned how to survey the  
50 people, we went up -- in 2004 we had a recorded harvest

1 in excess of 250,000 pounds approaching 300,000 pounds of  
2 recorded harvest. In 2005 that dropped to in the mid-  
3 70s, 75,000 pounds, approximately.

4  
5 The amount reasonably necessary as  
6 defined by the State, which was on the best available  
7 data back in 2001 was a range of about 105,000 to 158,000  
8 pounds. So here we were, I don't think anybody really  
9 knew what to do when we actually came in underneath that  
10 number. And that's how we ended up in Ketchikan with  
11 Proposal 81. I know there's been some concern, some  
12 discussion after my testimony yesterday from the State  
13 that I was maybe misrepresenting a little bit to what  
14 happened, but I don't think that I was. I think  
15 everything that happened in Ketchikan is a matter of  
16 record. I think it very clearly said that we were trying  
17 to work within the process, we're committed to working  
18 with the State but we had that serious collapse in the  
19 fishery, our only recourse was to go to the Fish Board  
20 and ask for some relief. Proposal 81 was not a tribal  
21 proposal, a tribal member put it in, but the tribe did  
22 not do that and this was the proposal in Ketchikan. The  
23 tribe supported that proposal, it was a proposal to add  
24 restrictions in the Sound in the sac roe fishery.

25  
26 It's interesting that Sitka Tribe  
27 supported it, Southeast RAC supported it, Juneau-Douglas  
28 AC opposed it, Petersburg opposed it, Sitka AC supported  
29 with amendments. This is from the committee report,  
30 Committee 8 from the Ketchikan meeting. So this group  
31 also saw that there was a problem and supported that  
32 proposal at that time. The comments, it mirrors what I  
33 say, and I served on that committee, there was 17 people  
34 on the committee, I was the subsistence representative.  
35 There was 16 -- there was one other person from a  
36 committee group in Ketchikan but there was 15 other  
37 commercial representatives so we didn't have a really  
38 strong subsistence voice on that committee. Obviously  
39 Proposal 81 failed.

40  
41 But the stand of the tribe at that time,  
42 which is why we're here, again, is we've tried to work  
43 through that process. We've tried. And we believe that  
44 we held up our end of that MOU.

45  
46 One of the things that really bothered  
47 me, personally, was we had assurances that we were both  
48 going to hold up our side of that and when it came to  
49 surveying, the Department did hold up their side of  
50 working on the survey for the first couple years. But

1 then we had two years where they didn't. So when we came  
2 back with those numbers, then they question our numbers,  
3 they said, well, your numbers, you know, how do we know  
4 they're right. And it was troubling to me because we had  
5 written down in our MOU that we were going to work  
6 together and that didn't happen.

7

8                   So we feel that all along the tribe has  
9 been trying to make this work, the State, obviously,  
10 since we didn't get anything with Proposal 81, we told  
11 them, or I specifically said that, you can go to the  
12 record in Ketchikan, if we don't get anything, if we  
13 don't get any progress we're going to have to come here,  
14 and this is why we're here.

15

16                   So with that being said, I'm going to  
17 speak again in favor of passing the proposals that the  
18 tribe, No's 18 and 19 involving Makhnati waters, and I  
19 think that's just where we're at. We're still committed  
20 to working with the State and trying to progress but we  
21 can't guarantee that that's going to happen, obviously  
22 because it hasn't happened yet. So there's a lot of work  
23 to do but in the mean time I really think that it's  
24 appropriate to ask for the support from this Board for  
25 the proposals.

26

27                   So thank you.

28

29                   CHAIRMAN ADAMS: Thank you, Mike. Does  
30 the tribe have an MOU with the Federal government?

31

32                   MS. DANGEL-LORRIGAN: That depends on  
33 what you mean, which branch of the Federal government, in  
34 general, no, we have an MOU or MOA with the Forest  
35 Service. I believe we have something in place with Sitka  
36 National Historical Park, and perhaps other agencies.  
37 But we deal with them on a branch by branch basis.

38

39                   That's basically it.

40

41                   CHAIRMAN ADAMS: Okay, it seems to me  
42 like this is the missing link in this process, in this  
43 situation here, so we'll probably talk about that during  
44 Council deliberations.

45

46                   Helen, do you have something that you  
47 would like to say?

48

49                   MS. DANGEL-LORRIGAN: Yeah, I would just  
50 like to -- for the record I'm Helen Dangel-Lorrigan.

1 I just want to reiterate from a public  
2 testimony standpoint my views that for conservation this  
3 might not be very significant, scientifically, they might  
4 think, but the tribe thinks it's very important for  
5 conservation, it's a start. It might be small but this  
6 might be the one area that is protected for herring  
7 spawning habitat and it would provide essential fish  
8 habitat.

9

10 So that's one issue.

11

12 Another is for subsistence opportunity.  
13 Again, this would be one area where Sitka citizens could  
14 go to get herring eggs that would not be open for  
15 commercial herring harvest and so it would be somewhere  
16 close to town, which is a safety concern. Because when  
17 the fishery happens close to town, which it has before,  
18 along the road system, that's primarily where people  
19 locally go and many people are in small skiffs, you know,  
20 it's not like the commercial fishing boats which are  
21 large and can go far out into rough places. If you're in  
22 a small skiff you can't go over to Kruzof, which isn't a  
23 very good place to get branches anyway because it's sandy  
24 and you can't go far away, those commercial boats can.

25

26 So when they fish close to town and it  
27 impacts the spawn on the shores close to town that means  
28 our people have to go further ashore to get their  
29 branches and it's dangerous going that far in a skiff,  
30 and I think the burden should be more on the commercial  
31 harvesters to go further ashore where they're capable of  
32 going and it would be less of an impact on the local  
33 citizens.

34

35 Thank you.

36

37 CHAIRMAN ADAMS: Mike.

38

39 MR. BANGS: Thank you, Mr. Chairman.  
40 Mike, yesterday you mentioned that you participated in a  
41 commercial fishery and I'm wondering in your opinion what  
42 the feeling of the commercial harvesters are towards the  
43 closure of this area?

44

45 MR. MILLER: Mr. Chair. Yeah, I was in a  
46 skiff last year chasing the fish around in the commercial  
47 fishery along with the skiff chasing around the  
48 subsistence fishery, I guess, I think it's mixed, you  
49 know, you get a wide range of feelings about any closed  
50 area. There's people, I think that just don't understand

1 the subsistence fishery so there is inherent kind of  
2 adversarial condition there. But I think overall -- I  
3 can't even say overall, there's a lot of sport for it  
4 also. The closed area, I know, we fished in that opening  
5 in that closed area -- or the opening in the proposed  
6 closed area last year and it was a tough place to fish,  
7 at least on the south side, for the seiners, and lucky to  
8 get our net back, but the guys did all right. And if  
9 there's fish there, a lot of the guys just wouldn't want  
10 to fish there anyhow.

11  
12 But I don't -- it's interesting to note  
13 that the tribe did host a meeting last year with the  
14 industry, with the commercial permit holders, it was a  
15 well attended meeting, dinner, minus the Department  
16 actually, and it was so well received that we had  
17 requests from the processors too to have a meeting, but  
18 the way the fishery went we didn't get to have that  
19 meeting. But to me that says that they're recognizing  
20 also that there's ways that the fishery could be spread  
21 out that we're not pursuing and we've heard that comment  
22 from them quite often in the years when there has been a  
23 problem. They've come forward with ideas on their own on  
24 how to fix things, but it kind of ends there unless it  
25 gets written into regulation, we're kind of stuck.

26  
27 But I'd say it's mixed, you know, at  
28 best. I haven't heard anybody specifically opposed yet  
29 on this proposal, but they're not really racing either to  
30 close any areas.

31  
32 MR. DOUVILLE: Mr. Chairman.

33  
34 CHAIRMAN ADAMS: Mike.

35  
36 MR. DOUVILLE: Thank you, Mr. Chairman.  
37 I have a question for you. It was indicated that only  
38 one year out of the last six years there was some  
39 commercial harvest that went on here. Out of those same  
40 six years, can you give an indication if there was any  
41 subsistence fishing that went on there?

42  
43 MR. MILLER: Actually I think there's  
44 been more times in the last six years where at least the  
45 boundary lines have been adjacent to those areas in the  
46 commercial fishery. I think Bill could speak to that,  
47 there's been quite a few times where it has been next to  
48 it at least. And I mean we're talking right at the  
49 airport here, everybody knows where that's at, so it's  
50 definitely been close to the area, if not in it, part of

1 the fishery at least.

2

3 But definitely there has been subsistence  
4 fishery in there in the last six years. Some years have  
5 been better than others, but I, personally, have set  
6 branches in there two years ago and harvested kelp in  
7 there two years ago also. I didn't go there last year.  
8 But just for example, myself, have been there.

9

10 CHAIRMAN ADAMS: Helen, go ahead.

11

12 MS. DANGEL-LORRIGAN: And I'd like to add  
13 that it's an important area for harvesting roe and  
14 macrocystic, there's not a great number of places around  
15 Sitka to get it and that is an important area to get roe  
16 on kelp. Much like Dolly had last night at the  
17 reception.

18

19 MS. PHILLIPS: Mr. Chairman.

20

21 CHAIRMAN ADAMS: Patty, please.

22

23 MS. PHILLIPS: Thank you, Chairman Adams.  
24 Mr. Miller, you said that under the MOA that there would  
25 be surveys conducted of the herring and that for two  
26 years surveys were done but for two years they weren't so  
27 the tribes completed surveys and what did the tribe  
28 survey reflect that the ADF&G questioned your results?

29

30 MR. MILLER: Mr. Chair, thank you. Going  
31 back to the original problem, you know, the first year we  
32 had a problem we went to the Fish Board, we went out of  
33 cycle, we actually were up the following year but it was  
34 such a imminent crises, we felt, that we went out of  
35 cycle for an agenda change request and said we have a  
36 problem. And the big question in the State process was,  
37 well, what are your numbers and explain your problem to  
38 us and when we just said we don't have enough fish eggs,  
39 they were like, well, how many pounds is that, we  
40 realized at that point we did have to work the State to  
41 say, okay, we need to figure out exactly how much is  
42 getting harvested and that was part of the agreement with  
43 the State, they said for their standpoint, too, they  
44 needed to know how much is getting harvested.

45

46 So we agreed to a process of where the  
47 tribe would lead on the household surveys and harvester  
48 surveys with intensive surveying on the high harvesters  
49 so this is an effort to find every herring egg harvester  
50 and find out exactly how much they harvested to get a

1 number for that. The analysis after that, once all the  
2 data is compiled would be handled by the Department,  
3 Division of Subsistence, Fish and Game to do an  
4 extrapolation kind of figuring in how many people we  
5 might have missed and come up with an adjusted number  
6 that could be verified by the Department. And that did  
7 work for a couple of years.

8  
9 The one thing that we saw, was the first  
10 year we had a number that was within that range of -- I  
11 think it was around 137,000 pounds and just running off  
12 the top of my head on these numbers, as we -- the first  
13 year we knew we weren't getting everybody though and how  
14 much they were harvesting so we added to that list, you  
15 know, we asked people, do you know people harvesting  
16 that's not on this list, so we added to it and we added  
17 to it. And by 1994, we were up in the -- our number was  
18 around 270 to 290,000 pounds, and we had fairly high  
19 confidence that we were getting most people that were  
20 harvesting eggs in the Sitka area at that point in time.

21  
22 What had happened, though, in 2004, and I  
23 think it was the two years that we ended up with numbers  
24 of around 211,000 pounds and the previous year to that  
25 and then the 290,000 pounds, those numbers at that time  
26 were not verified, the State didn't do the extra analysis  
27 of the numbers as they'd agreed to do. This was an issue  
28 that we brought up at the State meeting, the Fish Board  
29 meeting in January of this year and said, hey, look, we  
30 provided the raw data for you guys and you didn't go  
31 through your process to verify the numbers but we did  
32 everything with the same processes that you agreed to  
33 before and now you're saying that they're questioning the  
34 numbers.

35  
36 So, you know, we felt that we were  
37 providing everything that we said that we were going to  
38 do and that they weren't doing their half of the deal.  
39 They agreed to that, it's on the record at the meeting in  
40 Ketchikan.

41  
42 It was supposed to be fixed this year.  
43 They allocated -- and actually there was no funding for  
44 that to happen this year, but they did switch \$22,000, I  
45 got the commitment from the Deputy Commissioner so they  
46 could do their part of working with the tribe in proofing  
47 the numbers. The one thing that was troubling to me then  
48 is they actually added a page to our survey, extra page  
49 of identifying sites and things like that, which added to  
50 the burden, the expenses, the one thing I said in

1 Ketchikan was, look, we've been covering this cost now  
2 for a couple years and we're supposed to have a  
3 partnership in this, but it's costing us, so this year it  
4 seemed to be going out of Ketchikan that everything was  
5 going to be good. That extra page was added and knowing  
6 that they had \$22,000 extra we asked for \$4,000 to cover  
7 the associated costs with adding the page, extra page,  
8 the maps for their information that they requested, and  
9 they said no.

10

11 It's really hard to say that they're  
12 really committed to working with us when something that  
13 small, they just flat out say no.

14

15 So that's another reason why, you know,  
16 we think there's still ground to go here. Not to say  
17 that we can't but we're not there yet.

18

19 MS. PHILLIPS: Follow up.

20

21 CHAIRMAN ADAMS: Follow up, Patty.

22

23 MS. PHILLIPS: Thank you, Chairman Adams.  
24 Thank you, Mr. Miller.

25

26 The 270,000 pounds to 290,000, is that a  
27 long-term consistent amount over how many years,  
28 millennia?

29

30 MR. MILLER: Mr. Chair. That number, I  
31 think varies quite a bit. There's -- and we're trying to  
32 get a handle on that. When we first agreed to the range  
33 of 105 to 158,000 pounds for the range, the amount  
34 reasonably necessary it was just on the available data.  
35 Our intention in 2005, at the Fish Board meeting was to  
36 go in with new data to ask for a higher amount reasonably  
37 necessary based on what we know, you know, more in line  
38 with what we were getting, with results of the survey.

39

40 I think over 200,000 is, you know,  
41 reasonable, or in that range, based on what we know now.  
42 So our intention was to actually be in that cycle saying,  
43 well, we're going to adjust, and that was our agreement  
44 back with the previous Fish Board. They said, you know,  
45 this is the only data we have, when you have new data  
46 come back, we'll adjust based on your data.

47

48 Obviously when we jumped from 290 to 70  
49 or 75, that didn't happen.

50

1                   But specifically with your question, I  
2 don't think, you know, each year the spawn is different  
3 and the requirements of people are different, you know,  
4 the number of parties that happen that require a bunch of  
5 eggs, there's a lot of variables as to how much people  
6 can get. But a lot of times it's how much people can get  
7 instead of what they do get. It was interesting that  
8 Hoonah did a household survey of herring eggs and how  
9 much people were using there, and it seemed like it was  
10 either 13 or 16,000 pounds of what people were using, but  
11 most of the people they surveyed said that was just what  
12 they could get, they would take easily twice that if they  
13 could get it but this is just what they were getting.

14  
15                   So the numbers are very, very large  
16 potential as long as the harvest is good.

17  
18                   And we feel that the amount reasonably  
19 necessary is actually low for what people are using, but  
20 when you come in even below that then it really shows  
21 that something is wrong.

22  
23                   MS. PHILLIPS: Mr. Chairman.

24  
25                   CHAIRMAN ADAMS: Patty.

26  
27                   MS. PHILLIPS: Thank you for being a good  
28 resource to ask questions to.

29  
30                   I'm curious to know, we had an elder who  
31 has recently passed away, Henry Moi, he would  
32 consistently set branches and gather branches and  
33 distribute them, send them over to Pelican, but he  
34 insisted on setting his own branches and getting his own  
35 eggs because he wanted the highest quality of eggs and he  
36 would take some of the younger men with him and show them  
37 how he did it.

38  
39                   Is there that going on through the  
40 tribes, where the younger are working with the more  
41 experienced to learn the more, you know, the proper way  
42 to set the branches and gather the branches so you get  
43 the best highest quality for your subsistence uses? Is  
44 there a concerted effort to do that?

45  
46                   MR. MILLER: Mr. Chair. Helen might want  
47 to answer to that. Also I do have a few comments, just  
48 from my own personal experience and I'm going to say,  
49 yes, that is the case. And in the pre-season meeting, a  
50 question came this year from the industry, is like do you

1 see the trends of fish egg use going up or down, and we  
2 can definitely say this is one food that younger  
3 generations are embracing. There's some of the older  
4 traditional foods that we're concerned, because we're  
5 watching some of the seal harvest, things like that going  
6 down and thinking that a lot of the younger people aren't  
7 adapting to those foods. But, you know, fish eggs is one  
8 food that everybody seems to like and so the young kids  
9 are doing that. They're being taught, you know, you see  
10 them out on the grounds, you know, it's kind of a family  
11 thing a lot of times going out and setting those things.  
12 And it's like myself, I've got grey hair but I'm not that  
13 old, so -- or not that long ago, it's from going to  
14 meetings I think.

15

16 CHAIRMAN ADAMS: Helen.

17

18 MS. DANGEL-LORRIGAN: I would just say  
19 that there is, you know, older, I wouldn't even say  
20 elders, but older Native harvesters and who go out and of  
21 course they take younger men with them, it's always a big  
22 event in the community, everyone does it, yeah.

23

24 And can I say, regarding earlier, I think  
25 you were kind of asking about historical herring egg  
26 harvest that I believe, even according to one of the Fish  
27 and Game anthropological reports that, you know, there is  
28 a historical count of -- it wasn't just Sitka, I mean all  
29 of the Tlingit Indians and more came to Sitka during the  
30 herring egg harvest and I think there was a report of,  
31 I'm just remembering, 20,000 people came to Sitka during  
32 a herring egg harvest to all harvest, not just Sitka  
33 area, and just that amount of people harvesting herring  
34 eggs historically. You know, they talk about how you  
35 could almost walk across the herring in the Sound that  
36 they were so thick. So compared to that and the amount  
37 of spawn it took to support 20,000 people getting eggs  
38 for the entire Southeast and all their communities, I  
39 mean our numbers must be very comparatively low to that.

40

41 This used to be a very, very big harvest.

42

43 Thank you.

44

45 CHAIRMAN ADAMS: Mr. Kookesh has a  
46 question for Mr. Miller.

47

48 MR. KOOKESH: Mr. Mike Miller, I'm ready  
49 to vote on this issue. I know that we can talk about  
50 this all day but I believe that -- I think that we've

1 heard substantial, instead of adequate data.

2

3                   One of the things I recognize, I'm a  
4 consumer of herring eggs and I'm fortunate that my sister  
5 and my brother-in-law, Al Duncan, harvest for our family.  
6 But one of the trends I've noticed is the marine highway  
7 service has affected the distribution outside of this  
8 community. It's become increasingly hard because of this  
9 911 thing to even put a box on the ferry so I'm sure your  
10 numbers have -- there's a decrease. We've learned to  
11 live within our means based on what we can get, and  
12 however we can get it.

13

14                   But one of the things I'm hearing and I  
15 note that we can make another MOU all we want, but I  
16 believe that a regulation would probably speak volumes,  
17 probably we don't need MOUs after that point, they'll  
18 definitely need to come to the table.

19

20                   Those were my comments, thank you.

21

22                   CHAIRMAN ADAMS: Were you going to  
23 respond, Mike.

24

25                   MR. MILLER: Well, I'm just going to  
26 agree with what he said specifically on, you know, it's  
27 getting tougher, it's expensive to do this and like I  
28 ship about 60 boxes usually on Alaska Airlines, and the  
29 ferry system has been pretty inconsistent.

30

31                   Everyone's facing that problem. And the  
32 harvest, it shows how important that harvest is, that the  
33 numbers, even in spite of all that, what you're saying,  
34 it's harder and harder to do this and getting more and  
35 more expensive, but people all around the state, that's  
36 their spring food, you know, that's the start of the  
37 year, it's important, not just in Sitka but all around  
38 the state. That's why it's so just imperative that we  
39 protect what we can on it and that's why we react so  
40 strongly. We can't afford to be going into a year  
41 wondering maybe it will be okay, maybe not, we can't  
42 afford the opinions of the -- like at the Fish Board  
43 meeting, where the State Department of Law said, well,  
44 one year doesn't make a trend, we can't afford that. We  
45 can't sit there and wonder if we're going to have to  
46 scrimp or have to take eggs that are bad or just not have  
47 them.

48

49                   So that's why we're here.

50

1 Thank you, again.

2

3 CHAIRMAN ADAMS: Thank you, Helen and  
4 Mike. I know it seems like we might have belabored this  
5 issue, you know, we talked about it considerably  
6 yesterday and then we're going into it this morning, but  
7 I really believe that, you know, everyone has an  
8 opportunity to be heard here and we want to give you that  
9 opportunity to do so.

10

11 This is an important issue that's before  
12 us. And I think this Council wants to be able to, you  
13 know, make a proper and wise decision on it and so I'm  
14 allowing, you know, as much input as possible. So I  
15 thank you for your testimonies yesterday and today, they  
16 were very informative and hopefully, you know, we'll be  
17 able to make the proper decision here.

18

19 So thank you.

20

21 Is the real Mr. Tom Gamble in here yet?

22

23 (No comments)

24

25 CHAIRMAN ADAMS: Doesn't look like it.  
26 Okay. The next process here is to go through Council  
27 deliberations and so we'll go ahead and take care of that  
28 right now. It's possible that we might need to, you  
29 know, take a pause here and -- yeah, do you think that  
30 would be a good idea right now, Dolly?

31

32 DR. GARZA: (Nods affirmatively)

33

34 CHAIRMAN ADAMS: Okay. Why don't we do  
35 that, we'll take a few minutes break here and I think  
36 we'll work with Bob on how to approach this as far as how  
37 the rationale is concerned.

38

39 (Off record)

40

41 (On record)

42

43 CHAIRMAN ADAMS: Okay, we're ready to  
44 proceed.

45

46 (Pause)

47

48 CHAIRMAN ADAMS: Okay, we're going to  
49 move into Council deliberations now. Dolly and Mike,  
50 we'll wait for you to come to your seats.

1 (Pause)  
2  
3 CHAIRMAN ADAMS: Okay, what's the wish of  
4 the Council on this issue.  
5  
6 MR. WRIGHT: Mr. Chair.  
7  
8 CHAIRMAN ADAMS: Mr. Wright, please.  
9  
10 MR. WRIGHT: I move to accept Proposal 18  
11 and 19.  
12  
13 CHAIRMAN ADAMS: A motion has been made  
14 to accept 18 and 19, seconded by.....  
15  
16 MR. BANGS: Second.  
17  
18 CHAIRMAN ADAMS: .....Mr. Bangs.  
19 Remarks.  
20  
21 MR. KITKA: Mr. Chairman.  
22  
23 CHAIRMAN ADAMS: Mr.Kitka.  
24  
25 MR. KITKA: Thank you, Mr. Chairman. I  
26 want to start with, since this is part of the  
27 comments.....  
28  
29 CHAIRMAN ADAMS: The floor is all yours.  
30  
31 MR. KITKA: I want to look at the  
32 criteria for this proposal.  
33  
34 It would seem like one of the things is  
35 the conservation concern. And the conservation concern,  
36 it seems would be, from all the testimony that I heard  
37 and there's a long history of testimony and some of you  
38 did not get to hear the testimony of rural determination  
39 which was more of a public, there was a tremendous amount  
40 of people that came out and testified in public, and a  
41 good part of the testimony was on the herring eggs and  
42 the herring spawn in Sitka Sound.  
43  
44 Some of them went back as far as when  
45 Father Duncan came to Sitka Sound and he came to Sitka  
46 and he looked at the people who were harvesting herring  
47 eggs in March and he estimated close to 20,000 Indians  
48 harvesting herring eggs in Sitka and we know they were  
49 not all Sitka Indians, they came from everywhere. This  
50 was always a place noted for special herring eggs. It

1 seemed like we had almost the thickest spawn of anywhere  
2 in Sitka Sound. And now that you go back and look at  
3 what has spawned out there and what they call a big spawn  
4 is actually a very small spawn, and hopefully as we talk  
5 about this, this conservation measure, even though it is  
6 a very small spot in Sitka Sound, it's a start.

7  
8                   The affects on subsistence users, if we  
9 can keep the commercial fishermen from fishing in this  
10 area, the effects on some of the times is we would be  
11 allowed to set branches in there and get a good spawn.  
12 There are other times where we get the macrocystic and  
13 the hair kelp out of that place in there. The spawn in  
14 there, even though the commercial fishermen don't fish in  
15 there all the time, it is open sometimes when they do go  
16 in there. It is a place where we harvest close to town  
17 and a lot of the people with the smaller boats go in  
18 there and harvest, and they'll harvest not only on the  
19 Whiting Harbor side but they'll harvest on the other side  
20 and the causeway, too, itself, which is all part of the  
21 same area.

22  
23                   I think the affect on the subsistence  
24 user would be a positive effect.

25  
26                   I believe there is adequate data to  
27 support these statements on subsistence. And I believe  
28 there's also adequate data that it will not affect  
29 commercial industry as far as the fishing.

30  
31                   CHAIRMAN ADAMS: Thank you, Mr. Kitka.  
32 Is there anyone else who would like to make a comment at  
33 this time. Well done. I think you covered all of those  
34 four criteria that we base our decisions on.

35  
36                   Nick Davis.

37  
38                   MR. DAVIS: Thank you, Mr. Chairman. I  
39 just wanted to say, while I'm not too well experienced  
40 with the herring and commercial fishery but I do know  
41 that at one time we were able to get a lot of herring  
42 eggs in our village at Ft. Camden -- was opened by the  
43 Fish and Game for commercial fishing and they cleaned it  
44 out and now we can't even get any herring eggs there, and  
45 they never did listen to all our protests from our  
46 village and so now we don't get any, we rely on what's  
47 caught here in Sitka and so all you have to do is look at  
48 the map and see that's such a small little area compared  
49 to what the commercial fishermen have to work with. It's  
50 not like they're asking for half of the area that's

1 available.

2

3 I always thought that any time you do  
4 anything, you do it on the side of caution. And I think  
5 to be cautious we need to take care of this roe fishery.

6

7 So that's why I'm going to vote for it.

8

9 CHAIRMAN ADAMS: Mr. Hernandez.

10

11 MR. HERNANDEZ: Thank you, Mr. Chairman.  
12 I'll be voting in favor of this proposal.

13

14 When I first read through the materials I  
15 was more -- I came to the meeting more leaning towards  
16 voting against it. I think I agreed with the Staff  
17 recommendation that the memorandum of understanding was  
18 working well and by making this a closed area it may kind  
19 of disrupt that process, but I heard some very compelling  
20 testimony here in the last couple of days from the people  
21 who were, you know, very involved in that memorandum and  
22 the workings of it and that pretty well satisfied me that  
23 maybe things were not working as well as they should be.

24

25 So I think the justification, you know,  
26 in order to continue this very valuable subsistence use  
27 that other measures are necessary and I think this  
28 proposal with this very small protected area for the  
29 subsistence users is justifiable.

30

31 I don't believe it -- I also heard some  
32 pretty good testimony about that area and how the fishery  
33 occurs that it really will not have a very negative  
34 impact on other users, to the area of non-subsistence  
35 users.

36

37 So for those reasons I'll be voting in  
38 favor of the motion.

39

40 CHAIRMAN ADAMS: Thank you, Don. Anyone  
41 else. Richard and then Patty.

42

43 MR. STOKES: Thank you, Mr. Chair. We  
44 used to have a real good herring spawn at Aunt Anne and  
45 Deer Island, Anita Bay, Deep Bay and Roosevelt and the  
46 commercial people cleaned them out and now we don't have  
47 any herring, we don't have any king salmon. So I'm in  
48 favor of this proposal.

49

50 CHAIRMAN ADAMS: Thank you, Dick. Patty.

1 MS. PHILLIPS: Thank you, Chairman Adams.  
2 I'll be voting to support the proposal.

3  
4 The Federal public waters in the Sitka  
5 Sound -- this is Federal public waters in Sitka Sound.  
6 This is a minimal amount of Federal waters in Sitka  
7 Sound. It is appropriate for the Federal agency to  
8 exercise their management authority to assert  
9 jurisdiction to protect subsistence resources and use.

10  
11 Contrary to what Fish and Game says that  
12 the current 20,000 ton threshold for commercial fishing  
13 for an average run is 73,000 tons, Fish and Game says  
14 there's no conservation or management concerns and it's  
15 considered to be a healthy stock.

16  
17 The public testimony that we've heard is  
18 that subsistence needs are not being met. The ADF&G  
19 comment says that commercial harvest rarely occurs in the  
20 proposed closure area so will have a minimal affect on  
21 the commercial fishermen. I'd like to recognize the  
22 local and State efforts to accommodate subsistence uses  
23 and needs, however, I'd also like to recognize that there  
24 has not been a complete fulfillment to recognize the  
25 tribe's efforts to bring forth the data needed to support  
26 their findings.

27  
28 The Federal interest has a documented  
29 credibility. This fishery resource has significant  
30 taking. The Federal public waters in the Makhnati  
31 Islands is meant to accommodate subsistence use and  
32 needs. We have a recognized local area management plan  
33 for halibut in this area because subsistence needs for  
34 halibut aren't being met, so we have other depletions of  
35 resources locally for the rural subsistence harvesters,  
36 so that would support moving this proposal forward.

37  
38 Thank you.

39  
40 CHAIRMAN ADAMS: Thank you, Ms. Phillips.  
41 Anyone else.

42  
43 MR. KOOKESH: Yeah.

44  
45 CHAIRMAN ADAMS: Floyd, and then Frank.

46  
47 MR. KOOKESH: Mr. Chairman. One of the  
48 things I pointed out earlier is that a regulation would  
49 probably speak volumes. I am going to support this  
50 proposal.

1 I feel it's very important once this  
2 proposal goes through this Council that when it comes to  
3 the level of the Federal Subsistence Board, I believe  
4 that they should support us also because it's an issue  
5 we've been fighting for, it's an issue that Sitka's  
6 always advocated, and it's one we all certainly need to  
7 support. That there needs to be a marine jurisdiction,  
8 it needs to be on our side. And I certainly look forward  
9 to the Federal Subsistence Board supporting us.

10

11 Thank you.

12

13 CHAIRMAN ADAMS: Thank you, Mr. Kookesh.  
14 Mr. Wright.

15

16 MR. WRIGHT: Thank you, Mr. Chair. I'm  
17 going to be voting in favor of this, you know, because my  
18 wife will get mad at me.

19

20 (Laughter)

21

22 MR. WRIGHT: She loves her herring eggs  
23 and she loves, you know, herring egg salad with beach  
24 asparagus.

25

26 If you look at the amount of communities  
27 that take herring eggs out of this area it is a  
28 subsistence issue. Angoon, Hoonah, Juneau, Kake,  
29 everybody. And when we speak for this region, when  
30 herring eggs are coming out of Sitka, you're talking  
31 Southeast. So I will speak in favor of this motion.

32

33 Thank you.

34

35 CHAIRMAN ADAMS: Thank you, Frank. Dr.  
36 Garza.

37

38 DR. GARZA: Thank you, Mr. Chair. I  
39 certainly agree with what everyone has said and I think  
40 we have covered the four criteria.

41

42 However, I have been to the Federal  
43 Subsistence Board and I'm not as optimistic that we will  
44 get the support up there that we want. And so I think we  
45 need to be cautious in how we go forward and perhaps have  
46 a bit of discussion as to how can we provide protections  
47 if it doesn't pass the Federal Subsistence Board.

48

49 The Federal Subsistence Board now has an  
50 obligation to those resources in the Makhnati Island

1 area, whether or not it's herring or abalone or gumboots  
2 or seaweeds. And perhaps we need to hear from them as to  
3 how they will provide the protections to you, as the  
4 Sitka area residents who have C&T, you have customary use  
5 of these resources for millennia. And so I think that we  
6 need to hear from them as to what protections they will  
7 provide if this proposal does not pass, will they have  
8 the ability to provide emergency closures if it looks  
9 like there could be a good spawn in the area and there  
10 may be commercial harvest in that area.

11  
12 And so I think there's several steps that  
13 we should be, as a Council, asking for further  
14 clarification, after this proposal passes because it  
15 could be a big hooray here, lots of support and we get up  
16 there and -- I mean the Federal Subsistence Board is  
17 looking at policy for Federal closures and that Federal  
18 closure policy is not, in my opinion, beneficial to  
19 subsistence users, it's almost counter. The hurdles that  
20 the subsistence people have to cross in order to say that  
21 there should be a Federal closure is monumental and Sitka  
22 Tribe has already testified that they are maxed out in  
23 terms of staff and monetary just to do the monitoring  
24 that they are currently doing. And so to expect them to  
25 come up with data and information that would meet the  
26 potential new Federal closure policy is just -- it's not  
27 doable.

28  
29 So while we can feel good about ourselves  
30 in passing this proposal, it certainly will pass, we have  
31 to think about what we can do as a Council to make sure  
32 we can protect resources in this area and reaching out  
33 into Federal waters.

34  
35 Thank you.

36  
37 CHAIRMAN ADAMS: Thank you, Dolly.  
38 Anyone else.

39  
40 (No comments)

41  
42 CHAIRMAN ADAMS: Okay. Before we go to a  
43 vote, I'd just like to make a comment or two here.

44  
45 I think it was brought to my attention a  
46 little while ago that this has been a traditional way of  
47 our people, you know, harvesting herring spawn in this  
48 area. And if we can bring it back to that, I think that  
49 would weigh a lot, you know, with the Board as far as,  
50 you know, their accepting it. I know that we have a big

1 mountain to climb here after this thing is passed here.  
2 And the rationales that we use, you know, as we approach  
3 them with this is going to be very, very important. And,  
4 you know, working with Bob and the rest of you, you know,  
5 I hope that we'll be able to establish that.

6  
7 One of the things that I noticed during  
8 the testimonies yesterday and today is that there were no  
9 Federal managers involved in the consultation process.  
10 And, you know, I think one of the strong points that we  
11 can make to the Board that if, you know, this -- if they  
12 are successful in passing this, that we will have Federal  
13 managers involved in the decision-making process, you  
14 know, when these issues are brought up. And even though  
15 if it isn't passed, there needs to be an avenue where,  
16 you know, the Feds are included in that loop. I think  
17 that was the missing link in everything that I have seen  
18 so far.

19  
20 I really compliment Sitka Tribes and the  
21 committee, you know, for doing all of the background  
22 research and convincing us that this is a good proposal.  
23 But as Dr. Garza said, you know, after it goes from here  
24 we've got to really be diligent, you know, in making sure  
25 that the Board sees our positive and good rationales  
26 behind this proposal.

27  
28 So I think, Dr. Garza, do you have  
29 another comment?

30  
31 DR. GARZA: Mr. Chairman. Before I would  
32 want to take the vote, I would like further clarification  
33 and if we could I would ask Mr. Knauer to come down just  
34 to get a few more questions answered.

35  
36 CHAIRMAN ADAMS: Mr. Knauer, the Chair  
37 recognizes you at this time.

38  
39 DR. GARZA: Mr. Chair. I guess I would  
40 like to have further clarification as to if -- it's my  
41 understanding that there is Federal jurisdiction into  
42 marine waters in other areas of the state, I thought in  
43 Southwest Alaska, perhaps I'm wrong, if there is, how  
44 are those protected and through what organization, is it  
45 Fish and Wildlife Service, Forest Service, Park Service,  
46 what's the agency that -- and is it tied to closeness or  
47 how do you determine which agency is involved?

48  
49 MR. KNAUER: Mr. Chairman. Dr. Garza.  
50 There are some other Federal areas in marine waters in

1 Southwest Alaska. They do relate to withdrawals prior to  
2 statehood. They are areas where the Federal government  
3 has title and therefore because of having title has  
4 jurisdiction for subsistence and they are managed by the  
5 agency which has title to them. In other words, if  
6 they're -- in almost all cases they are National Wildlife  
7 Refuge areas.

8  
9 Management in a couple of cases around  
10 Kodiak Island even though they are part of the Alaska  
11 Maritime Refuge, they are the -- the management authority  
12 is vested with the Kodiak Refuge because they are  
13 proximate to the Kodiak Refuge. And even though the  
14 Makhnati Island area is under title to the Bureau of Land  
15 Management, I would feel that the in-season manager for  
16 the area adjacent to that, which is Forest Service and  
17 the District Ranger, would probably be the managing  
18 entity or the entity that would have the authority in-  
19 season to make decisions relative to those resources.

20  
21 DR. GARZA: Mr. Chairman, as follow up.

22  
23 CHAIRMAN ADAMS: Yes.

24  
25 DR. GARZA: So then in recognizing  
26 Makhnati as Federal territory, and I might be saying the  
27 wrong verbiage, but excuse me, and the management would  
28 then -- or in-season management or management would then  
29 fall to, as you said, potentially Forest Service or most  
30 likely Forest Service, then should they, in fact, now be  
31 involved with the MOA or MOU between ADF&G and the tribe  
32 in order to insure that the subsistence needs of the  
33 local residents are being met?

34  
35 MR. KNAUER: I believe that MOA is a  
36 document between Sitka Tribe of Alaska and Alaska  
37 Department of Fish and Game. Certainly the in-season  
38 manager should be a party to the consultation process,  
39 not necessarily intruding on their bipartisan MOA, but a  
40 party to the consultation. It would be entirely  
41 appropriate to revise the MOA or create another MOA or  
42 just have recognition by ADF&G that there is Federal  
43 authority and therefore it would be appropriate under the  
44 blanket MOA that exists between ADF&G and the Federal  
45 agencies to have the in-season manager be a party to the  
46 consultation.

47  
48 DR. GARZA: Follow up.

49  
50 CHAIRMAN ADAMS: Go ahead, Dolly.

1 DR. GARZA: Thank you, Mr. Chairman. And  
2 I think that's important regardless of how this proposal  
3 is taken by the Federal Subsistence Board, that we need  
4 to recognize that Forest Service would have a voice in  
5 this process now and it is not simply between -- it is  
6 not simply just ADF&G management, even if it is for a  
7 small area, that I think members of Sitka, whether or not  
8 they're STA or someone who lives at 801 HPR, regardless  
9 of their race, have an avenue in which they can voice  
10 subsistence concerns beyond ADF&G. And I think that is  
11 part of what we need to carry forward as a Council to  
12 insure that that Federal mandate is recognized and that  
13 whatever means are taken, that they should be taken so  
14 that something can be implemented, either long-term or to  
15 allow for some type of in-season consultation and  
16 process.

17  
18 Thank you, Mr. Chair.

19  
20 CHAIRMAN ADAMS: Thank you, Dolly. And I  
21 fully agree with those statements. Mr. Knauer, thank  
22 you.

23  
24 Sorry. Patty.

25  
26 MS. PHILLIPS: Chairman Adams, thank you.  
27 Mr. Knauer, could you define or describe party to  
28 consultation, that the Feds would have concerning  
29 Makhmati Island waters?

30  
31 MR. KNAUER: Well, in this case title to  
32 about 600 acres rests with the Federal government. The  
33 State has already acknowledged that in writing. And as a  
34 result, as the owner of that area and by way of that  
35 ownership having subsistence jurisdiction they should be  
36 part of any discussions or management of the resources  
37 there.

38  
39 MS. PHILLIPS: Thank you.

40  
41 CHAIRMAN ADAMS: Thank you, again, Mr.  
42 Knauer, you're excused -- oh, no, not yet. Don.

43  
44 MR. HERNANDEZ: Do you see the District  
45 Ranger as having management authority regarding the  
46 fishery, is that something that they would also have  
47 necessarily?

48  
49 MR. KNAUER: The in-season manager, as  
50 far as subsistence goes, has the authority to close or

1 open within certain bounds, seasons and revise harvest  
2 limits and make certain adjustments over and above what  
3 authority the State might have for resources.

4  
5 In other words, the in-season manager in  
6 most areas and most of the time agrees because of  
7 consultation with State actions.

8  
9 In fact on the Yukon and the Kuskokwim  
10 River there are currently, in our regulations an  
11 agreement that the State emergency openings and closings  
12 will be included for the subsistence user, unless the in-  
13 season manager specifically disagrees. And in 99 percent  
14 of the time that's been the case. There have been a  
15 couple of instances where the in-season manager has not  
16 agreed and has said no we don't agree with that, it's not  
17 going to happen. And so that same authority does exist  
18 for the in-season manager for this area.

19  
20 CHAIRMAN ADAMS: Anyone else.

21  
22 (No comments)

23  
24 CHAIRMAN ADAMS: Once again, Mr. Knauer,  
25 thank you. Will the real Mr. Tom Gamble please come  
26 forth.

27  
28 Mr. Gamble is listed as a person who  
29 wanted to testify on this.....

30  
31 MR. KOOKESH: We're using it as a guide.

32  
33 CHAIRMAN ADAMS: .....and we're using  
34 this agenda as a guide. He hasn't had a chance to do  
35 that so we'll give him an opportunity now. Okay.

36  
37 MR. GAMBLE: Good morning. I wanted to  
38 formally welcome the RAC members to Sitka and thank you  
39 all for being here today and allowing me this opportunity  
40 to speak and testify on this issue. I'm speaking today  
41 concerning the Makhnati and Whiting Harbor issue that was  
42 put forth on the agenda.

43  
44 My name is Tom Gamble. I was born and  
45 raised and still choose to reside in the land of my  
46 ancestors here in Sitka and I am Tlingit and Kiksadi from  
47 the clay house, and there are many generations of Tlingit  
48 families from different clans who choose Sitka for its  
49 many resources for thousands of years. Today there are  
50 many non-Native families whom I call friends and

1 relatives that also choose to live here for the same  
2 reason because Sitka is both beautiful and rich in  
3 natural resources.

4  
5 I'm here to speak today about some key  
6 issues to consider for the Makhnati and Whiting Harbor  
7 proposal on the agenda for the RAC.

8  
9 When the herring used to spawn here it  
10 began at the herring rock located under the Totem Square  
11 Inn and it spread out in all directions from that point.  
12 Some day I will share the very long legend of the Herring  
13 Rock which documents important areas and place names  
14 within the (In Tlingit) and explains how and why the  
15 herring, the herring rock, the owl and other emblems came  
16 to be possessions of the Kiksadi. Today is not that day.

17  
18 I've been harvesting herring eggs for as  
19 long as I can remember. I have numerous memories of  
20 early spring outings with my cousins, my brothers, my  
21 uncles and many other families that went out to harvest  
22 herring and herring eggs from Sitka Sound. The air was  
23 often very crisp and sometimes chilly. The smell of the  
24 low tide and the cry of thousands of seagulls takes my  
25 memory back time and time again to the same beach on the  
26 southern end of Sitka where I first learned to harvest  
27 eggs with my family.

28  
29 I will mention that the herring no longer  
30 spawn on this same southern shore.

31  
32 I watched my uncle get off the boat and  
33 walk towards the trees and say something in Tlingit each  
34 year before we began. Back then I was still too young to  
35 understand the meaning of the Tlingit language and the  
36 small ceremony that he was performing. In later years,  
37 and especially now I understand that this was a request  
38 for forgiveness from the tree people, (In Tlingit) for we  
39 were going to cut certain trees down and place them in  
40 the water and wait for the herring to spawn. Those were  
41 days when, once the spawn began, we could anticipate the  
42 arrival of the herring in certain bays and shores not  
43 disturbed by ocean wake. When ample time was given for a  
44 spawn in those areas the product worthy of barter and  
45 trade for other resources not from Sitka was pulled from  
46 the sea, and distributed to the families throughout  
47 Sitka, the surrounding Southeast villages, the state of  
48 Alaska, and even communities of the Lower 48.

49  
50 Over time and without pointing fingers of

1 the fishery, but for whatever reason science will likely  
2 determine later, the herring have been drastically  
3 reduced in numbers.

4  
5 Old-timers like the late Mark Jacobs,  
6 Jr., and countless others would attest to the  
7 availability of herring and large amount of spawn  
8 produced by them within the Sound. Sitka tribal citizens  
9 have witnessed a dramatic reduction in herring and poor  
10 harvesting years. As a result a herring committee was  
11 formed to try to protect and preserve the herring and to  
12 help carry the message of the harvesters to the Alaska  
13 Department of Fish and Game on a yearly basis.

14  
15 I stand today and still applaud the  
16 efforts of former tribal attorney, Jude Pate, staff  
17 members Robi Craig, citizens Gary Olson, Mike Miller, Mr.  
18 Harvey Kitka, Albert Duncan, John Littlefield, members of  
19 the tribal council, STA staff and many others who  
20 volunteered to meet so many times to help create the MOA  
21 that has been referenced many times before you in this  
22 conversation regarding Makhnati Island.

23  
24 Earlier this year Proposal 81 was  
25 introduced to the State Board of Fish, this proposal was  
26 brought forth by a citizen of the Sitka Tribe and  
27 supported by the tribal council. Proposal 81 sought to  
28 create a no fishing zone within a boundary determined to  
29 be the last great important harvest area to the citizens  
30 of the Sitka Tribe. Harvesters are well aware that  
31 herring will still come into this area. Herring used to  
32 spawn in many other areas. Now we want to protect what  
33 little is left.

34  
35 Although the State ADF&G and the Tribe  
36 have an MOA to help guide them during the herring  
37 fishery, a member of the Board of Fish stated that the  
38 document was doomed to fail and lacked teeth or  
39 jurisdiction. The relationship with the tribe and State  
40 has been good but I believe that it could be improved to  
41 better protect the subsistence resource. This issue  
42 before the Board today, however, is not about our  
43 relations with the State and the tribe, it is about  
44 conservation of a resource utilized by many user groups  
45 and many other marine life.

46  
47 There was talk yesterday of an in-season  
48 liaison and mentioned again about an in-season task force  
49 that would help make a decision during the fishery. The  
50 liaison appointed by the tribe is one of three listed in

1 the MOA that will help make decisions regarding the  
2 commercial fishery. One representative is from the  
3 commercial fishing fleet. One member is from the tribe.  
4 And lastly is fisheries manager, which you just heard,  
5 can stop or start a fishery anywhere that they choose  
6 appropriate. If a vote was to be made by those three  
7 representatives, it would likely produce a two to one  
8 vote in favor of the fishery time and time again and not  
9 for the conservation and protection of the subsistence  
10 user and not for the subsistence priority afforded by  
11 both the State and ANILCA.

12  
13 The State herring fishery boundaries are  
14 listed as the islands around Aspit (ph) Cape, north of  
15 Whale Bay to an area around Salisbury Sound. This could  
16 be disrupted and clearly defined with more detail by a  
17 member from the Alaska Department of Fish and Game or a  
18 fisherman. Recently Sitka Sound has had a returning  
19 biomass of 50,000 tons and if you were to total the  
20 returning biomass of every other fishery within the  
21 state, Sitka will still have more herring than all of  
22 those areas combined. Sitka is the herring fishery for  
23 the year that equals out losses from other fisheries.

24  
25 The ADF&G sets a quota around 10,000 tons  
26 annually, however, numerous test sets also play into the  
27 figures and are not counted towards the quota. I believe  
28 almost a thousand or more tons of herring are scooped in  
29 test sets. The ADF&G stated yesterday that a herring  
30 fishery can only be held where there are mature herring  
31 worth fishing for. I come to testify as a subsistence  
32 harvester that herring eggs can only be harvested where  
33 herring are left alone to spawn.

34  
35 To illustrate my point I will not need to  
36 ask for your watch or any other personal belongings like  
37 I did before the other Federal Board. Instead, I'll use  
38 a different species of fish entirely. The sockeye  
39 salmon.

40  
41 When the sockeye salmon return to Redoubt  
42 Bay, once the fish make it to a certain point of the bay,  
43 harvesters cannot use beach seines to fish because of a  
44 generalized fear of overfishing the resource, as they  
45 return to spawn. Closer to the mouth of the river as the  
46 fish move in an imaginary line is drawn to keep  
47 sportfishing at least 100 yards away from the mouth of  
48 the stream where salmon return to spawn. Again, above  
49 the waterfalls, the ADF&G ties a rope from one tree to  
50 another across the river and subsistence users cannot

1 fish with dipnet, gaff or any other gear above that line.  
2 If I were to break any one of those boundaries using the  
3 methods I have described I would likely be fined by the  
4 ADF&G. If I catch two or three more fish than what the  
5 permit allows on a daily basis I will likely be fined by  
6 the ADF&G. If I don't turn my permit in to let them know  
7 how many fish I caught they will not issue another permit  
8 for me to go out and harvest sockeye salmon. It is  
9 generally known that salmon return to the river in which  
10 they hatched. The same is also true of herring, they  
11 spawn in areas they know their offspring will survive.

12  
13 We, the citizens of the Sitka Tribe asked  
14 the State Board of Fish to draw a line with Proposal 81  
15 that would protect the herring and the harvesters of  
16 herring eggs from a commercial fishery that may  
17 eventually over fish this important resource. This  
18 boundary is similar to the concept of the boundaries set  
19 by ADF&G that does not allow harvesters to fish for  
20 sockeye by beach seine at Redoubt Bay. It is similar to  
21 the boundaries set by ADF&G to keep sportfishers from  
22 snagging and wounding too many of the returning salmon.  
23 This boundary is similar to the concept of keeping those  
24 harvesters with dipnets from going into the calm waters  
25 above the falls and harvesting fish that have finally  
26 made it to their spawning grounds to reproduce.

27  
28 Let the ADF&G stand before this Board and  
29 testify to the number of years they have settled for less  
30 than the quota they have set for the fishery. The  
31 harvesters have already witnessed at least two poor  
32 harvest years in 2001 and 2005 in which many families,  
33 Tlingit families were not able to put away foods that  
34 they depend on and they enjoy and this is a food that is  
35 not only consumed for health reasons but it's also shared  
36 and brings families together.

37  
38 In those years, 2001 and 2005 the  
39 reasonable opportunity to harvest didn't matter because  
40 the spawn was poor but yet the commercial quota was  
41 probably met.

42  
43 In my uncle's words, there used to be a  
44 seven day spawn and a two hour fishery, now we see a  
45 seven day fishery on only a two hour spawn. We know  
46 where the herring are going to spawn, but if they are  
47 continually removed before they spawn you're depleting  
48 the resource before it has a chance to sustain itself.  
49 If other commercial fish -- salmon seiners fished at the  
50 mouth of the river they'd be called creek robbers,

1 herring fishermen, even though they are removing the  
2 herring from the spawning grounds are just called herring  
3 fishermen, and this practice, although it's illegal if  
4 performed by subsistence and sport user groups, is  
5 perfectly acceptable for the herring fishery.

6  
7 If there is a real effort to disperse the  
8 fishery, let's see this fishery dispersed next year to  
9 Aspit Cape, and leave our harvesting areas alone in Sitka  
10 Sound. If there is a consideration given to subsistence  
11 users let's see the ADF&G establish lower quotas and  
12 different methods of test fishing. If the fishery is  
13 conducted and was only 500 tons short of the quota I say  
14 don't fish, you're close enough. I have yet to see the  
15 ADF&G accept a quota that is even one pound less than  
16 what is set pre-season by an estimate of the returning  
17 spawning biomass.

18  
19 The area around Makhnati is relatively  
20 small and we're not asking for a lot with this proposal,  
21 but we have to start to draw our own lines as subsistence  
22 users that says this is a beginning point to conserve the  
23 herring resource. Let there be one area that we can  
24 allow herring to spawn untouched. Allow the harvesters  
25 to tell the State you cannot fish here before (ph) these  
26 herring have made it to their spawning grounds.  
27 Harvesters don't ask for fines as of yet when hundreds of  
28 tons are lost in poor test sets by commercial fishing  
29 vessels. Harvesters don't ask for fines when you over  
30 fish the herring, not by one or two fish, but by  
31 thousands of tons. Harvesters do ask for you to conserve  
32 this important resource by setting aside one small area  
33 like Makhnati and Whiting Harbor and maybe in the future  
34 other important harvesting areas.

35  
36 I ask this for my future grandchildren,  
37 descendants of Kiksadi and other subsistence user groups  
38 unable to testify today. While the State is quick to  
39 draft regulations that protect spawning salmon from  
40 subsistence uses, I have to ask why they will not draw  
41 the same lines for commercial herring fishery even if the  
42 areas are relatively small.

43  
44 I'd like to thank you all again for your  
45 time for listening to me today, and I hope my point is  
46 well taken when it's considered and up for a vote  
47 concerning Makhnati and Whiting Harbor. Again, this area  
48 is relatively small. It may seem insignificant but let's  
49 draw one small area where we know that we can try to  
50 rebuild a healthy stock of herring within Sitka Sound.

1 Gunalcheesh.

2

3 CHAIRMAN ADAMS: Gunalcheesh, Mr. Gamble.  
4 We have heard your testimony. It has been -- it's on  
5 record. And, you know, the Council has taken in a lot of  
6 testimony the last day and a half or so I'm going to  
7 forsake any questions at this time, we're going to go  
8 right into the voting because I think the Council is  
9 prepared now to vote on this issue.

10

11 So thank you for being here and sharing  
12 your thoughts with us.

13

14 MR. GAMBLE: Thank you for allowing me to  
15 speak.

16

17 CHAIRMAN ADAMS: Mr. Knauer.

18

19 MR. KNAUER: Thank you, Mr. Chairman. I  
20 do need to clarify one remark I made to make sure there's  
21 no confusion. I mentioned that the in-season manager  
22 does have the authority to open, that if the Board were  
23 to close by regulation, then unless there is wording in  
24 the regulation providing that authority to open they  
25 wouldn't have that authority, it would have to go back to  
26 the Board on a special action.

27

28 Now, if it's the situation where an area  
29 is open by regulation and the in-season manager closes  
30 it, then the in-season manager automatically has the  
31 authority to reopen. So there is that little bit of a  
32 distinction.

33

34 CHAIRMAN ADAMS: Thank you, Mr. Knauer,  
35 appreciate that. Dolly.

36

37 DR. GARZA: Okay, you almost confused me  
38 but I think I got it.

39

40 So that's to close or reopen the  
41 commercial fishery or the subsistence fishery?

42

43 MR. KNAUER: If it's in an area of  
44 Federal subsistence jurisdiction, you're talking either.

45

46 CHAIRMAN ADAMS: Again, thank you, Bill.  
47 I think what we need to consider right now is how we are  
48 going to address that and I think an amendment to the  
49 motion would take care of that. You know, that the in-  
50 season manager would have the authority then to reopen

1 this closed area, if it passes. I think it's a safeguard  
2 that we need to be aware of and, you know, if we address  
3 it now we won't have to deal with it later.

4

5 DR. GARZA: Mr. Chairman. We did have  
6 this motion put on the table could we get a clarification  
7 from the maker of the motion, if it was 18 or 19 and  
8 which page and which language that we're referring to if  
9 we're looking at some kind of amendment or clarification.

10

11 CHAIRMAN ADAMS: Frank, do you know  
12 whether it's 18 or 19 and what page or proposal, the  
13 language you want to use?

14

15 (Pause)

16

17 CHAIRMAN ADAMS: Thanks, Dr. Garza, we  
18 need to be specific here. Mr. Wright, what language do  
19 you want to use in the proposal -- they're actually the  
20 same Mr. Wright so.....

21

22 MR. WRIGHT: Yes, thank you, Mr. Chair, I  
23 would stick with 18.

24

25 CHAIRMAN ADAMS: On Page 130.

26

27 DR. GARZA: Mr. Chairman. In looking at  
28 that proposed regulation, we have a series of X's have  
29 those X's been clarified by the proper language.

30

31 CHAIRMAN ADAMS: Dr. Schroeder.

32

33 DR. SCHROEDER: Yes, Dr. Garza. I  
34 believe it's quite clear as to what we mean that we're  
35 talking about that the X's would be as referred to in the  
36 Federal Register and there isn't any confusion on that.

37

38 DR. GARZA: So, Mr. Chairman, as a point  
39 of clarification we would say as described in the Federal  
40 Register, blah, blah, so that it does go to the Federal  
41 Subsistence Board in correct language.

42

43 DR. SCHROEDER: Yes, Dr. Garza.

44

45 CHAIRMAN ADAMS: Dr. Garza, would you  
46 offer an amendment.

47

48 DR. GARZA: Thank you, Mr. Chair. I'm  
49 still a bit unsure how to go forward because if we amend  
50 this and add the request for in-season management through

1 Forest Service, if the proposal goes down in flames,  
2 which is a 50/50, or 4/6 potentially, then would our  
3 amendment go down in flames with, in which case would it  
4 be better to ask for in-season management as a separate  
5 item separate from this proposal so that if it were to go  
6 down in flames, and I guess I'm just pessimistic after 12  
7 years on this Council that something would survive from  
8 it.

9

10 CHAIRMAN ADAMS: Dr. Schroeder, got a  
11 response.

12

13 DR. SCHROEDER: Through the Chair. Dr.  
14 Garza. I think you could do it either way. The Council,  
15 in its rationale could be clear on that point and that  
16 would be, if I understand you correctly, would like the  
17 Board to consider those issues. That although they're  
18 related but to have separate discussion on each of those;  
19 is that your intention?

20

21 CHAIRMAN ADAMS: Also, I think, you know,  
22 it would be well if we made the amendment because that  
23 way it would be connected to the proposal and that would  
24 strengthen our rationale as well, so I think that would  
25 be the proper way for us to go.

26

27 MS. PHILLIPS: Mr. Chairman.

28

29 CHAIRMAN ADAMS: Go ahead, Patty.

30

31 MS. PHILLIPS: It's already a part of the  
32 process. I mean these lands and waters, were just  
33 entered into the Federal Register in August of 2006, so  
34 the procedures and policies connected to this land are  
35 going to be in place. That's what I understand from Mr.  
36 Knauer.

37

38 CHAIRMAN ADAMS: Okay, I understood from  
39 Mr. Knauer that if we addressed it, you know, so that it  
40 would be part of this proposal that it would probably  
41 give us more strength here. But if it's already in the  
42 Federal Register, you know, maybe we don't need to  
43 address it but I need to be clear as to what the Council  
44 thinks here.

45

46 Dolly, go ahead.

47

48 DR. GARZA: Right, and I agree with you.  
49 I think that even if it's there, it almost ambiguously,  
50 would be better for the Council to clarify it and assert

1 it.

2

3 So Mr. Chairman, I would move that we  
4 amend Proposal FP07-18 as written on Page 130, that there  
5 be another sentence that would say, further:

6

7 U.S. Forest Service, Sitka District  
8 Manager, I think it would be Ranger,  
9 assert and define management including  
10 in-season management of herring for  
11 subsistence protection.

12

13 CHAIRMAN ADAMS: There's a motion.....

14

15 REPORTER: Bert. Bert.

16

17 CHAIRMAN ADAMS: .....and a second,  
18 anyone.....

19

20 REPORTER: Bert.

21

22 MS. PHILLIPS: Second.

23

24 CHAIRMAN ADAMS: Seconded by Patty.

25 Floyd.

26

27 MR. KOOKESH: Excuse me, Dr. Garza, was  
28 the language in-season regulatory authority?

29

30 CHAIRMAN ADAMS: Dr. Garza.

31

32 DR. GARZA: Through the Chair. Mr.  
33 Kookesh. I would ask for a clarification from Mr. Knauer  
34 so we get it as clean as possible.

35

36 CHAIRMAN ADAMS: Mr. Knauer.

37

38 MR. KNAUER: Mr. Chairman. Dr. Garza.  
39 What you're describing already exists. What I believe  
40 you're asking for is the authority to open, if the area  
41 is closed by regulation, which in-season authority does  
42 not grant. So what you want to say is that this area,  
43 yada, yada, yada is closed, except the authority to open  
44 in-season is provided to the -- is delegated to the in-  
45 season manager. We can work on the exact language later.  
46 But what you want to do is you want to do is grant that  
47 authority to the in-season manager to open it even though  
48 it's closed by regulation.

49

50 CHAIRMAN ADAMS: Dolly. Dr. Schroeder is

1 also going to put this up on the screen so we'll all have  
2 a chance to look at it and tear it apart if you want.

3

4 DR. GARZA: And perhaps that might make  
5 it more acceptable to the Federal Subsistence Board, but  
6 I don't think that's the intent of STA. I think their  
7 first preference is to close it period. And my intent  
8 with the amendment was that if that didn't go forward  
9 that the in-season manager would have the authority to  
10 close it in-season, not to open it, but to close it in-  
11 season.

12

13 MR. KNAUER: Dr. Garza, that authority  
14 exists whether it's stated in this spot or not.

15

16 DR. GARZA: Mr. Chair. While, that's  
17 clicking up.....

18

19 CHAIRMAN ADAMS: Sure, go ahead, Dolly.

20

21 DR. GARZA: I guess that perhaps was  
22 Patty's point and then my follow up point is that perhaps  
23 that already exists that the in-season manager and the  
24 intent of my amendment was that the Ranger assert and  
25 define, even if it exists, that they assert and define  
26 that they have the authority to close in-season, if  
27 needed. And that that become clear that they become part  
28 of the management process for Sitka area herring, and  
29 specifically for the Makhmati Islands subsistence  
30 protections. Because if it exists and nobody knows it  
31 exists and nobody asserts it then it doesn't, in fact,  
32 exist.

33

34 (Pause)

35

36 DR. GARZA: Mr. Vice Chair, I'd request a  
37 five minute recess.

38

39 MR. KOOKESH: Mr. Chairman.

40

41 CHAIRMAN ADAMS: Okay, we'll take a break  
42 here so that this can be worked out.

43

44 (Off record)

45

46 (On record)

47

48 CHAIRMAN ADAMS: Gentlemen could we take  
49 our seats please.

50

1                   Okay, Dr. Schroeder has the language up  
2 there, is that going to be sufficient enough to attach to  
3 this proposal.  
4  
5                   DR. SCHROEDER: Perhaps Dr. Garza could  
6 clarify that.....  
7  
8                   REPORTER: Bob.  
9  
10                  DR. SCHROEDER: Sorry. Perhaps Dr. Garza  
11 could clarify if this wasn't the language that she  
12 suggested, and I'm not sure if she would concur that this  
13 language is used as a substitute.  
14  
15                  DR. GARZA: Mr. Chairman.  
16  
17                  CHAIRMAN ADAMS: Dr. Garza.  
18  
19                  DR. GARZA: After being beat over the  
20 head for a few minutes, I will suggest that this be  
21 substitute language for the amendment that I suggested  
22 earlier if the second would concur.  
23  
24                  CHAIRMAN ADAMS: Patty.  
25  
26                  MS. PHILLIPS: Chairman Adams, I concur  
27 as the second.  
28  
29                  CHAIRMAN ADAMS: Okay. So this will be  
30 the language that will be accepted for the amendment.  
31  
32                  Any further discussion.  
33  
34                  (No comments)  
35  
36                  MR. KITKA: Question.  
37  
38                  CHAIRMAN ADAMS: Question's been called.  
39 All in favor of the amendment please signify  
40  
41                  IN UNISON: Aye.  
42  
43                  CHAIRMAN ADAMS: Opposed.  
44  
45                  MR. HERNANDEZ: No.  
46  
47                  CHAIRMAN ADAMS: One no. Motion carries.  
48  
49                  DR. SCHROEDER: Please specify the no.  
50

1 CHAIRMAN ADAMS: One opposed.  
2  
3 MR. KOOKESH: One opposed.  
4  
5 DR. SCHROEDER: Tina, did you get that?  
6  
7 REPORTER: I got it. Don, correct.  
8  
9 MR. HERNANDEZ: (Nods affirmatively)  
10  
11 CHAIRMAN ADAMS: We are back to the main  
12 motion.  
13  
14 MR. KOOKESH: Question, Mr. Chair.  
15  
16 CHAIRMAN ADAMS: Question has been  
17 called. Dr. Garza.  
18  
19 DR. GARZA: Mr. Chairman. I will be  
20 voting in favor of the motion, as amended. And I'm going  
21 to take a slightly different attack. I think Mr. Kitka  
22 covered the four points, but I'd like to address them  
23 slightly differently if I can.  
24  
25 CHAIRMAN ADAMS: Yes.  
26  
27 DR. GARZA: I think that this proposal,  
28 as amended would provide subsistence protections to Sitka  
29 area residents, even in a small area, it will nonetheless  
30 provide protections, and that is the obligation of the  
31 Federal Subsistence Program. It is the most that we can  
32 do at this time and therefore it should be done.  
33  
34 It certainly can be argued by ADF&G, and  
35 I'm sure it will be argued by ADF&G in Anchorage, that  
36 there is no conservation issue, that whether or not  
37 there's a commercial harvest in this area, will not make  
38 or break the Sitka area stock. And so that will not be  
39 the strong argument going forward from this Council.  
40  
41 But we can argue that it does have  
42 insignificant impact on other users.  
43  
44 It's my understanding that there's only  
45 been at least perhaps one commercial harvest in that area  
46 in the many years of the commercial fishery and so the  
47 impact on other users is purely negligible, it's  
48 nonexistent.  
49  
50 I think that we are moving forward in

1 closing an area at a time when Federal Subsistence Board  
2 is being muscled to try and develop policy on closures  
3 that may not be beneficial or a process that may not be  
4 beneficial to subsistence users who are trying to protect  
5 their resource. And for that reason I think it's very  
6 important that we take this forward before, in fact, such  
7 monumental requirements do exist.

8

9 I think that it is our obligation to  
10 protect what areas that we can and even if this is a  
11 minuscule part, it is an area that we can protect and  
12 therefore I think we, as well as the Federal Subsistence  
13 Board has an obligation.

14

15 So for these reasons I will be supporting  
16 the proposal as amended.

17

18 Thank you.

19

20 CHAIRMAN ADAMS: Thank you, Dr. Garza.  
21 Mr. Wright, did you have something.

22

23 MR. WRIGHT: Yes, thank you, Mr. Chair.  
24 As Mr. Kitka had pointed out that all four criteria has  
25 been met, all four criteria has been met so I call for  
26 the question.

27

28 CHAIRMAN ADAMS: Question has been called  
29 for, all in favor of this motion, this is the main motion  
30 now -- do you have something?

31

32 MS. PHILLIPS: Chairman Adams, I request  
33 a roll call vote.

34

35 CHAIRMAN ADAMS: You beat me to the punch  
36 there, Patty, I was going to call for a roll call.  
37 Secretary please call the roll on this motion, please.

38

39 MR. KITKA: Richard Stokes.

40

41 MR. STOKES: Aye.

42

43 MR. KITKA: Frank Wright, Jr.

44

45 MR. WRIGHT: Aye.

46

47 MR. KITKA: Patricia Phillips.

48

49 MS. PHILLIPS: Aye.

50

1 MR. KITKA: Mike Douville.  
2  
3 MR. DOUVILLE: Yes.  
4  
5 MR. KITKA: Harvey Kitka, aye. Floyd  
6 Kookesh.  
7  
8 MR. KOOKESH: Aye.  
9  
10 MR. KITKA: Donald Hernandez.  
11  
12 MR. HERNANDEZ: Aye.  
13  
14 CHAIRMAN ADAMS: Aye.  
15  
16 MR. KITKA: Dolly Garza.  
17  
18 DR. GARZA: Aye.  
19  
20 MR. KITKA: Michael Bangs.  
21  
22 MR. BANGS: Aye.  
23  
24 CHAIRMAN ADAMS: Motion carries.  
25  
26 REPORTER: That's not everyone.  
27  
28 CHAIRMAN ADAMS: Oh, sorry, thank you,  
29 Tina.  
30  
31 MR. KITKA: Nick Davis. I don't know how  
32 I missed you, you're there, I see you.  
33  
34 (Laughter)  
35  
36 MR. DAVIS: Aye.  
37  
38 MR. KITKA: Mr. Chair. The aye's have  
39 it.  
40  
41 CHAIRMAN ADAMS: Thank you, Mr. Kitka.  
42 Sorry about that Nick, you're so quiet all these two  
43 days, but the motion carries.  
44  
45 Thank you.  
46  
47 Dr. Garza.  
48  
49 DR. GARZA: Thank you, Mr. Chairman. And  
50 I think that as a Council we might want to give you some

1 direction as you go forward to the Federal Subsistence  
2 Board so if Dr. Schroeder could scroll down a little bit  
3 on his screen.

4

5 CHAIRMAN ADAMS: Please do.

6

7 DR. SCHROEDER: Excuse me, Dr. Garza.

8

9 DR. GARZA: Scroll down on your screen.

10

11 DR. SCHROEDER: Did you want to review  
12 the rationale items -- what would you like to see here.

13

14 DR. GARZA: Okay. Mr. Chairman. I think  
15 that as part of this proposal going forward and we  
16 certainly don't know how far forward it will go, perhaps  
17 it will just fly through, but I think that we should  
18 request from the area manager, and it's our  
19 understanding, but it hasn't been made for sure, that it  
20 would be the Forest Service Ranger, that they provide us  
21 with information on how they see their role in protecting  
22 the subsistence herring users in the future and so how  
23 they intend to work with Fish and Game, how they intend  
24 to work with STA and how they intend to meet their  
25 obligation, if they could present to us sometime in the  
26 future just so that we know that something continues  
27 regardless of what happens with this proposal, the  
28 obligation does continue.

29

30 Thank you.

31

32 CHAIRMAN ADAMS: Thank you, Dolly.  
33 Appreciate that. Okay, we're done with this issue. Dr.  
34 Schroeder.

35

36 DR. SCHROEDER: Mr. Chairman. We should,  
37 just to be parliamentary clean and have a motion on  
38 Proposal FP07-19, because of the action on the previous  
39 proposal, the Council may wish to take no action on this  
40 proposal.

41

42 CHAIRMAN ADAMS: What's the wish of the  
43 Council, I think it's a good idea.

44

45 MR. DOUVILLE: Mr. Chairman.

46

47 CHAIRMAN ADAMS: Mike.

48

49 MR. DOUVILLE: You have to tell me what  
50 your good idea is.

1 CHAIRMAN ADAMS: The good idea is that  
2 Proposal 19 is identical to Proposal 18 and we've already  
3 passed 18 and so we need to address 19 somehow, so the  
4 suggestion was to not take any action on it at all.  
5  
6 MR. DOUVILLE: I so move, Mr. Chairman.  
7  
8 CHAIRMAN ADAMS: Is there a second.  
9  
10 MR. KITKA: Mr. Chairman. I second.  
11  
12 CHAIRMAN ADAMS: Seconded by Harvey  
13 Kitka.  
14  
15 Discussion.  
16  
17 (No comments)  
18  
19 CHAIRMAN ADAMS: Are you ready for the  
20 question.  
21  
22 MR. WRIGHT: Question.  
23  
24 CHAIRMAN ADAMS: Question's been called,  
25 all in favor, please say aye.  
26  
27 IN UNISON: Aye.  
28  
29 CHAIRMAN ADAMS: Opposed.  
30  
31 (No opposing votes)  
32  
33 CHAIRMAN ADAMS: Motion carries. The  
34 next proposal before us is Proposal No. 20. Hopefully,  
35 you know, we've gone through two days of these first two  
36 proposals, hopefully things will start picking up from  
37 here on.  
38  
39 MR. KOOKESH: He's trying to talk to you.  
40  
41 CHAIRMAN ADAMS: Excuse me, Michael.  
42  
43 MR. DOUVILLE: Mr. Chairman. It's  
44 obvious that we can take no action, I mean this is out of  
45 our jurisdiction as it is in saltwater.  
46  
47 CHAIRMAN ADAMS: Okay.  
48  
49 MR. DOUVILLE: My suggestion is that at  
50 the appropriate time I would like to make a motion to

1 take no action on this. But being that we are in a time  
2 crunch sometimes and we've taken a lot of time on the  
3 first two proposals, I'm not -- is it necessary that we  
4 go through the whole process of having it presented to us  
5 like we normally do, can we short cut that process.

6

7 CHAIRMAN ADAMS: Dr. Garza. And then  
8 Cal, I'd like a comment from you.

9

10 DR. GARZA: Right. Following up on that  
11 same thought process, I guess we need to hear enough to  
12 -- it's looking to local expertise, it's whether or not  
13 the intent was to provide the opportunity for the  
14 subsistence users in the Klawock Inlet area, which is  
15 clearly marine versus where they've submitted the  
16 proposal which is not in marine, but is not where the  
17 main subsistence fishery occurs.

18

19 So if we could get clarification on that  
20 first.

21

22 CHAIRMAN ADAMS: Cal, would you like to  
23 clarify that for us, please.

24

25 MR. CASIPIT: Thank you, Mr. Chair. Ms.  
26 Garza -- Dr. Garza. I hate to just cut to the analysis,  
27 but if you look at the discussion on Page 149, the first  
28 couple sentences, it does say the proponent wishes to  
29 change the fishing schedule in the marine waters below  
30 the Klawock Highway Bridge which fall under State  
31 jurisdiction. That's the first sentence of the  
32 discussion of the Staff analysis.

33

34 It goes on to say that the proposal is  
35 not intended to change or create a separate fishery  
36 within Federal jurisdiction.

37

38 CHAIRMAN ADAMS: Okay, thank you, Cal.

39

40 MR. CASIPIT: Was there something more  
41 you wanted from me? The proposal does -- the proponent  
42 is asking for a change to a regulation that's outside our  
43 jurisdiction.

44

45 CHAIRMAN ADAMS: Okay, but I agree with  
46 Dr. Garza, that maybe we should have the proposal  
47 introduced so we'll go ahead and listen to it. Mr.  
48 Reeves, so we'll give you some time here and then I think  
49 this will probably go through pretty quickly.

50

1 Thank you.  
2  
3 MR. REEVES: Thank you, Mr. Chairman.  
4 Council. Yeah, my name is Jeff Reeves, I'm with the  
5 Forest Service.  
6  
7 The proponent of this proposal 07-20 is  
8 -- when I went in and met with them, their intent was to  
9 change the marine water fishery, not in the river or the  
10 lake, they wanted to change State regulation and not  
11 Federal. So if that speeds things up for you then.....  
12  
13 CHAIRMAN ADAMS: Okay, anything else.  
14  
15 MR. REEVES: No, not really.  
16  
17 CHAIRMAN ADAMS: Okay.  
18  
19 MR. REEVES: The main fishery occurs down  
20 in marine waters, there is very little that does occur in  
21 fresh water so our recommendation was going to be oppose  
22 the proposal anyways.  
23  
24 CHAIRMAN ADAMS: Okay, that's what I was  
25 looking for. Dolly.  
26  
27 DR. GARZA: Mr. Chairman. So I guess I  
28 need to have a better idea whether or not you or Dave met  
29 with Craig Community before they submitted the proposal  
30 and, if so, why did they still submit it, I mean this  
31 kind of looks bad if, you know, it appears that we didn't  
32 even work with the Association to allow them to submit  
33 the right kind of proposal or to work through the right  
34 process. They might jump on us.  
35  
36 CHAIRMAN ADAMS: Okay, thank you, Dolly.  
37  
38 MR. REEVES: Mr. Chairman. Ms. Garza.  
39 Mr. Nickerson from Craig Community, when I asked him  
40 about that, he thought that the Federal regulatory  
41 proposal cycle was the cycle he needed to change what was  
42 in marine water, he didn't realize he'd missed the Board  
43 of Fish cycle at the time it was submitted.  
44  
45 CHAIRMAN ADAMS: Okay, thank you. What's  
46 the wish of the Council.  
47  
48 MR. KOOKESH: Mr. Hernandez.  
49  
50 CHAIRMAN ADAMS: Mr. Hernandez.

1 MR. HERNANDEZ: Mr. Chairman. I'm  
2 looking on Page 149 and there is a proposed change to a  
3 Federal regulation there dealing with the -- proposed  
4 Federal regulation on Page 149, it does mention changing  
5 the time for the subsistence fishery in the waters of  
6 Klawock River and Klawock Lake, which are Federal waters.  
7 So I don't know if that was part of the proposal, I think  
8 going through the analysis, they say they didn't really  
9 intend to have separate fisheries, you know, between  
10 State and Federal waters, so if that was not their  
11 intention, I think we should maybe clarify for the Board  
12 that, you know, we would not endorse that proposed  
13 regulation rather than just take no action on it.  
14 Because I do see wording here that asks for that change.

15  
16 CHAIRMAN ADAMS: Floyd, you had something  
17 to say.

18  
19 MR. KOOKESH: My comment was just that it  
20 doesn't make sense to have a fishery that opens 8:00 to  
21 5:00 Monday through Friday, we don't fish like that, but  
22 that was just my observation. I don't know how many of  
23 you fish 8:00 to 5:00, charter boat operators do but.....

24  
25 DR. GARZA: Mr. Chairman.

26  
27 CHAIRMAN ADAMS: Yes, Dr. Garza, please.

28  
29 DR. GARZA: Mr. Hernandez is right, this  
30 is a proposal to change Federal regulation and even  
31 though the intent may be different, I think we need to at  
32 least go through it. We could be fairly quick about it,  
33 and perhaps in that process try and get the right message  
34 back to Craig Community.

35  
36 CHAIRMAN ADAMS: Okay, we will proceed in  
37 that manner then.

38  
39 MR. REEVES: Thank you, Mr. Chairman.  
40 I'll try to sum this up in a nutshell. If you direct  
41 your attention to that map there, you'll see a faint red  
42 line that runs up and down right above the word, Klawock,  
43 everything to the section to the right of that is under  
44 Federal jurisdiction, anything to the left falls under  
45 State jurisdiction.

46  
47 As mentioned earlier the proponents were  
48 wishing to change this fishing schedule to the left of  
49 that line. Both State and Federal regulations, the  
50 season and fishing schedules are the same. So this is a

1 drainage that has quite a history from commercial  
2 exploitation to hatchery management starting back in the  
3 late 1800s. Extensive timber harvest, residential  
4 developments, scattered weir counts from the '30s up  
5 until present dates. Historic run strength in the '30s  
6 based on the weir counts was averaging about 35,000 fish.  
7 The last five years we're getting about 14,000 fish on  
8 average back into this drainage.

9  
10 They're wanting to change the fishing  
11 schedule due to -- the fish have been later as each year  
12 seems to go on, so this fishing schedule is missing --  
13 they're missing the fish when they come through, and like  
14 I said since it's marine waters they need to take this to  
15 the Board of Fisheries. Changing it within Federal  
16 jurisdiction is just going to create two seasons, two  
17 permits, subsistence harvest from Federal jurisdiction  
18 has been like seven sockeye in the past six years, all  
19 taken incidentally under a coho fishery.

20  
21 There's some commercial fisheries that do  
22 occur in outside waters, but the take of Klawock sockeye  
23 in these fisheries is virtually unknown. In the analysis  
24 there's a table of weir counts, a table of harvest.  
25 Subsistence harvest under Tlingit permit have generally  
26 been under reported. On the bottom of the table on Page  
27 155 on Table 2, you'll see that reported harvests are  
28 about two-thirds of what krill census surveys have been  
29 showing for subsistence harvest.

30  
31 It is an important system both folks from  
32 Klawock and neighboring communities. It's had a series  
33 of regulatory changes under the State system that started  
34 in the 1980s. The fishing schedule, the seasons, there's  
35 a horsepower restriction down in the harbor.

36  
37 Changing it in Federal jurisdiction is  
38 not going to solve the problem that Craig Community would  
39 like to try to solve by submitting this proposal.

40  
41 So the Federal Staff -- or the Federal  
42 recommendation is to oppose this proposal.

43  
44 CHAIRMAN ADAMS: Thank you. Mike, you  
45 got a question.

46  
47 MR. DOUVILLE: I do have a question.  
48 There's a paragraph here that does address the Federal  
49 waters. It's to my knowledge the Federal waters have  
50 never been open other than maybe for incidental catch of

1 sockeye, which is what we're talking about. There must  
2 be more to this regulation or is there anything that says  
3 that it's closed or open on the Federal side, because as  
4 far as I know you cannot fish in Klawock Lake or the  
5 river for sockeye even with a Federal permit.

6

7 CHAIRMAN ADAMS: Mr. Reeves, you have an  
8 answer for that.

9

10 MR. REEVES: Mr. Chairman. Mr. Douville.  
11 The lake and river drainage has always been open, even  
12 under a State permit. Apparently when we took over  
13 management, we -- since there was the State regulation in  
14 effect, it was pulled over into Federal regulation.

15

16 Talking to some folks from Klawock, the  
17 general etiquette, you could say for Klawock sockeye  
18 fishing is to fish them in the harbor, they really  
19 discourage fishing them in the river and the lake. And  
20 the outlet is only about a mile to a mile and a half long  
21 and there's really not too many good places to fish. The  
22 deep pools where you might be able to seine sockeye are  
23 full of wood so it's hard to do. So it's pretty much  
24 typically kept everyone down into the harbor, the fish  
25 down there are brighter, by the time they get in the  
26 river and they hang out and before they move through the  
27 weir, they blush up fairly fast, so it's typically been  
28 -- that's why it's been a marine fishery.

29

30 The seven or so fish that we have had  
31 reported on Federal permits were taken generally in the  
32 late fall while people were targeting coho salmon with a  
33 Federal permit.

34

35 So it hasn't been prohibited there, the  
36 only style of fishing that has been prohibited within the  
37 drainage has been sportfishing. People can still  
38 sportfish but they cannot retain sockeye, if that answers  
39 your question.

40

41 CHAIRMAN ADAMS: Mike, follow up.

42

43 MR. DOUVILLE: Thank you, Mr. Chairman.  
44 So above the bridge and -- which is a stretch of marine  
45 water up to where the Federal line is, is like a no man's  
46 land as far as I know the State doesn't allow a  
47 subsistence fishery in that area, so I don't believe that  
48 you can seine above the bridge legally. I may be wrong  
49 but I've never seen anybody do it and I think there's a  
50 no man's land there. But we do have people go up into

1 the Federal water and seine below the lower falls at  
2 times which is frowned upon by local users, however  
3 you're saying that it is open.

4

5 Do you know what I'm saying, where the  
6 Federal line is, between there and the first falls.

7

8 MR. REEVES: Yeah, that Federal line, it  
9 doesn't show it clear on that ortho-photo but that is  
10 right at the top of the tidal flat, which I guess you're  
11 probably familiar with Mike, the falls are above there,  
12 the first little series of falls, if there's a State  
13 person here that can answer the legality question on  
14 whether that State permit can be fished there, I'd sure  
15 like them to come down, the Federal permit, though, is  
16 valid from the top of the tidal flat, which is where that  
17 line is drawn up stream throughout the rest of the  
18 drainage, but the Federal permit could not be used down  
19 in the estuary or in the harbor.

20

21 CHAIRMAN ADAMS: I'll ask the State to  
22 respond to your question there when they come, they'll be  
23 right after you.

24

25 (No comments)

26

27 CHAIRMAN ADAMS: Thank you, sir. State  
28 people, please.

29

30 MS. GILBERTSON: Good morning, Mr.  
31 Chairman, Council. This is Sarah Gilbertson from Fish  
32 and Game, and we concur with many of the statements that  
33 Jeff already made, 95 percent of the subsistence sockeye  
34 fishery occurs in State waters and so the best place for  
35 this proposal to -- the best place to address this  
36 proposal is before the Board of Fisheries, and any action  
37 that you all would take to make changes to regulation in  
38 the Federal waters that you've been looking at would  
39 cause, I think, confusion among users because you'd have  
40 two different sets of regulations, two different  
41 timeframes and timelines for fishing, would cause  
42 enforcement concerns, and just be inconsistent and cause  
43 a number of difficulties in terms of administering the  
44 fisheries.

45

46 Anything to add, Bill.

47

48 MR. DAVIDSON: No, I don't have anything  
49 to add to that.

50

1 CHAIRMAN ADAMS: Dr. Garza,

2

3 DR. GARZA: One question, and then one  
4 comment.

5

6 So granted that sockeye coming back to  
7 Klawock Lake are later and later each year, does ADF&G  
8 in-season management authority allow for an extension of  
9 that subsistence harvest to allow them to take sockeye  
10 the end of July or whatever time period when they came  
11 back late this year and came back after the season  
12 technically closed?

13

14 MR. DAVIDSON: Mr. Chairman. Dr. Garza.  
15 The State fishery is covered in regulation and that  
16 regulation was put in place. I'm not familiar with who  
17 initially brought it forward, maybe Mr. Douville knows,  
18 but the purpose of the regulation was allocative in  
19 nature, and the intent was that local users would have  
20 greater access as opposed to people coming into the area  
21 from outside and that's why that season in regulation is  
22 the way it is, so the State would not override an  
23 allocative Board of Fisheries regulation to manage the  
24 fishery unless there was a super abundance and no one  
25 would possibly be affected. But EO authority is pretty  
26 broad but we wouldn't want to step on the Board of  
27 Fisheries wishes on this matter.

28

29 DR. GARZA: So basically then after -- if  
30 it's allocative, then after July 17th, I think that's the  
31 current date right now, then non-subsistence State users  
32 could harvest in that area; is that the allocation there?

33

34 MS. GILBERTSON: Is the regulation in the  
35 book a Federal regulation, oh, it mirrors the State.

36

37 MR. DAVIDSON: The regulation applies to  
38 subsistence users and I believe there's a season closure  
39 date after which there's no further harvest.

40

41 So that regulation, if it's at issue, is  
42 a State regulation and the proper body to consider that  
43 regulation would be the State Board of Fisheries.

44

45 DR. GARZA: Right. I was just trying to  
46 figure out what allocation you were referring to, as to  
47 why those dates are there.

48

49 MR. DAVIDSON: The dates are there --  
50 basically there's fishing days of the week, Monday

1 through Friday, 8:00 to 5:00, and I believe that the  
2 allocation was between potential subsistence harvesters  
3 from the local area versus from outside, specifically the  
4 weekends are closed.

5

6 CHAIRMAN ADAMS: Mike.

7

8 MR. DOUVILLE: Mr. Chairman. I  
9 understand how it all works but that regulation was  
10 basically to keep somebody from getting on the ferry in  
11 Ketchikan and coming over and fishing sockeye over the  
12 weekend which was happening to some degree and that took  
13 care of that part. It needs to be modified, it was made  
14 in '86 and things have changed since then.

15

16 I do know that you have the authority to  
17 make in-season closures by emergency order in a lot of  
18 circumstances, do you then have the authority to extend  
19 the season then if you see the need for that also, which  
20 in effect would cover this proposal? The fish are coming  
21 in later, is what's happening, and, you know, they're not  
22 seeing them until later in the year when they go through  
23 the weir and there's a fair amount, not historical levels  
24 but there is fish going through that the subsistence  
25 users are not getting an opportunity to fish because  
26 they're coming in later after it closes.

27

28 MR. DAVIDSON: That's a -- Mr. Chairman.  
29 Mr. Douville. That's a very tough question to answer.  
30 As I said the area manager would be hard-pressed to  
31 override a regulation that has been put in place in order  
32 to address allocation issues among users. Personally, I  
33 feel that the time and area authority is very broad,  
34 however, and that would be a distinct possibility but I  
35 would suspect that the area manager would not want to do  
36 that. It might be just too controversial and it probably  
37 should be addressed in front of the Board where, you  
38 know, all affected parties have a chance to comment and  
39 the Board could come to a conclusion, rather than the  
40 area manager take it upon himself to set things straight.

41

42 CHAIRMAN ADAMS: Mr. Douville and then  
43 Dr. Garza.

44

45 MR. DOUVILLE: There is no allocation  
46 here as far as sport, there is no sportfishing allowed,  
47 this is only a little subsistence so it's not an  
48 allocation in that respect.

49

50 CHAIRMAN ADAMS: Dolly, go ahead.

1 DR. GARZA: Yeah, they kicked us  
2 Ketchikan people out so there is none.

3  
4 (Laughter)

5  
6 DR. GARZA: You know, I think we could  
7 certainly take action and it would not result in what, at  
8 least what Craig Community members want, but we could  
9 take action because of the game we play with Fish and  
10 Game, well, if you change your regulations they won't be  
11 the same and people will be confused, so if we change our  
12 regulations then they can change theirs and then we'll be  
13 mirrored and life will be fine. And the end result would  
14 be that subsistence harvesters could again harvest  
15 sockeye during the season when sockeye are in which is  
16 what they want.

17  
18 I think with global warming that sockeye  
19 will continue to come in later. I think Floyd mentioned  
20 that they came in later up there, and if that's the case  
21 around Southeast then we need to find a mechanism to  
22 allow and if we, as the Regional Advisory Council, could  
23 assist in that process, then we need to find the  
24 mechanism to allow subsistence harvesters access to the  
25 subsistence resources when they are available.

26  
27 Thank you.

28  
29 CHAIRMAN ADAMS: Anyone else. Mike.

30  
31 MR. DOUVILLE: I'm just going to make one  
32 more comment. It's never been -- only one person I know  
33 does this once in awhile, goes up to the mouth of the  
34 creek and you can seine there just fine in high water  
35 although it's generally been frowned upon because we  
36 thought it was closed. But it is open with a Federal  
37 permit, and there is plenty of room to fish in Federal  
38 water there, and I'm surprised -- I didn't see one, but  
39 there should be a map of this estuary where the line is  
40 drawn blown up because I seen it a couple of years ago or  
41 maybe four or five years ago when this was -- we needed  
42 to clarify some of these things. But there's plenty of  
43 room there, certainly to fish sockeye and it's a good  
44 place because they're gathered up there waiting to go up  
45 the river.

46  
47 CHAIRMAN ADAMS: Okay, thank you, Mike.  
48 Anyone else.

49  
50 (No comments)

1 CHAIRMAN ADAMS: Other Federal, State and  
2 tribal agency comments is next.

3  
4 (No comments)

5  
6 CHAIRMAN ADAMS: None, okay. InterAgency  
7 Staff Committee comments.

8  
9 (No comments)

10  
11 CHAIRMAN ADAMS: Fish and Game Advisory  
12 Committee.

13  
14 (No comments)

15  
16 CHAIRMAN ADAMS: Dr. Schroeder, do we  
17 have any written comments.

18  
19 DR. SCHROEDER: Mr. Chairman. No written  
20 public comments on this proposal.

21  
22 CHAIRMAN ADAMS: Do we have any public  
23 testimonies.

24  
25 DR. SCHROEDER: Negative, sir.

26  
27 CHAIRMAN ADAMS: Negative. We're at  
28 Regional Council deliberation at this time. What's the  
29 wish of the Council.

30  
31 Dr. Garza, no, go ahead Donald.

32  
33 MR. HERNANDEZ: Thank you, Mr. Chairman.  
34 I think at this time it'd be appropriate to either vote  
35 to table or to take no action. I think I'm kind of  
36 getting the impression here that there's a problem with  
37 the Klawock River sockeye fishery.

38  
39 Craig Community Association is probably  
40 going to be bringing this to the Board of Fish on their  
41 next cycle. I think maybe what happened was their intent  
42 was to take it to the Board of Fish, they probably would  
43 like to see the Federal Board mirror whatever the State  
44 Board does. They probably submitted this to us  
45 prematurely essentially.

46  
47 At some point in the future we will  
48 probably want to address this on the Federal side of that  
49 line, but I don't think now is the time to do that  
50 because with the State cycle being still two years away

1 we probably would be premature in addressing it now but  
2 we will be addressing it in the future, so I don't think  
3 we should vote against this proposal, but, rather to like  
4 I say either table or take no action, whatever is more  
5 appropriate.

6

7 CHAIRMAN ADAMS: Why don't you just go  
8 ahead and make a motion to either table or no action  
9 then, Donald, and we'll handle it from there.

10

11 MR. HERNANDEZ: Okay. I'll make a motion  
12 then to take no action on this proposal at this time.

13

14 CHAIRMAN ADAMS: Do I hear a second.

15

16 MR. DOUVILLE: Second.

17

18 CHAIRMAN ADAMS: Moved and seconded. Any  
19 discussion.

20

21 Dr. Garza.

22

23 DR. GARZA: Mr. Chairman, thank you. In  
24 passing this motion I hope that we will give direction to  
25 Forest Service Staff that they work with Craig Community  
26 to make sure that they get the proposal in time to the  
27 Board of Fisheries and that at the same time they submit  
28 this proposal back to us so that the times could be  
29 changed for both State and Federal waters so we continue  
30 to mirror each other, because I would hate to see the  
31 Board of Fish say we're not going to support this  
32 proposal because it doesn't mirror Federal regulation.

33

34 Thank you.

35

36 CHAIRMAN ADAMS: Go ahead, Michael.

37

38 MR. DOUVILLE: I agree with Dolly. I  
39 would like to say that when this does get redirected,  
40 that there is a lot of good information put together by  
41 Mr. Reeves here that will be valuable when it does get to  
42 the Board of Fish.

43

44 CHAIRMAN ADAMS: Thank you. Any other  
45 comments.

46

47 (No comments)

48

49 CHAIRMAN ADAMS: Okay, your comments were  
50 noted. Where do you want to go, ready for the question.

1 MR. WRIGHT: Question.  
2  
3 CHAIRMAN ADAMS: Questions's been called,  
4 all in favor please say aye.  
5  
6 IN UNISON: Aye.  
7  
8 CHAIRMAN ADAMS: Opposed.  
9  
10 (No opposing votes)  
11  
12 CHAIRMAN ADAMS: Motion carries. Next  
13 proposal, you're on the hot seat, sir.  
14  
15 MR. LARSON: Good morning, Mr. Chairman.  
16 If you could turn in your books to Page 162, you'll find  
17 the draft Staff analysis for FP07.....  
18  
19 CHAIRMAN ADAMS: Mr. Larson.  
20  
21 MR. LARSON: .....21 and.....  
22  
23 CHAIRMAN ADAMS: Mr. Larson, for the  
24 record would you please identify yourself.  
25  
26 MR. LARSON: I can do that. My name is  
27 Robert Larson, I work for the Forest Service. I'm the  
28 fisheries biologist for the Wrangell and Petersburg  
29 Ranger Districts.  
30  
31 Proposal FP07-21 was submitted by the  
32 Southeast Regional Advisory Council and it would remove  
33 the daily and seasonal harvest limits for sockeye salmon  
34 from regulations for all systems except the Stikine  
35 River. The systems that are now listed in regulations  
36 that have harvest limits are Salmon Bay, Virginia Lake,  
37 also known as Mill Creek, Falls Lake, Gut Lake and Thoms  
38 Lake.  
39  
40 During the January 2005 meeting the  
41 Subsistence Board adopted Proposal FP05-24 and in looking  
42 in the third paragraph down what it says, essentially, is  
43 that, if there are harvest limits in the State system  
44 then the harvest limits in the Federal system would be  
45 the same except if the Federal system has separate  
46 harvest limits and regulations, then they would take  
47 precedence.  
48  
49 The State does not have harvest limits in  
50 their regulations. What they have are fishing permits

1 that have harvest limits that are set on an annual basis  
2 and they are appropriate to the amount of harvest is  
3 possible from each individual stream and that actually  
4 makes a lot of sense to us. These streams that are under  
5 consideration are in Map 1 if you turn to Page 164.  
6 Almost all the harvest from these five systems occurs  
7 under State regulations, and that the same as most other  
8 places in Southeast, the harvest occurs in marine waters.  
9 The sum total of harvest since 2002 has been 23 trout and  
10 four sockeye salmon under State -- under Federal  
11 regulations.

12  
13                   Adopting this regulation would allow the  
14 Federal and State managers the ability to provide numbers  
15 of sockeyes that are appropriate to the health of the  
16 resources. It would also allow us a better means of  
17 communicating and providing and aligning the Federal and  
18 State regulations on an annual basis.

19  
20                   And that completes the Staff analysis.

21  
22                   CHAIRMAN ADAMS: Any questions from the  
23 Council.

24  
25                   (No comments)

26  
27                   CHAIRMAN ADAMS: Thank you, sir. Next is  
28 Alaska Department of Fish and Game.

29  
30                   MS. GILBERTSON: Thank you, Mr. Chairman.  
31 We have identified, as you can see in our written  
32 comments, a number of concerns and raised a number of  
33 questions regarding this proposal.

34  
35                   One of the first is jurisdiction.  
36 Because as the harvest numbers that we see on Page 165  
37 indicate much of the subsistence fishing occurs -- much  
38 of the subsistence fishing harvest at these locations is  
39 thought to occur within State waters and under State  
40 subsistence permit. And the harvest numbers contained in  
41 the harvest history section are those taken under State  
42 regulations.

43  
44                   In order to -- oh, excuse me -- one of  
45 the questions that our Staff raised was the question  
46 about the intent of this proposal. Because as we read  
47 it, when there are closures in place as there are in two  
48 of these systems, then in those areas that are closed to  
49 non-Federally qualified users, under Federal regulations,  
50 the Federal limits revert to 10 per individual, 20 per

1 household since there are no valid State harvest limits  
2 for these areas, which actually would reduce Federal  
3 subsistence opportunity. So we have a question as to  
4 whether or not the intent of this proposal, which appears  
5 to want to realign Federal and State regulations, which  
6 usually we would welcome that, but we question whether or  
7 not by doing that that you're actually maybe reducing  
8 Federal subsistence opportunities.

9  
10 We do have some concerns about these  
11 systems and the closures and that's all outlined in the  
12 history of these systems. We still do have concerns that  
13 adequate escapement levels should be maintained at Falls  
14 Lake and Gut Bay to maintain system productivity in the  
15 face of high harvest pressure. And we have concerns that  
16 unless this proposal is modified to delete Falls Lake Bay  
17 and Gut Lake, or to eliminate the closures to non-  
18 Federally qualified users, that you may, in fact, be  
19 liberalizing limits for subsistence users, while  
20 maintaining a closure to non-Federally qualified  
21 subsistence users.

22  
23 MR. DAVIDSON: I don't have anything to  
24 add.

25  
26 CHAIRMAN ADAMS: Nothing to add, thank  
27 you. Is there any questions from the Council.

28  
29 (No comments)

30  
31 CHAIRMAN ADAMS: Hearing none, thank you.  
32 InterAgency Staff people, Mr. Kessler.

33  
34 MR. KESSLER: Thank you, Mr. Chair.  
35 Steve Kessler with the InterAgency Staff Committee. At  
36 this point we don't have any comments to provide to you.

37  
38 CHAIRMAN ADAMS: Questions anyone to Mr.  
39 Kessler. Thank you, sir -- oh, do you have one.

40  
41 MR. DOUVILLE: Yes, thanks, Mr. Chairman.  
42 So her question was it may take away from, but what I'm  
43 hearing is that the Federal waters in this case would be  
44 under the same limit as the State limit in saltwater, is  
45 what I'm getting out of it, am I correct?

46  
47 MS. GILBERTSON: Mr. Chairman. I think  
48 it depends on how you read this proposal. The State  
49 believes that when you have a closure to non-Federally  
50 qualified subsistence users, that these Federal

1 regulations under 50 CFR 100.27 kick into place and that  
2 those Federal limits the revert to 10 per individual, and  
3 20 per household since then there are no valid State  
4 harvest limits because the non-Federally qualified  
5 subsistence users for these areas are not there.

6  
7 So it depends upon how you read it. And  
8 the point about bringing up the closure to non-Federally  
9 qualified subsistence users is that that one is the  
10 things, one of the four criteria that you've been looking  
11 at. So depending upon how you read this, you may be  
12 reducing subsistence opportunity and the other question  
13 is, is if the Federal Staff, what they have in their  
14 analysis, argues that you're actually increasing  
15 subsistence opportunity. And if you interpret it that  
16 way, the State raises the question, should you be  
17 liberalizing opportunity for subsistence users while  
18 still maintaining that closure for non-Federally  
19 qualified subsistence users.

20  
21 So depending upon which way you view  
22 this, it could go either way.

23  
24 CHAIRMAN ADAMS: Thank you. Did that  
25 address your question, Michael.

26  
27 MR. DOUVILLE: It's still not clear to  
28 me.

29  
30 CHAIRMAN ADAMS: Okay. Mr. Larson, can  
31 you shed any light on this, and then I think Don has his  
32 hand up.

33  
34 MR. LARSON: Mr. Chairman. Robert Larson  
35 with the Forest Service. And I was prepared to answer  
36 this question subsequent to their testimony.

37  
38 The Subsistence Board can restrict  
39 fisheries based on use or users and in this case the  
40 three systems that are referenced by the State, Gut Bay,  
41 Falls Lake, and Kutlaku, the Board elected to restrict  
42 users. They did not restrict the State fishery. State  
43 fishing permits are valid in both marine waters and fresh  
44 waters in those systems. So in this case their  
45 interpretation and their question is not accurate, in  
46 fact, the State system is, in fact -- if you are a  
47 Federally qualified user you can use a State permit to  
48 fish in Federal waters.

49  
50 The situation we have, and you addressed

1 this last year, for Kutlaku is that the State system  
2 provided for a larger harvest limit than was provided for  
3 in Federal waters. The proposal last year changed that  
4 so that they aligned the Federal and State harvest  
5 limits, and the same situation this year, that's just  
6 expanded to include all of the remaining outlyers.

7

8 CHAIRMAN ADAMS: Okay. Don.

9

10 MR. HERNANDEZ: I think that may have  
11 answered my question. When the State talks about a  
12 closure to non-subsistence users, there is still a  
13 fishery available to the subsistence users so they have  
14 an allowable catch so you're not necessarily having to  
15 restrict the subsistence users because they're not being  
16 restricted under State regulations, it's just the non-  
17 subsistence users. So that was kind of confusing to me.

18

19 And I think Robert answered that that  
20 does not necessarily have to be so.

21

22 CHAIRMAN ADAMS: Fish and Game Advisory  
23 Committee members.

24

25 (No comments)

26

27 CHAIRMAN ADAMS: None. Dr. Schroeder, do  
28 we have any written comments.

29

30 (No comments)

31

32 CHAIRMAN ADAMS: Mr. Schroeder, do we  
33 have any written comments.

34

35 DR. SCHROEDER: Excuse me, Mr. Chairman.

36

37 (Laughter)

38

39 DR. SCHROEDER: No written comments.

40

41 CHAIRMAN ADAMS: Thank you. We are now  
42 under public testimony. I don't see any blue slips up  
43 here so we'll go into Regional Council deliberation.

44

45 What's the wish of the Council. Mr.  
46 Douville.

47

48 MR. DOUVILLE: I move to adopt FP07-21.

49

50 MR. WRIGHT: Second.

1 CHAIRMAN ADAMS: It's been moved and  
2 seconded. Any comments.  
3  
4 (No comments)  
5  
6 (Pause)  
7  
8 CHAIRMAN ADAMS: We are deliberating but  
9 we are deliberating very quietly.  
10  
11 (Laughter)  
12  
13 CHAIRMAN ADAMS: When we do the  
14 deliberations here, remember that we are going to go  
15 through the four criteria.  
16  
17 Is there a conservation concern.  
18  
19 What is the affect on subsistence users.  
20  
21 Does substantial data support the  
22 recommendation.  
23  
24 What is the affect on this proposal to  
25 other users.  
26  
27 (Pause)  
28  
29 CHAIRMAN ADAMS: What's the wish of the  
30 Council, are you ready to vote on this issue.  
31  
32 (No comments)  
33  
34 CHAIRMAN ADAMS: Are we still quietly  
35 deliberating.  
36  
37 MR. DOUVILLE: Mr. Chairman.  
38  
39 CHAIRMAN ADAMS: Mr. Douville.  
40  
41 MR. DOUVILLE: I request a couple minute  
42 at east here to figure it out.  
43  
44 CHAIRMAN ADAMS: I was just going to  
45 suggest that. Why don't we take a couple minute at ease  
46 then we'll come back and take care of this before lunch.  
47  
48 (Off record)  
49  
50 (On record)

1 CHAIRMAN ADAMS: Okay, are we ready to  
2 move forward on this proposal.  
3  
4 DR. GARZA: Mr. Chairman.  
5  
6 CHAIRMAN ADAMS: Dr. Garza, please.  
7  
8 DR. GARZA: Mr. Chairman. I would speak  
9 in favor of this motion, of this proposal. I think it is  
10 primarily clarification and sort of clean up.  
11  
12 I believe that it is to the benefit of  
13 subsistence users.  
14  
15 I don't believe that there are any  
16 conservation issues. It doesn't increase harvest levels,  
17 it just refers to -- if you look on Page 162 under Staff  
18 analysis, that there is a harvest limit in place  
19 following the State guidelines and so it's in effect,  
20 basically removing some redundancy.  
21  
22 It has no affect on other users because  
23 it is specific to subsistence users.  
24  
25 I don't know that we would need any  
26 substantial data to do this, I mean to me it's almost  
27 just a clean up proposal and therefore I think we've met  
28 the criteria we need to meet.  
29  
30 Thank you.  
31  
32 CHAIRMAN ADAMS: Thank you, Dr. Garza.  
33 Any other comments.  
34  
35 MR. HERNANDEZ: Question.  
36  
37 CHAIRMAN ADAMS: Question has been called  
38 for, all in favor of this motion please signify by saying  
39 aye.  
40  
41 IN UNISON: Aye.  
42  
43 CHAIRMAN ADAMS: Opposed.  
44  
45 (No opposing votes)  
46  
47 CHAIRMAN ADAMS: Motion is carried. Okay  
48 then.....  
49  
50 REPORTER: Bert. Bert.

1 CHAIRMAN ADAMS: ZZ'd, I just got  
2 shocked.

3  
4 (Laughter)

5  
6 CHAIRMAN ADAMS: FP07-22 is on the table  
7 now, Mr. Suminski, please.

8  
9 MR. SUMINSKI: Good morning, Mr.  
10 Chairman. Council members. You'll find FP07-22 starts  
11 on Page 169 in your books.

12  
13 Proposal FP07-22 submitted by Mike Vaughn  
14 of Sitka would require subsistence users to report to the  
15 USDA Forest Service. All subsistence harvest of  
16 steelhead in District 13, and there's a map of District  
17 13 on Page 170, within 48 hours of harvest or 48 hours of  
18 the harvester returning to town.

19  
20 The proponent believes that the current  
21 reporting requirements do not provide Federal managers  
22 with the necessary tools to actively manage individual  
23 steelhead streams. With the low participation in harvest  
24 this mandatory reporting would add an unnecessary burden  
25 to subsistence users at this time and may not be  
26 effective in obtaining in-season harvest information. If  
27 a 48 hour reporting requirement is needed local Federal  
28 managers currently have the authority to specify such a  
29 restriction on the permit. Permit stipulations can be  
30 applied to specific streams as needed. A broad mandate  
31 in regulation is not needed at this time.

32  
33 And the recommendation is to oppose the  
34 proposal.

35  
36 Thank you.

37  
38 CHAIRMAN ADAMS: Thank you, Mr. Suminski.  
39 Any questions.

40  
41 MR. KITKA: Mr. Chairman.

42  
43 CHAIRMAN ADAMS: Mr. Kitka.

44  
45 MR. KITKA: Thank you, Mr. Chair. Terry,  
46 how many subsistence permits for steelhead have been  
47 issued within this area?

48  
49 MR. SUMINSKI: Mr. Chairman. Mr. Kitka.  
50 On Page 173, in 2005 there were 17 permits issued for

1 District 13 and in 2006 12 permits were issued in  
2 District 13.

3

4 Thank you.

5

6 MR. KITKA: Thank you.

7

8 CHAIRMAN ADAMS: Any other questions.

9

10 MR. KOOKESH: I have a question.

11

12 CHAIRMAN ADAMS: Mr. Kookesh.

13

14 MR. KOOKESH: Mr. Suminski. As a charter  
15 boat operator we're required to do our logs on a daily  
16 basis.

17

18 What's the difference between reporting  
19 within 48 hours, why is that going to be any different,  
20 it seems to me that when we do our daily logs we put  
21 everything in motion that there's not a problem, the  
22 longer we delay it the more vague it gets. I don't see  
23 the rationale for opposing it when it seems to be the  
24 right thing to get data faster.

25

26 MR. SUMINSKI: Mr. Chairman. Mr.  
27 Kookesh. The way the permit system works is you obtain a  
28 permit, go out and fish and as you catch steelhead you  
29 have to record them on your permit before you leave the  
30 fishing site and then those permits are returned to us 15  
31 days -- or after you take two steelhead or within 15 days  
32 of the close of the season. So we do get the reporting  
33 of the fish it's just a matter of how quickly we need  
34 that.

35

36 And in this case we have a harvest of  
37 just a couple of fish, so at this point because there  
38 aren't a lot of fish harvested, we don't necessarily need  
39 people to report that quickly, you know, the end of the  
40 season is find at this point.

41

42 Thank you.

43

44 CHAIRMAN ADAMS: Mr. Douville.

45

46 MR. DOUVILLE: So if I caught a fish on  
47 Friday afternoon at 3:00 o'clock and I didn't make it  
48 back to town before your offices closed, even if I was  
49 knocking on your door at 9:00 o'clock Monday morning I  
50 would have violated this regulation.

1 MR. SUMINSKI: Potentially. Hopefully we  
2 would make some arrangements so that you would be able to  
3 report if this became a regulation.

4  
5 One of the things, if you noticed in the  
6 analysis, a potential problem with this type of reporting  
7 is if a person does forget to report within 48 hours,  
8 they may not report it on their permit either because  
9 they could be incriminating themselves potentially so it  
10 may be a little bit counterproductive.

11  
12 Thank you.

13  
14 CHAIRMAN ADAMS: Anyone else.

15  
16 MR. KOOKESH: I got it. That same, what  
17 you just said, the same thing applies to reporting our  
18 sockeye catches. We don't have to return our forms until  
19 usually the next season and those numbers come in vague  
20 and those numbers aren't even accurate when you look at  
21 that. Because I've known and probably been guilty of not  
22 reporting accurately because you have a year. They won't  
23 give you a permit unless you turn in your permit. It  
24 says, I believe I'm correct, I haven't read them because  
25 I haven't applied for one in a couple of years, but I  
26 think at the end of the year you're supposed to submit  
27 them, but things do get vague the longer you drag them  
28 out, it's just the nature of this beast.

29  
30 CHAIRMAN ADAMS: Don.

31  
32 MR. HERNANDEZ: Terry, are you pretty  
33 confident that you're getting good information under this  
34 present system, you're getting good rate of return on  
35 your permits and accurate reporting?

36  
37 MR. SUMINSKI: Mr. Chairman. Mr.  
38 Hernandez. We've gotten 100 percent return on the  
39 permits. I, personally know almost everyone that gets  
40 one, and so of the permits that are issued we can track  
41 them pretty well.

42  
43 MR. HERNANDEZ: Thank you.

44  
45 CHAIRMAN ADAMS: Okay, anyone else.

46  
47 (No comments)

48  
49 CHAIRMAN ADAMS: Thank you, Terry. You  
50 know what we're going to do right now we're going to take

1 a break for lunch and then we'll come back and take care  
2 of the rest of the people on deck, that will be the  
3 Alaska Department of Fish and Game.

4  
5 MR. KOOKESH: What time are we coming  
6 back, in one hour?

7  
8 CHAIRMAN ADAMS: And we're going to come  
9 back here at 1:15.

10 (Off record)

11 (On record)

12  
13  
14  
15 CHAIRMAN ADAMS: Would everyone please  
16 take their seats, we're going to get started here.

17  
18 (Pause)

19  
20 CHAIRMAN ADAMS: Okay, ladies and  
21 gentlemen we're back in session. The next people to make  
22 comments would be the Fish and Game people.

23  
24 MS. GILBERTSON: Thank you, Mr. Chairman.  
25 Fish and Game, as you all know has had a number of  
26 concerns about the direction that we've been going in --  
27 that the Federal government's been going in related to  
28 steelhead trout populations in Southeast Alaska, which,  
29 as you probably also know are characterized by a large  
30 number of small runs and few larger runs.

31  
32 Those runs are extremely difficult to  
33 assess and to monitor and consisting only very low  
34 harvest rates, perhaps as low as only 10 percent.  
35 History has shown that a level of harvest opportunity  
36 similar to the level provided recently under Federal  
37 regulations cannot be sustained in the absence of an  
38 intensive stock assessment program.

39  
40 The population decline that were evident  
41 in Southeast Alaska prior to 1994 under the sportfishing  
42 regulations, which were similar to the current Federal  
43 subsistence regulations, but in 1994 the State instituted  
44 its current steelhead restrictions, which have created a  
45 sustainable steelhead fishery. The State believes that  
46 in order to deal with this proposal two pieces of  
47 information are needed and neither one is available.

48  
49 The first one is stock assessment and  
50 stock status for the numerous small steelhead stock.

1                   And the second one is the amount of  
2 harvest necessary to provide for subsistence use by  
3 Federally qualified users.

4  
5                   And I want to clarify that this is not  
6 anti-subsistence. What we're saying is, what is the need  
7 and where can we direct that need, and I think as Charlie  
8 can explain in further detail later, we're very willing  
9 to talk to the Forest Service to try to make this happen.

10  
11                   However, we do have some concerns in  
12 working with the Forest Service that the permit  
13 stipulations have not been conservative enough to provide  
14 a sustainable fishery, especially on smaller steelhead  
15 stocks. And although the existing regulation calls for  
16 consultation with Fish and Game on permit terms, our  
17 concerns about the inadequacy of the permit stipulations  
18 were not addressed in 2005, nor 2006.

19  
20                   We've also requested detailed maps and  
21 have yet to receive those. And this is especially  
22 important to have this information for steelhead  
23 proposals in order to know which rivers are affected  
24 since not every river system contains fishable  
25 populations of steelhead. Furthermore, the assumption  
26 that participation and harvest within the subsistence  
27 fishery for steelhead is low, as stated within the  
28 Federal Staff analysis is not based upon empirical data.

29  
30                   The question remains regarding this  
31 fishery, whether the permit data reflects actual  
32 participation in harvest or not. It is a regionwide  
33 reoccurring issue that very few permits are issued,  
34 however this does not translate into low population -- or  
35 excuse me, low participation.

36  
37                   In conclusion, Fish and Game supports  
38 improved reporting frequency for subsistence users  
39 utilizing the steelhead resource in District 13.  
40 Improved reporting requirements may enhance both in-  
41 season management capability and enforceability of permit  
42 requirements.

43  
44                   ADF&G is concerned that current  
45 regulations and reporting requirements are inadequate to  
46 protect the district's small steelhead stocks. Given the  
47 nature of these steelhead runs, the lack of stock  
48 assessment and monitoring and the lack of information  
49 about true harvest and participation, a reporting  
50 requirement seems prudent.

1 Thank you. Charlie.

2

3 MR. SWANTON: Mr. Chairman. For the  
4 record my name is Charlie Swanton and I work for  
5 Department of Fish and Game Sportfish Division in  
6 Douglas.

7

8 I guess just to kind of capture a few of  
9 the things that Sarah brought out, inferences regarding  
10 subsistence needs were estimated, we believe, to be are  
11 high while reported harvest is low. And there's a  
12 document that was done by Mike Turek, and it's  
13 referenced.

14

15 As a foundation for prudent Federal  
16 management of steelhead across the region, including  
17 Sitka two things are needed, and again I'll parrot after  
18 what Sarah said, needs by community in terms of number of  
19 fish and harvest data that accurately reflects the number  
20 of steelhead taken. From this a fishery management  
21 program that all can be assured is sustainable will be --  
22 extent -- and that includes that we would be more than  
23 happy to cooperate and collaborate to make sure that that  
24 happens.

25

26 The value, as you've heard many times  
27 thus far this morning, as well as yesterday, that a long-  
28 term consistently collected data base is borrowing from  
29 contemporary cliché priceless. I think that we can all  
30 recognize that steelhead are unique in life history,  
31 diverse in run size and hence highly susceptible to  
32 overharvest, rebuilding is not assured to inprocess (ph)  
33 nor one we should not shutter to think of.

34

35 Thank you, Mr. Chairman.

36

37 CHAIRMAN ADAMS: Thank you. Any  
38 comments, questions from Council. Mr. Bangs.

39

40 MR. BANGS: Thank you, Mr. Chairman. In  
41 the literature it mentions that the commercial catch is,  
42 you know, probably 10 or 12 times any reported sport  
43 catch or anything, is the State trying to curb that  
44 incidental commercial catch by maybe staggering gill net  
45 openings or restricting mesh size during a certain period  
46 of time or is the State trying to curb that huge catch by  
47 the commercial fleet incidentally?

48

49 MR. SWANTON: I don't necessarily think  
50 that the commercial folks would want a sportfish guy

1 speaking for them but I can say that there was a proposal  
2 relative to mandatory reporting of steelhead harvest on  
3 all fish tickets for the fisheries in Southeast Alaska  
4 that failed in front of the Board of Fisheries. There  
5 are some fisheries that do have harvest and they're  
6 allowed to retain those fish.

7

8 But I'm unaware of, you know, the  
9 specifics of certain commercial fisheries and how they're  
10 managed to -- but I do know that they do take that into  
11 account.

12

13 CHAIRMAN ADAMS: Okay, thank you.  
14 Other Federal, State.....

15

16 MR. KOOKESH: Mr. Knauer.

17

18 CHAIRMAN ADAMS: .....tribal agency  
19 comments. Mr. Knauer, please.

20

21 MR. KNAUER: Thank you, Mr. Chairman.  
22 The Federal Subsistence Board's charge is to provide a  
23 priority for the taking of resources for subsistence uses  
24 on public lands over the taking of resources for other  
25 uses as long as it can do so in accordance with generally  
26 accepted principles of resource management and without  
27 creating a conservation concern.

28

29 The State is suggesting that there is or  
30 could be a conservation concern for steelhead and that  
31 the Federal Subsistence Program should not provide a  
32 priority for that reason.

33

34 If that is the case, it would appear that  
35 the State bears the initial responsibility for helping to  
36 identify and manage the conservation concern by requiring  
37 the reporting of steelhead bycatch, updating population  
38 studies and prohibiting catch and release fishing because  
39 of the result in mortality. None of this has been done.

40

41 It's time to pony up and put your money  
42 where your mouth is.

43

44 CHAIRMAN ADAMS: All right. Anybody got  
45 a question for Mr. Knauer about that comment.

46

47 MR. WRIGHT: Mr. Chairman.

48

49 CHAIRMAN ADAMS: Go ahead.

50

1 MR. WRIGHT: Thank you, Mr. Chair. You  
2 said could, could be is what you said, how do you come by  
3 that?

4  
5 MR. KNAUER: The statement is the State  
6 is suggesting that there is or could be a conservation  
7 concern, that's not us saying that?

8  
9 MR. WRIGHT: Oh, okay, thank you.

10  
11 CHAIRMAN ADAMS: Dr. Garza.

12  
13 DR. GARZA: Thank you, Mr. Chairman.  
14 Mike told me I can't talk anymore but I'll just throw  
15 this in real quick.

16  
17 I think we all agree with you and so  
18 we're ready to move forward.

19  
20 CHAIRMAN ADAMS: If Mike says you can't  
21 talk anymore it has to go through me, Dolly, so there's a  
22 protocol here.

23  
24 (Laughter)

25  
26 CHAIRMAN ADAMS: Go ahead, Mike.

27  
28 MR. DOUVILLE: Thank you, Mr. Chairman.  
29 There was mention of 17 permits last year or this year  
30 and 15 permits or 12 permits prior to that, how many fish  
31 were taken in the last two years in District 13 with  
32 those permits.

33  
34 CHAIRMAN ADAMS: Does somebody have some  
35 data on that, Terry.

36  
37 MR. SUMINSKI: Thank you, Mr. Chairman.  
38 Mr. Douville. This is Terry Suminski with the Forest  
39 Service.

40  
41 I have the harvest data on Page 22, and  
42 the harvest in 2005 there were two fish taken in District  
43 13 and there were 17 permits issued for that area. 2006  
44 there was 12 permits issued and three steelhead taken.

45  
46 Thank you.

47  
48 CHAIRMAN ADAMS: Okay, thank you, Terry.  
49 Fish and Game Advisory Committees.

50

1 (No comments)  
2  
3 CHAIRMAN ADAMS: Any public comments, Dr.  
4 Schroeder.  
5  
6 DR. SCHROEDER: Cal, do we have a public  
7 comment on this proposal?  
8  
9 MR. CASIPIT: Through the Chair, not on  
10 this proposal.  
11  
12 DR. SCHROEDER: Mr. Chairman. We have no  
13 public comments, written public comments.  
14  
15 CHAIRMAN ADAMS: Thank you. Public  
16 testimony, do we have any blue slips here.  
17  
18 (No comments)  
19  
20 MR. KOOKESH: You forgot InterAgency  
21 Staff.  
22  
23 CHAIRMAN ADAMS: Mr. Kessler, do you have  
24 anything that you would like to say?  
25  
26 MR. KESSLER: No.  
27  
28 CHAIRMAN ADAMS: Okay. We're in Regional  
29 Council deliberations now so what's the Council's wish on  
30 this proposal.  
31  
32 MR. DOUVILLE: Mr. Chairman.  
33  
34 CHAIRMAN ADAMS: Mike, go ahead.  
35  
36 MR. DOUVILLE: Thank you, Mr. Chairman.  
37 I move to adopt Proposal FP07-22.  
38  
39 MR. BANGS: Second.  
40  
41 CHAIRMAN ADAMS: Seconded by Mr. Bangs.  
42 Any further comments.  
43  
44 MR. STOKES: Mr. Chair.  
45  
46 CHAIRMAN ADAMS: Go ahead.  
47  
48 MR. STOKES: I don't see how they can get  
49 an accurate count of the steelhead when the commercial  
50 gillnetters are out there, when they catch them they

1 either throw them over the side or bring them in and give  
2 them to whoever they want, and I know they get many on  
3 each opening. And they don't have to -- they're not  
4 accountable for it.

5  
6 CHAIRMAN ADAMS: It's interesting,  
7 incidental catch, that's what you're referring to there.

8  
9 Any other comments.

10  
11 (No comments)

12  
13 CHAIRMAN ADAMS: Mike, are you about  
14 ready to say something.

15  
16 MR. DOUVILLE: I do not support this  
17 proposal for the justification that is written on Page  
18 174, I just don't believe it's not necessary, there's no  
19 conservation concern. There's good reporting. I just  
20 don't feel that it's necessary.

21  
22 CHAIRMAN ADAMS: Thank you. Anyone else  
23 like to comment. Go ahead, Nick.

24  
25 MR. DAVIS: I feel the same way as Mr.  
26 Stokes. The commercial fishing and salmon seining at  
27 Noise Island, there are days when we caught a lot and we  
28 have a freezer aboard and, you know, a freezer can only  
29 hold so much and if we stay there for more than two weeks  
30 we got all we can carry so we just try to let them go.

31  
32 CHAIRMAN ADAMS: Thank you, Nick. Anyone  
33 else.

34  
35 (No comments)

36  
37 CHAIRMAN ADAMS: Mr. Bangs, are you  
38 calling for the question.

39  
40 MR. BANGS: Question.

41  
42 CHAIRMAN ADAMS: Question's been called  
43 for, all in favor of this proposal signify by saying aye  
44 -- Dolly.

45  
46 DR. GARZA: Before we do that if we could  
47 just quickly go through the criteria.

48  
49 I think that Mr. Douville did part of it  
50 but not all of it.

1                   Mr. Chairman, I will be voting against  
2 this motion. It is not to the benefit of subsistence  
3 users. It is shrouded in an attempt at conservation but  
4 no other attempts are made to conserve the stocks. It is  
5 not a requirement that the subsistence users, who harvest  
6 somewhere between 17 and 38 steelhead should be holding  
7 the brunt of conservation. There should be impacts on  
8 other users before there are impacts on us in this  
9 situation. We have good data from Federal Staff that  
10 shows that we basically are not harvesting a lot of  
11 steelhead and relatively nothing compared to what bycatch  
12 is.

13

14                   So for these reasons I will not support  
15 the proposal.

16

17                   In addition to the point that Mike made  
18 earlier, it would, in some instances, make our harvesters  
19 illegal if they go out Friday afternoon and take  
20 something and they can't report it until Monday, they're  
21 in trouble.

22

23                   CHAIRMAN ADAMS: Thank you, Dolly, for  
24 that. Okay, a question was called so we'll go ahead and  
25 take a vote on that.

26

27                   All in favor, please say aye.

28

29                   (No aye votes)

30

31                   CHAIRMAN ADAMS: All opposed.

32

33                   IN UNISON: Aye.

34

35                   CHAIRMAN ADAMS: Motion is defeated.

36 Thank you. Okay, Terry, you're up again.

37

38                   MR. SUMINSKI: Mr. Chairman. Council  
39 members. Terry Suminski with the Forest Service.  
40 Proposal FP07-23 starts on Page 180. It was submitted by  
41 Mike Vaughn of Sitka and would reduce the number of  
42 steelhead that a designated fisherman may possess from  
43 two harvest limits to one harvest limit in District 13.

44

45                   The proponent believes that there is not  
46 enough regulation of the Federal steelhead fishery to  
47 prevent overharvest of small populations of steelhead or  
48 overharvest of certain segments of a particular  
49 population. For example, early versus late run fish  
50 within a certain stream system.

1                   Only one steelhead subsistence permit is  
2 issued per household. A Federally qualified subsistence  
3 user may designate another Federally qualified user to  
4 harvest fish on their behalf.

5  
6                   Current regulation allows a designated  
7 fisherman to possess two harvest limits. The current  
8 possession limit for steelhead is one per day, so a  
9 person acting as a designated fisherman could legally  
10 possess two steelhead. The proposal would restrict  
11 designated fishermen in District 13 to one possession  
12 limit of steelhead instead of the present two.

13  
14                   The intent of the proposal is to control  
15 the harvest of steelhead by requiring designated  
16 fishermen to process their fish before returning to take  
17 more.

18  
19                   Given the low participation and harvest  
20 in this fishery, this requirement would add an  
21 unnecessary restriction to subsistence users at this  
22 time. If reduction in the possession limit of designated  
23 fishermen is needed to reduce the harvest of steelhead  
24 then local and Federal managers have the authority to  
25 specify such a restriction on the permit.

26  
27                   The preliminary conclusion is to oppose  
28 the proposal.

29  
30                   Thank you.

31  
32                   CHAIRMAN ADAMS: Questions by Council.  
33 Mr. Stokes.

34  
35                   MR. STOKES: I was just wondering, this  
36 Mike Vaughn, is he submitting this on his own or does he  
37 got the community behind him?

38  
39                   MR. SUMINSKI: As far as I know he's  
40 submitting it in his own name.

41  
42                   CHAIRMAN ADAMS: Thank you, Terry.  
43 Alaska Fish and Game people.

44  
45                   MR. GILBERTSON: Thank you, Mr. Chairman.  
46 The State's comments begin on Page 187 and just to  
47 summarize our conclusion.

48  
49                   The practical effect of this proposal is  
50 to prevent a person from harvesting a fish for their

1 household on the same day that they harvest a fish for a  
2 second household. The draft Federal Staff analysis  
3 portrays this as a significant burden on subsistence  
4 users, however, given the reported harvest of two fish in  
5 2005 and three fish in 2006 for all of Unit 13 it does  
6 not appear that such a restriction would create much of a  
7 problem and it may reduce the tendency to take an extra  
8 fish out of a small stock.

9

10 Thank you.

11

12 CHAIRMAN ADAMS: Thank you, Sarah. Does  
13 the gentleman beside you have a comment, you're just  
14 there to support her, right, okay, thank you. Any  
15 questions by Council members to State people.

16

17 Gunalcheesh.

18

19 Other Federal people or State or tribal  
20 organizations.

21

22 (No comments)

23

24 CHAIRMAN ADAMS: Nope. InterAgency, Mr.  
25 Kessler.

26

27 MR. KESSLER: Thank you, Mr. Chairman.  
28 Steve Kessler with InterAgency Staff Committee and we  
29 don't have any comments to provide you.

30

31 CHAIRMAN ADAMS: Now, how did we know  
32 that was going to be your response.

33

34 (Laughter)

35

36 CHAIRMAN ADAMS: Any questions to Mr.  
37 Kessler.

38

39 (No comments)

40

41 CHAIRMAN ADAMS: Thank you, Steve. Fish  
42 and Game people, do we have anyone here.

43

44 (No comments)

45

46 CHAIRMAN ADAMS: No. Any written  
47 comments, Dr. Schroeder.

48

49 DR. SCHROEDER: No written public  
50 comments, Mr. Chairman.

1 CHAIRMAN ADAMS: I don't see any blue  
2 slips here so I assume that there's no public testimony.  
3 Let's go into Council deliberation at this time.  
4  
5 What's the wish of the Council on this  
6 proposal.  
7  
8 MR. HERNANDEZ: Mr. Chairman.  
9  
10 CHAIRMAN ADAMS: Sorry, Don, go ahead.  
11  
12 MR. HERNANDEZ: Thank you, Mr. Chairman.  
13 I move to adopt FP07-23.  
14  
15 CHAIRMAN ADAMS: Is there a second.  
16  
17 MR. STOKES: (Nods affirmatively)  
18  
19 MR. KITKA: Second.  
20  
21 CHAIRMAN ADAMS: Seconded by Mr. -- Mr.  
22 Stokes beat you Mr. Kitka, so on record Mr. Stokes  
23 second. Any comments.  
24  
25 MR. HERNANDEZ: Mr. Chairman.  
26  
27 CHAIRMAN ADAMS: Don, go ahead.  
28  
29 MR. HERNANDEZ: Thank you, Mr. Chairman.  
30 I'm going to be voting against this proposal also for the  
31 same reasons as the previous proposal.  
32  
33 It places any of the burden of  
34 conservation on the subsistence users, which is undue  
35 burden. I don't think this -- given the limited harvest  
36 and participation, I don't believe that this proposal  
37 would address any conservation issues, and I don't see  
38 how it would have any positive benefit for the non-  
39 subsistence users either. I think we've seen ample data  
40 to substantiate that.  
41  
42 CHAIRMAN ADAMS: Thank you, Mr.  
43 Hernandez. Take note that he did address all of the four  
44 criteria in his comments.  
45  
46 Any other comments.  
47  
48 (No comments)  
49  
50 CHAIRMAN ADAMS: None.

1 MR. KITKA: Question.  
2  
3 CHAIRMAN ADAMS: Question's been called  
4 for, all in favor please say aye.  
5  
6 (No aye votes)  
7  
8 CHAIRMAN ADAMS: Opposed, same sign.  
9  
10 IN UNISON: Aye.  
11  
12 CHAIRMAN ADAMS: Motion is defeated.  
13 Thank you. So.....  
14  
15 REPORTER: Bert.  
16  
17 CHAIRMAN ADAMS: .....Proposal 07.....  
18  
19 REPORTER: Bert.  
20  
21 CHAIRMAN ADAMS: .....24. Mr. Suminski.  
22  
23 MR. SUMINSKI: Mr. Chairman. Council.  
24 This is Terry Suminski with the Forest Service.  
25  
26 Proposal FP07-24 begins on Page 190.  
27 It's also submitted by Mike Vaughn of Sitka and would  
28 establish in regulation a 36-inch minimum size limit and  
29 restrict allowable gear to rod and reel without bait for  
30 steelhead in streams crossed by the Sitka road system.  
31  
32 The proponent believes that the streams  
33 which are crossed by the Sitka road system are subject to  
34 high fishing effort for steelhead in both the subsistence  
35 and sportfisheries and are easily accessible to large  
36 numbers of Federally qualified users. The proponent  
37 would like to see the current permit condition for  
38 streams which cross by the Sitka road system adopted into  
39 Federal regulation.  
40  
41 This proposal would establish in  
42 regulation the current permit requirement for the harvest  
43 of steelhead from streams crossed by the road system,  
44 which the current permit condition is 36-inch, total  
45 length and the gear is restricted to rod and reel without  
46 bait. This permit condition is in place to protect the  
47 viability of steelhead populations in streams crossed by  
48 the Sitka road system because of the small number of  
49 steelhead that are easily accessible to large numbers of  
50 State Federally qualified subsistence users in Sitka.

1 All available information indicates that  
2 steelhead populations in these streams are naturally very  
3 small and stable. Roadside steelhead populations can be  
4 adequately protected with a permit condition without  
5 creating a new regulation. However, the situation for  
6 these steelhead populations is not likely to change so  
7 changing the permit condition to a more permanent  
8 regulation would be appropriate in this case.

9  
10 The proposal would not have any affect on  
11 any users since it will not change how the steelhead  
12 fishery on the Sitka road system is currently managed.

13  
14 Our preliminary conclusion is to support  
15 the proposal.

16  
17 Thank you.

18  
19 CHAIRMAN ADAMS: Thank you, Terry. Any  
20 questions. Mr. Kitka.

21  
22 MR. KITKA: Thank you, Mr. Chair. Terry,  
23 on the road system rivers, do you guys have any numbers  
24 on the steelhead that go up these systems?

25  
26 MR. SUMINSKI: Okay. It's talked a  
27 little bit about it on Page 193. Probably the largest  
28 population is Sawmill Creek and you're talking 50  
29 steelhead or less. And the other streams are probably  
30 somewhere between 10 and 25, given the surveys the State  
31 has done mainly.

32  
33 Thank you.

34  
35 CHAIRMAN ADAMS: Follow up Harvey.

36  
37 MR. KITKA: Thank you, Mr. Chairman. How  
38 many people actually fish these streams and ask for  
39 permits in this area?

40  
41 MR. SUMINSKI: As far as permits for this  
42 area, we've shown no harvest from these streams. The  
43 first year we had it there was basically a non-retention  
44 for steelhead on our permit. So really nobody could  
45 legally take a steelhead on the road system.

46  
47 This last year we changed it to a 36-inch  
48 size limit and there was none reported taken over 36  
49 inches in our permit system.

50

1 I have checked, you know, I've gone out  
2 but more last year when it was actually open to  
3 retention, this year actually, and you see people fishing  
4 but not that many.

5  
6 Thank you.

7  
8 CHAIRMAN ADAMS: Mr. Bangs.

9  
10 MR. BANGS: Thank you, Mr. Chairman. Do  
11 you know if these systems support steelhead that get  
12 bigger than 36 inches?

13  
14 MR. SUMINSKI: I believe they do. I've  
15 seen at least one so, but there's just not that many of  
16 them, but you do -- I have seen them that were over 36  
17 inches.

18  
19 CHAIRMAN ADAMS: Go ahead, Don.

20  
21 MR. HERNANDEZ: Terry, are you aware of  
22 the amount of sportfishing that might take place on these  
23 streams as well?

24  
25 MR. SUMINSKI: We don't have -- Bob  
26 Chadwick may be able to answer this better, but the  
27 surveys, the mail-in surveys don't show enough effort to  
28 get an estimate for just this area. It'd have to be an  
29 estimate from a much larger geographical area so it's  
30 very low, I imagine.

31  
32 CHAIRMAN ADAMS: Thank you, Terry.  
33 ADF&G.

34  
35 MS. GILBERTSON: Thank you, Mr. Chairman.  
36 While Fish and Game agrees that the restrictions  
37 requested in this proposal are both appropriate and  
38 necessary, we do not agree that the correct course of  
39 action is to amend Federal regulations to match State  
40 regulations. Instead the Federal Subsistence Board  
41 should delete unnecessary Federal regulations because  
42 State regulations are directly Federally enforceable  
43 under existing Federal regulations which generally adopt  
44 State regulations by reference.

45  
46 Thanks.

47  
48 CHAIRMAN ADAMS: Any questions for Sarah.

49  
50 (No comments)

1 CHAIRMAN ADAMS: Gunalcheesh.  
2  
3 MS. GILBERTSON: Thanks.  
4  
5 CHAIRMAN ADAMS: Other Federal, State and  
6 tribal agency comments.  
7  
8 (No comments)  
9  
10 CHAIRMAN ADAMS: InterAgency, Steve, come  
11 forward.  
12  
13 MR. KESSLER: Mr. Chairman. The  
14 InterAgency Staff Committee does not have any comments  
15 for you on this proposal. And this is Steve Kessler  
16 speaking.  
17  
18 CHAIRMAN ADAMS: Thank you, Steve.  
19 Anybody have a question for Steve.  
20  
21 (No comments)  
22  
23 CHAIRMAN ADAMS: Thank you, sir. Fish  
24 and Game Advisory Committee members, anyone here for  
25 that.  
26  
27 (No comments)  
28  
29 CHAIRMAN ADAMS: Nope. Dr. Schroeder,  
30 any comments.  
31  
32 DR. SCHROEDER: Mr. Chairman. I believe  
33 we have one public comment -- excuse me, we do not have  
34 any public comments for this proposal.  
35  
36 CHAIRMAN ADAMS: Thank you. We don't  
37 have any public comments, but are there any written  
38 public comments.  
39  
40 DR. SCHROEDER: There are no written  
41 public comments for this proposal.  
42  
43 CHAIRMAN ADAMS: Thank you, sir. It's now  
44 before the Council for deliberation, what's the wish of  
45 the Council.  
46  
47 MR. DOUVILLE: I have a question.  
48  
49 CHAIRMAN ADAMS: Yes, go ahead ask your  
50 question.

1 MR. DOUVILLE: I have a question for  
2 somebody, I'm not sure. If any of the five steelheads  
3 that were harvested under the Federal subsistence permit  
4 in the last two years, did any of them come from  
5 Stargavin or Indian River?

6  
7 CHAIRMAN ADAMS: Terry, you can answer  
8 that, it looks like.

9  
10 MR. SUMINSKI: Mr. Chairman. Mr.  
11 Douville. Terry Suminski. No, none of those came from  
12 those streams.

13  
14 CHAIRMAN ADAMS: Okay. Any other  
15 questions.

16  
17 MS. PHILLIPS: Mr. Chairman.

18  
19 CHAIRMAN ADAMS: Patty, go ahead.

20  
21 MS. PHILLIPS: Thank you, Chairman Adams.  
22 Yeah, Terry, why are they wanting to keep the 36-inch --  
23 over 36-inch or greater in length when those ones have  
24 the most fecundity, the means the most ability to have  
25 more eggs, why do they -- why is that the case?

26  
27 MR. SUMINSKI: Mr. Chairman. Ms.  
28 Phillips. The reasoning behind that is that those are  
29 relatively old fish and they probably won't spawn again  
30 and it -- you know, there's actually some steelhead  
31 researchers in the room that could probably answer it  
32 better than I could, but I think that's generally the  
33 reason to be able to take the older fish that probably  
34 won't come back.

35  
36 MS. PHILLIPS: Follow up.

37  
38 CHAIRMAN ADAMS: Patty, go ahead.

39  
40 MS. PHILLIPS: So remind me, how old is  
41 that fish then, about?

42  
43 MR. SUMINSKI: Mr. Chair. Ms. Phillips.  
44 I don't think there's really good information on the ages  
45 of steelhead. You know, like I said there might be  
46 people in the room that know better than I do, but my  
47 understanding is that it's very difficult to age them.

48  
49 CHAIRMAN ADAMS: Is there anyone in the  
50 room who'd like to address that question. Thank you.

1 MR. HARDING: My name is Roger Harding,  
2 Department of Fish and Game. I do trout research.

3  
4 We do have some projects, Mr. Chairman,  
5 that we have been looking at the ages of the fish. In  
6 Sitka, in this area, we've been uniquely tagging all  
7 juveniles and then looking for them as they come back.  
8 Our best estimate, we've had four years coming back now  
9 so we're tagging from '04 -- it looks like they're  
10 spending three or possibly four years in fresh water  
11 before migrating out and then the majority of the fish  
12 that are coming back as adults have spent three years in  
13 the ocean. So they're getting to be three, and -- at  
14 least three in fresh and three in the ocean, so they're  
15 six years old or so before they're coming back to spawn  
16 for the first time.

17  
18 The number of repeat spawners in some of  
19 these systems, or in Sitkho, it looks like we're getting  
20 a handful of fish that have spawned all three years, so  
21 after a third spawning it pretty much drops off. So it  
22 could have been on its fourth time spawning but usually  
23 after three it's less than one percent.

24  
25 And, Ms. Phillips, you are correct, when  
26 you say that the big fish are more fecund and, they, in  
27 fact, may be -- it may take two of the two or three ocean  
28 fish to equal one of the big fish in spawning, so, yes,  
29 you are correct in that.

30  
31 The 36-inch minimum size limit, when it  
32 was established by the State, there is no biological  
33 basis for that. When we went out and did our public  
34 meetings for our regulations, we came up, pretty much in  
35 agreement with all the communities that it would be a  
36 catch and release only for steelhead. At the Board of  
37 Fish meeting in '94 there was a compromise made that the  
38 36-inch would be a once in a lifetime fish that they --  
39 someone might want to keep, so there's really no  
40 biological basis for the 36-inch minimum size limit.

41  
42 Thank you.

43  
44 CHAIRMAN ADAMS: Patty, satisfied. Are  
45 you satisfied with the answer?

46  
47 MS. PHILLIPS: (Shakes head negatively)

48  
49 CHAIRMAN ADAMS: No. You want another  
50 question, I'll allow it.

1 (Laughter)

2

3 MS. PHILLIPS: Thank you, Chairman Adams.  
4 Thank you for that thorough explanation. Do they have  
5 otoliths and can you age them with otoliths?

6

7 CHAIRMAN ADAMS: Mr. Chairman. Ms.  
8 Phillips. Yes, they do have otoliths, though that's  
9 invasive and, you know, we're trying to do it with the  
10 scales.

11

12 And so what we're looking at now is we  
13 have collected a series of known age fish so we collect  
14 the scales when they're going out as juveniles, look at  
15 them when they're coming back as adults. The importance  
16 of this is it's everything we've known about steelhead in  
17 Southeast has always been based on scale pattern  
18 analysis, this is a spawning check, this is a repeat  
19 spawner, and so we're trying to -- one of the main goals  
20 of this project is to verify what we're learning from the  
21 scales and is it accurate, how we've been aging and  
22 determining if they're repeat spawners and everything  
23 because the health of the population, of course, is one  
24 measure of that is the number of repeat spawners in any  
25 given system.

26

27 Thank you.

28

29 CHAIRMAN ADAMS: Patty, are you  
30 satisfied.

31

32 MS. PHILLIPS: Yes, sir.

33

34 CHAIRMAN ADAMS: Okay, thank you, sir.  
35 Thank you, Terry.

36

37 Where are we now. What's the Council's  
38 wish on this, we're in Council deliberations now, are we  
39 deliberating silently here for awhile again like we did  
40 the other one.

41

42 (Laughter)

43

44 CHAIRMAN ADAMS: Has a motion been made  
45 yet. Tina.

46

47 REPORTER: No.

48

49 CHAIRMAN ADAMS: No motion has been made  
50 yet, okay, we need to put the thing on the floor in the

1 form of a motion.

2

3 MR. HERNANDEZ: Mr. Chairman. I move to  
4 adopt Proposal FP07-24.

5

6 CHAIRMAN ADAMS: Do I hear a second.

7

8 MR. DAVIS: Second.

9

10 CHAIRMAN ADAMS: Seconded by Mr. Davis.  
11 Now, we are up for discussion.

12

13 MR. STOKES: Mr. Chairman.

14

15 CHAIRMAN ADAMS: Mr. Stokes.

16

17 MR. STOKES: I think it would put an  
18 undue hardship on the subsistence fishermen. I'm not  
19 aware of the streams that steelhead go in up here, but in  
20 the Wrangell area, if we wanted to get a 36-incher and  
21 bring it home, we might go four or five years or longer,  
22 there's just not that many left, so I'm not in favor of  
23 this.

24

25 CHAIRMAN ADAMS: Okay, thank you. I  
26 think when you -- you addressed one criteria there. And,  
27 I think, maybe, you know, when you make your comments,  
28 you know, please go through this criteria if you would.

29

30 Any other comments.

31

32 MS. PHILLIPS: Mr. Chairman.

33

34 CHAIRMAN ADAMS: Patty, go ahead.

35

36 MS. PHILLIPS: Chairman Adams, thank you.  
37 I do not support the proposal.

38

39 I believe that trying to catch only a 36-  
40 inch fish will cause a conservation problem rather than  
41 not a conservation problem because in your effort to  
42 catch a 36-inch fish you're going to catch a bunch of  
43 fish in between and that potential for mortality is  
44 increased. So this proposal would increase mortality in  
45 my opinion.

46

47 And it would be an undue burden to  
48 subsistence users because if they're out trying to catch  
49 a steelhead you generally keep what you catch and you eat  
50 it, and by having a regulation that says 36-inch or

1 greater and bait only, then they're not able to keep the  
2 one they caught or they do it without telling anyone.

3

4 And the substantial data, to me the data  
5 doesn't support this proposal.

6

7 And the effect on other users is the  
8 sportfishermen will continue to keep sportfishing, the  
9 commercial fishermen will continue to keep their  
10 steelhead, they'll continue to be reported that they do  
11 have steelhead, and so the report will show a greater  
12 number of steelhead harvested than what's actually  
13 harvested in streams because what's caught commercially  
14 is kept for personal use and reported as a harvest.

15

16 So that's my justification, thanks.

17

18 CHAIRMAN ADAMS: Thank you, Patty. Dr.  
19 Schroeder, did you have something to add.

20

21 DR. SCHROEDER: I just had what I think  
22 is a clarification and we'll see if my fisheries  
23 biologists colleagues think I've got it right.

24

25 I think the main effect of this proposal  
26 would be to take what has been a permit condition for  
27 this area, so that's something that Staff develop and put  
28 on permits when they're issued to people who want to  
29 catch steelhead and it would take it from the permit and  
30 it would make it a hardwired Federal regulation.

31

32 That's correct, isn't it, Cal, so what  
33 we're basically -- what the Council is being asked to  
34 decide on is whether that should become Federal  
35 regulation or whether that requirement would continue on  
36 as being a permit condition subject to -- easier change  
37 than a regulatory requirement.

38

39 CHAIRMAN ADAMS: Okay.

40

41 MR. KITKA: Call for the question.

42

43 CHAIRMAN ADAMS: Question's been called  
44 for, all in favor please say aye.

45

46 (No aye votes)

47

48 CHAIRMAN ADAMS: Opposed, same sign.

49

50 IN UNISON: Aye.

1 CHAIRMAN ADAMS: Motion is defeated. Cal  
2 is going to address 07-25 for us.

3  
4 MR. CASIPIT: Before I start here I need  
5 to distribute to the Council a written public comment  
6 that somehow got missed from the book, so I'm going to do  
7 that real quick and then I'll get to my presentation.

8  
9 (Pause)

10  
11 MR. CASIPIT: Thank you for your  
12 indulgence, Mr. Chair.

13  
14 CHAIRMAN ADAMS: You're welcome.

15  
16 MR. CASIPIT: Appreciate that opportunity  
17 to get that around to you.

18  
19 Proposal 25, the executive summary starts  
20 on your Page 198, the Staff analysis itself begins on  
21 Page 200. FP07-25 was submitted by Grant Haggerman of  
22 Sitka, Alaska. He has concern about conservation of  
23 steelhead in the Sitka area local management plan, from  
24 now on I'll call it the LMP boundaries. The proponent  
25 would like the Federal subsistence management  
26 regulations, similar to State sportfishing regulations  
27 applied to the entire Sitka area LMP. For those  
28 familiar, on Page 201 shows the Sitka area LMP  
29 boundaries.

30  
31 The proponent believes that the streams  
32 within the Sitka area LMP are subject to high fishing  
33 effort for steelhead in both the subsistence and  
34 sportfisheries and are easily accessible to large numbers  
35 of Federally qualified subsistence users.

36  
37 I think I'll focus the rest of my  
38 presentation on what happened in 2005 and 2006 in this  
39 area. We do have a -- in the analysis we have a  
40 description of regulatory histories and our permit  
41 conditions but I think the Council is well aware of  
42 what's happened in the recent past on those issues.

43  
44 I just wanted to mention there are at  
45 least six streams in the Sitka area LMP that contain  
46 steelhead, of which at least three streams are crossed by  
47 the Sitka road system. No formal escapement estimates  
48 have been determined for these streams, however, Forest  
49 Service Staff believes that the escapements into these  
50 systems range from 10 to 200 fish per stream.

1 Terry covered, quite well, the numbers of  
2 permits and harvests that resulted from those permits in  
3 2005 and 2006. The Council is well aware of sport and  
4 commercial harvest and how those are determined and the  
5 issues associated with those harvests and you've  
6 discussed those as well already.

7  
8 So the effect of this proposal would be  
9 to restrict the Federal subsistence harvest of steelhead  
10 and apply State sportfishing regulations to Federal  
11 subsistence fishing activities in the Sitka LMP area.  
12 This would not provide Federally qualified subsistence  
13 users with a subsistence priority and would reverse the  
14 Federal Subsistence Board's decision establishing the  
15 current regulations. Requiring Federally qualified  
16 subsistence users to follow State sportfishing  
17 regulations in the Sitka area does not recognize the  
18 consumptive versus recreational differences and  
19 management focus between subsistence and sportfisheries.

20  
21 Our preliminary conclusion is to support  
22 with modification, the portion of the proposal for the  
23 steelhead streams on the Sitka road system, we would  
24 support that of it, consistent with our preliminary  
25 recommendation on Proposal 24.

26  
27 We do not want to apply the proposal to  
28 portions of the streams not on the Sitka road system --  
29 I'm sorry, I just noticed that there was a typo in that,  
30 but we would not apply the proposal to the portion of  
31 streams not on the Sitka road system.

32  
33 That's my summary and I'd be happy to  
34 answer any questions.

35  
36 CHAIRMAN ADAMS: Thank you, Cal. And you  
37 heard him, he'd be happy to answer any questions. Any  
38 questions.

39  
40 (No comments)

41  
42 CHAIRMAN ADAMS: Gunalcheesh, sir, you're  
43 excused. ADF&G.

44  
45 MS. GILBERTSON: Thank you. As Cal  
46 noted, this proposal's identical to No. 24 except that it  
47 would apply to all waters within the Sitka LMP. ADF&G  
48 reiterates its concerns expressed in previous comments  
49 and our concerns and comments are on Page 207.

50

1                   But just to summarize, the current  
2 Federal subsistence fishery regulations and reporting  
3 requirements are not adequate to insure the conservation  
4 of steelhead trout stocks in Southeast Alaska freshwater  
5 systems, especially those that receive more intensive  
6 fishing pressure.

7  
8                   We do have a jurisdiction question, we  
9 question the claim as it relates to the town site lands  
10 in Sitka and it should also be noted that the Sitka Sound  
11 LMP includes marine waters that are under State  
12 jurisdiction. The same management strategy used to  
13 protect Sitka road side streams is warranted for Sitka  
14 steelhead populations close to Sitka's large population  
15 of Federally qualified subsistence users.

16  
17                   Finally if their participation and  
18 harvest are as low as the draft Federal analysis claims,  
19 then it should be relatively easy to identify rivers that  
20 can safely support that harvest. If participation and  
21 harvest are much higher, or increases the State fears,  
22 the regulations and permit stipulations are not  
23 consistent with recognized principles of sound management  
24 and conservation of fish and wildlife resources.

25  
26                   Thank you.

27  
28                   CHAIRMAN ADAMS: Questions for Sarah.

29  
30                   (No comments)

31  
32                   CHAIRMAN ADAMS: Thank you. Other  
33 Federal, State and tribal agency comments.

34  
35                   (No comments)

36  
37                   CHAIRMAN ADAMS: Come forward Mr.  
38 Kessler.

39  
40                   MR. KESSLER: Thank you, Mr. Chairman.  
41 Steve Kessler InterAgency Staff Committee. We've got no  
42 comments for you on this proposal.

43  
44                   CHAIRMAN ADAMS: Any questions for Steve.

45  
46                   (No comments)

47  
48                   CHAIRMAN ADAMS: You're excused, sir.

49  
50                   MR. KESSLER: Thank you.

1 CHAIRMAN ADAMS: Fish and Game Advisory  
2 Committee.

3  
4 (No comments)

5  
6 CHAIRMAN ADAMS: Written comments, Dr.  
7 Schroeder.

8  
9 DR. SCHROEDER: Mr. Chairman. We have  
10 received a written public comment from Mike Vaughn, the  
11 author of, I believe, four of our steelhead proposals  
12 today. He voices his support for FP07-25. He also  
13 mentions FP07-26, the next proposal we'll deal with. He  
14 wants to take additional steps to protect stream systems  
15 within the local Sitka area. In his opinion the  
16 subsistence steelhead fishery was approved with very  
17 little justification and he speaks of lack of baseline  
18 information on stocks for stream systems in Southeast  
19 Alaska, and that prosecution of a fishery under such  
20 broad management strategy is highly irresponsible. If  
21 harvest of steelhead is allowed it should be limited to  
22 systems that are annually monitored by fisheries managers  
23 who determine that a harvestable surplus exists. And he  
24 believes that we need to -- let's see, that it's  
25 fortunate that participation in this fishery has been low  
26 and that there has not been any severe impacts from this  
27 fishery. That doesn't mean that we do not need to take  
28 steps to avoid future problems. Without active  
29 management, we need regulations like this proposal  
30 enacting size and gear restrictions to help regulate  
31 harvest in these easily accessible systems.

32  
33 Mike Vaughn.

34  
35 Mr. Chairman. That's our sole written  
36 public comment.

37  
38 CHAIRMAN ADAMS: Thank you, Dr.  
39 Schroeder. I don't see any blue slips before us for  
40 public comment.

41  
42 Okay, we are now under Council  
43 deliberation. Okay, we want to put this issue on the  
44 table in the form of a motion and then we'll discuss it.

45  
46 CHAIRMAN ADAMS: Mr. Bangs.

47  
48 MR. BANGS: Thank you, Mr. Chairman. I  
49 move to adopt FP07-25.

50

1 CHAIRMAN ADAMS: Okay.  
2  
3 MR. STOKES: I'll second it.  
4  
5 CHAIRMAN ADAMS: Okay, motion made by Mr.  
6 Bangs, seconded by Mr. Stokes. We are now up for  
7 discussion on this issue.  
8  
9 Again, be reminded that w need to touch  
10 on all four of those points on the criteria we have  
11 developed for consideration of these proposals, and they  
12 are:  
13  
14 Are there any conservation concerns.  
15  
16 Does it affect the subsistence community.  
17  
18 Also kinds and quality of information  
19 presented, are they sufficient enough.  
20 Is there enough data, that is.  
21  
22 And if there is any affect on other  
23 subsistence users.  
24  
25 Just as a reminder when we consider this  
26 proposal as we have done the others.  
27  
28 Go ahead, Harvey.  
29  
30 MR. KITKA: Thank you, Mr. Chair. For  
31 reasons the same as the last one, I believe they stand  
32 the same for this one too. I will oppose this one for  
33 those reasons.  
34  
35 CHAIRMAN ADAMS: And those four criteria  
36 were also mentioned in the other proposal as well, so I  
37 guess that's your intent.  
38  
39 MR. KITKA: (Nods affirmatively)  
40  
41 CHAIRMAN ADAMS: Any other comments.  
42  
43 (No comments)  
44  
45 CHAIRMAN ADAMS: Okay, what's the wish of  
46 the Council.  
47  
48 MR. KITKA: Question.  
49  
50 CHAIRMAN ADAMS: Question's been called

1 for, all in favor of the motion, please say aye.

2

3 (No aye votes)

4

5 CHAIRMAN ADAMS: All opposed, same sign.

6

7 IN UNISON: Aye.

8

9 CHAIRMAN ADAMS: The motion is defeated.

10 We are now in Proposal 07-26, again, Mr. Cal.

11

12 MR. CASIPIT: Thank you, Mr. Chair. The  
13 executive summary for the Staff analysis begins on Page  
14 210, the analysis itself appears on Page 211. FP07-26  
15 was submitted by Mike Vaughn of Sitka, Alaska. The  
16 proponent is concerned about conservation of steelhead in  
17 Salmon Lake near Sitka.

18

19 The proponent would like to align Federal  
20 subsistence management regulations with State  
21 sportfishing regulations for the Salmon Lake drainage.  
22 The proponent believes that Salmon Lake drainage is  
23 subject to high fishing effort for steelhead in both  
24 subsistence and sportfisheries and is easily accessible  
25 to a large number of Federally qualified users.

26

27 I'll call your attention to Page 212.  
28 There's a map that appears there that shows the location  
29 of Salmon Lake in relation to the city of Sitka and the  
30 Sitka road system for your information.

31

32 Again, the regulatory history, the permit  
33 conditions under the Federal fishery in 2005/2006, all  
34 that was covered in previous analysis, I'm not covering  
35 them here. I just wanted to mention for biological  
36 background that no formal escapement estimates have been  
37 determined for Salmon Lake, however, Forest Service Staff  
38 believes that escapements to Salmon Lake is about 200  
39 fish annually and currently we do not have a conservation  
40 -- we don't have any identified conservation concerns for  
41 steelhead in Salmon Lake.

42

43 Harvest history, including subsistence  
44 harvest, sport harvest and commercial harvest, you've all  
45 seen that before. I did want to mention, though, and say  
46 that in 2006, the spring 2006 steelhead fishery did  
47 result in two steelhead reported from Salmon Lake. There  
48 were no steelhead reported from Salmon Lake in 2005.

49

50 The effects of this proposal. This

1 proposal would restrict the Federal subsistence harvest  
2 of steelhead, apply State sportfishing regulations to  
3 Federal subsistence fishing activities in the Salmon Lake  
4 watershed. It would not provide for Federally qualified  
5 users with a -- it would not provide Federally qualified  
6 users with a subsistence priority and would reverse the  
7 Board's decision establishing the current regulations.  
8 Requiring Federally qualified subsistence users to follow  
9 State sportfishing regulations in the Sitka area and the  
10 Salmon Lake area, I should say, does not recognize the  
11 consumptive versus recreational differences and  
12 management focus between subsistence and sportfisheries.

13

14 Our preliminary conclusion is to oppose  
15 this proposal.

16

17 CHAIRMAN ADAMS: Thank you, Cal. Any  
18 questions of Cal. Mr. Hernandez.

19

20 MR. HERNANDEZ: Cal, it sounds like there  
21 has been a little assessment work done on this system,  
22 you said approximately 200 fish is estimated, maybe you  
23 could tell us a little bit of how that number was arrived  
24 at and then what kind of an exploitation rate would you  
25 say is a conservative harvest number for that stream?

26

27 MR. CASIPIT: Two parts to the answer to  
28 that. As far as our estimate of escapement, that was  
29 based on best professional judgement and observations by  
30 our Staff here in Sitka.

31

32 As far as exploitation rate, you know,  
33 it's there in my black book there that Jeff Reeves was so  
34 gracious in bringing for me, it's actually his, but  
35 there's a study in there that looked at exploitation  
36 rates for steelhead up north, and they said that  
37 exploitation rates range from, I think eight percent to  
38 20-something percent. But as far as how we're applying  
39 it here in Southeast, we're looking at a 10 percent  
40 exploitation rate as being what we would accept for, you  
41 know, an exploitation rate.

42

43 CHAIRMAN ADAMS: Follow up, Don.

44

45 MR. HERNANDEZ: So I think you said the  
46 documented harvest is two, so that's still below,  
47 somewhat below the 10 percent exploitation rate, correct?

48

49 MR. CASIPIT: Correct. I don't think,  
50 except for one situation on Prince of Wales last spring

1 we have not even come close to that 10 percent  
2 exploitation rate for any stream.

3

4 MR. HERNANDEZ: Thanks.

5

6 CHAIRMAN ADAMS: Mr. Kitka.

7

8 MR. KITKA: Thank you, Mr. Chair. Cal,  
9 in all the streams in Southeast, I realize we're starting  
10 to get some records on subsistence steelhead now, if  
11 there any records of how many sportfish or commercial  
12 fish have been taken on these?

13

14 MR. CASIPIT: Through the Chair. Mr.  
15 Kitka. Again, that's a -- I'm going to have to answer  
16 that in a few parts.

17

18 For sport harvest, you know, in the past  
19 we've had sport harvest tables that were in the analysis,  
20 I don't think I have them in this one, but as far as  
21 sport harvest underneath the 36-inch minimum size --  
22 under the current State regulations, it -- harvests have  
23 been handfuls of fish, less than 50 per year.

24

25 The question of commercial harvests of  
26 steelhead, that's a bit more of a difficult question  
27 because as you, on the Council and most of the people on  
28 the Council know, in 1994 when these sport regulations  
29 were put in place, at the same time, the Board -- Board  
30 of Fish, at that same meeting eliminated the requirement  
31 for the net fisheries to keep track of steelhead catch.  
32 So we really don't have steelhead commercial catches in  
33 commercial fisheries, they do keep track of them in the  
34 trawl fisheries, again, I think it's been 50 or less fish  
35 annually, I'd be stand corrected by any information that  
36 the Department would have because that's their  
37 information.

38

39 In the last Board of Fish cycle, it was  
40 alluded to here before there was a proposal that was  
41 presented to the Board of Fish that would require the  
42 commercial fisheries, again, to keep track of steelhead  
43 harvest, I believe that motion failed, but they did grant  
44 authority to the Commissioner to require where he deemed  
45 necessary and later on in your agenda here, Mr. Bill  
46 Davidson will be talking about the results of those types  
47 of efforts that might have occurred in 2006, so I would  
48 -- maybe if you could hold that question for Mr. Davidson  
49 later.

50

1                   Did I answer your question, it was a  
2 long-winded answer. I apologize.

3

4                   CHAIRMAN ADAMS: Mr. Bangs.

5

6                   MR. BANGS: Thank you, Mr. Chairman. I  
7 probably should know this, but in the Federal reporting  
8 requirements for steelhead, is there any data gathered  
9 for what stream the fish come from and what size they  
10 are?

11

12                   MR. CASIPIT: We do ask for people to  
13 report the location of the harvest and we do have  
14 locations for the harvest of those fish. It's up to the  
15 user if he wants to report how big they were, and I don't  
16 think we've had a lot report back on that. We ask them  
17 to identify the location but we don't ask them to  
18 identify how big it was.

19

20                   MS. PHILLIPS: Mr. Chairman.

21

22                   CHAIRMAN ADAMS: Ms. Phillips.

23

24                   MS. PHILLIPS: Thank you, Chairman Adams.  
25 This map, well, the proponent says that it's easily  
26 accessible, is it, I mean the road only goes to like  
27 Green Lake, so is Salmon Lake easily accessible?

28

29                   MR. CASIPIT: Can I ask Mr. Suminski to  
30 come down and answer that, I would prefer that somebody  
31 with a little more local knowledge answer that, thanks.

32

33                   CHAIRMAN ADAMS: Mr. Suminski.

34

35                   MR. SUMINSKI: Mr. Chairman. Ms.  
36 Phillips. This is Terry Suminski with the Forest  
37 Service. You're correct, the road doesn't go out -- you  
38 can't drive to Salmon Lake, but it is a fairly short  
39 skiff ride.

40

41                   MS. PHILLIPS: Mr. Chair.

42

43                   CHAIRMAN ADAMS: Ms. Phillips.

44

45                   MS. PHILLIPS: I mean the season is  
46 January through May, there's no ice or you can get there  
47 the whole month of January, February, generally, or what?

48

49                   MS. SUMINSKI: Mr. Chairman. Ms.  
50 Phillips. There definitely can be ice at the head of

1 Silver Bay in January.  
2  
3 MS. PHILLIPS: Just curious, thanks.  
4  
5 CHAIRMAN ADAMS: Anyone else.  
6  
7 (No comments)  
8  
9 CHAIRMAN ADAMS: Thank you, gentlemen.  
10 ADF&G.  
11  
12 MS. GILBERTSON: Thank you, Mr. Chairman.  
13 Our comments are on Page 217 and just to summarize them.  
14  
15 The small steelhead population in Salmon  
16 Lake drainage, which we believe is easily accessible  
17 should be afforded the same protection that we've been  
18 talking about for the rest of Southeast, and that is the  
19 35-inch minimum size limit and restricting allowable gear  
20 and rod -- gear to rod and reel without bait for  
21 protecting steelhead populations.  
22  
23 Thank you.  
24  
25 CHAIRMAN ADAMS: Any questions for Sarah.  
26  
27 (No comments)  
28  
29 CHAIRMAN ADAMS: Thank you, ma'am. Any  
30 other Federal, State or tribal agency comments.  
31  
32 (No comments)  
33  
34 CHAIRMAN ADAMS: Mr. Kessler, InterAgency  
35 Staff Committee comment, if any.  
36  
37 MR. KESSLER: Thank you, Mr. Chairman.  
38 No comments.  
39  
40 CHAIRMAN ADAMS: Thank you, Steve. Any  
41 questions of Steve.  
42  
43 (No comments)  
44  
45 CHAIRMAN ADAMS: You're excused.  
46  
47 (Laughter)  
48  
49 CHAIRMAN ADAMS: Fish and Game Advisory  
50 Committee members.

1 (No comments)  
2  
3 CHAIRMAN ADAMS: Dr. Schroeder, any  
4 written comments.  
5  
6 DR. SCHROEDER: Dr. Schroeder has no  
7 written public comments, Mr. Chair.  
8  
9 CHAIRMAN ADAMS: Okay. We don't have any  
10 public comments.  
11  
12 DR. SCHROEDER: There are no comment  
13 slips for this proposal, Mr. Chairman.  
14  
15 CHAIRMAN ADAMS: Okay. Ladies and  
16 gentlemen, we're on Regional Council deliberations now so  
17 we need to put the issue on the table in the form of a  
18 motion and then discuss it.  
19  
20 MR. STOKES: Mr. Chairman.  
21  
22 CHAIRMAN ADAMS: Mr. Stokes.  
23  
24 MR. STOKES: I'm not in favor of this for  
25 the same reasons I stated before. The subsistence  
26 people, it would be defeating the purpose. My  
27 grandfather told me never to play with food.  
28  
29 CHAIRMAN ADAMS: Thank you, Dick. As I  
30 mentioned earlier, we need to put this on the table in  
31 the form of a motion then we can discuss it.  
32  
33 Mr. Bangs.  
34  
35 MR. BANGS: I move to adopt FP07-26.  
36  
37 MR. KITKA: I'll second it.  
38  
39 CHAIRMAN ADAMS: It's been seconded by  
40 Mr. Kitka. We're now up for discussion on this issue.  
41  
42 MS. PHILLIPS: Mr. Chair.  
43  
44 CHAIRMAN ADAMS: Patty, please.  
45  
46 MS. PHILLIPS: Thank you, Chairman Adams.  
47  
48 I oppose the proposal. The justification  
49 on Page 216 is applying State sportfish regulations to  
50 Federal subsistence fishing in the Salmon Lake watershed

1 would not provide subsistence users with the subsistence  
2 priority as required in Section .804 of ANILCA, Title  
3 VIII.

4  
5                   There are no known conservation concerns  
6 for steelhead in Salmon Lake. Special restrictions could  
7 be placed on the permit under the local Federal fisheries  
8 manager's authority if conservation concerns arise.

9  
10                   This proposal would restrict the Federal  
11 subsistence harvest of steelhead, apply State  
12 sportfishing regulations to Federal subsistence fishing  
13 activities in the Salmon Lake watershed, would not  
14 provide Federally qualified users with a subsistence  
15 priority and would reverse the Board's decision  
16 establishing the current regulation.

17  
18                   Requiring Federally qualified subsistence  
19 users to follow State sportfish regulations in the Sitka  
20 area does not recognize the consumptive versus  
21 recreational differences and management focus between  
22 subsistence and sportfisheries.

23  
24                   Thank you.

25  
26                   CHAIRMAN ADAMS: Thank you. Is there any  
27 other comments.

28  
29                   (No comments)

30  
31                   MR. KITKA: Call for the question.

32  
33                   CHAIRMAN ADAMS: Question's been called  
34 for, all in favor, please say aye.

35  
36                   (No aye votes)

37  
38                   CHAIRMAN ADAMS: Opposed, same sign.

39  
40                   IN UNISON: Aye.

41  
42                   CHAIRMAN ADAMS: Motion is defeated.  
43 Thank you. Ladies and gentlemen, we made it through the  
44 proposal part of this agenda and I want to compliment  
45 everyone for their participation in this process, and why  
46 don't we take a break, and come back here at a quarter to  
47 3:00.

48  
49                   (Off record)

50

1 (On record)

2

3 CHAIRMAN ADAMS: Please everyone take  
4 your seats, we need to get started.

5

6 (Pause)

7

8 CHAIRMAN ADAMS: Mr. Johnson. Mr. Dave  
9 Johnson, if I can ask your indulgence at this time, I'd  
10 like to give Dewey Skan a couple of minutes to say a few  
11 more words. As you know he was supposed to have left  
12 this morning, I understand that there was a bomb scare in  
13 Ketchikan and that's the reason why he's here, so I'd  
14 like to give him a couple minutes to say something to us  
15 at this time.

16

17 MR. JOHNSON: Yes, Mr. Chairman.

18

19 CHAIRMAN ADAMS: Thank you.

20

21 MR. SKAN: Thank you, Mr. Chairman.

22

23 CHAIRMAN ADAMS: You know he was just  
24 elected ANB Grand Camp President and now they're already  
25 trying to get rid of him now.

26

27 (Laughter)

28

29 MR. SKAN: Thank you, Mr. Chairman. As  
30 you heard this morning, I expressed some concern about  
31 the request from a different association to change our  
32 sockeye harvest dates to a certain window. And the Mayor  
33 of Klawock is in town here and after I left here I called  
34 him because of my concern, and so he called our office  
35 but no one's in today, it must be nice down there, to try  
36 to get some insight as to why a non-member of an IRA,  
37 because for voting purposes in Klawock you have to be  
38 citizen of the 300 acre townsite of Klawock to be a  
39 member, and this gentleman that tried to push this down  
40 our throats is not a tribal member of Klawock although  
41 his parents are from Klawock. So it is a concern of the  
42 Mayor and he's going to try to be here before the end of  
43 the day, you know, he's babysitting, he's got a new  
44 granddaughter, his daughter owns the Cellar over here,  
45 but, you know, Klawock people are always first and  
46 foremost, like all Tlingit people, to take care of our  
47 own problems, and this is a concern of mine. If there's  
48 no dialogue with the Forest Service six and a half miles  
49 away on a common use resource, you know, in the Klawock  
50 River, it's a concern that there's a lack of dialogue

1 between us and the Forest Service and the young man  
2 that's trying to implement this strategy.

3  
4 We petitioned the State about 20 years to  
5 shut down the resource, the sockeye fishing at 5:00  
6 o'clock on Friday and to open up one minute after  
7 midnight on Sunday and we did that because certain people  
8 were coming in and overharvesting and they were selling  
9 our sockeye all over the Northwest, and so we kind of  
10 saved our resource, and now for interfering in the dates,  
11 it's mind boggling as to why the dates are trying to be  
12 changed.

13  
14 You know, I'm a commercial fisherman but  
15 I live off the land when I can, and those coho's still  
16 haven't come in at home yet so I'm not going to try to  
17 change the seasons for next summer, you know, to  
18 Christmas or something.

19  
20 But I just want to thank you guys, you  
21 know, for my concern, you addressed my concern and I sit  
22 before you in gratitude, you know, for you guys acting in  
23 your fashion.

24  
25 I would not come to Yakutat, you know, to  
26 mess around with your steelhead fishery because that's  
27 yours and this is not a reflection on Mike, you know,  
28 because when I say common use fishery, the Craig people  
29 come up to the Klawock Lagoon and Hydaburg, and my  
30 brother, Ray, goes to Hydaburg because he has friends  
31 down there and he fishes down there, so we share the  
32 resource but if there's going to be any dialogue  
33 concerning the resource we should be at the table.

34  
35 And I want to thank you guys for  
36 respecting my concern and the Mayor, if he's here, he'll  
37 probably talk along the same lines as me. And I'm about  
38 a four or five time IRA president of Klawock, so -- and  
39 I'm also a tribal member, so with that I'd like to thank  
40 you and appreciate you respecting, you know, and Floyd  
41 was insistent that, you know, I should say something and  
42 I had to get permission from the Mayor who's also a  
43 council member of the Klawock IRA and it was an immediate  
44 red flag for him and so he tried to make calls and I  
45 don't know if they're celebrating Columbus Day or what,  
46 but thank you very much.

47  
48 CHAIRMAN ADAMS: Thank you, Dewey. Would  
49 you just elaborate a little bit on the bomb scare that  
50 supposedly is taking place in Ketchikan right now and

1 that's the reason why you're here.

2

3 MR. SKAN: Yeah, well, when I left here  
4 this morning the airport people in the Sitka airport were  
5 real quiet so I was wondering what was going on and they  
6 said there's a bomb threat at the Ketchikan airport and  
7 they don't know how long that place is going to be  
8 quarantined, and they said you can go to Seattle if you  
9 want to but if the place is blowing up then I don't want  
10 to be stuck in Seattle so I thought I'd just stay here,  
11 there's friends and family here so.....

12

13 CHAIRMAN ADAMS: Okay, thank you, Dewey.

14

15 MR. SKAN: Okay, yeah, I appreciate it  
16 and I look forward to seeing some of you in the future.

17

18 CHAIRMAN ADAMS: Gunalcheesh. Floyd, you  
19 have something, you have a question for him.

20

21 MR. KOOKESH: Yeah, I want to say  
22 something.

23

24 CHAIRMAN ADAMS: Mr. Skan.

25

26 MR. SKAN: Yeah.

27

28 CHAIRMAN ADAMS: Floyd has got something  
29 to say here, he might want you to answer.

30

31 MR. SKAN: Okay.

32

33 MR. KOOKESH: Well, not really Mr. Skan,  
34 Dewey, what I mentioned earlier after hearing the concern  
35 that a member from another community had submitted a  
36 proposal on behalf of another community reminded me to  
37 start reminding our Council members that we've got to be  
38 careful when we're looking at proposals, to make sure  
39 that the maker of the proposal is from the affected area  
40 and not to be -- not to be working or advancing proposals  
41 that, say, for example, Unit 2 submitting proposals on  
42 behalf of Unit 4 should not occur, that's not how we  
43 should function. We should only -- all the proposals  
44 should speak -- that are being written should be spoken  
45 from the people of the affected area, and we -- and then  
46 we should only recognize it then. As Dewey said, nobody  
47 has the right to speak on anybody's behalf.

48

49 That was just my comment, it's not -- it  
50 wasn't really to ask you a question but just to remind

1 Council unless somebody views things different than I do,  
2 that we have overriding authority over everybody else,  
3 which I don't believe we have.

4

5 MR. SKAN: Thank you, Mr. Chairman. If  
6 you'd research your minutes, going back to the Craig  
7 meeting about five or six years ago, they were discussing  
8 subsistence use of Hetta (ph) Island, which is my  
9 mother's traditional home land, you know, and we didn't  
10 have anybody on the Board at that time and we still don't  
11 have anybody on the Board to address our concerns, you  
12 know, and I'd also like to apologize for the verbal  
13 conduct that was directed your guys way in Ketchikan, you  
14 know, that's not the Tlingit way, we're respectful  
15 people, but some of us get out of the parameters of the  
16 culture and people like me that try to stop it, you know,  
17 are chastised sometimes but we understand culture, which  
18 is based on respect, and I'd like to apologize for their  
19 conduct that was directed towards you guys in Ketchikan.

20

21 CHAIRMAN ADAMS: Okay, Mike has a comment  
22 or a question for you Dewey.

23

24 MR. DOUVILLE: Thank you, Chairman Adams.  
25 I'd like to clarify something that I think is not  
26 understood here, is this proposal came from the Craig  
27 Community Association, Mr. Nickerson is employed by that  
28 association, so there's no misrepresentation there, okay,  
29 and anybody can submit a proposal as far as I know.

30

31 But just to clarify the issue here, it's  
32 not Mr. Nickerson submitting on behalf of Klawock, it's  
33 Craig Community Association, and it's quite clear here.

34

35 MR. SKAN: And that's our concern,  
36 because we are not at the table, we wouldn't go and  
37 submit a proposal on behalf of our entity, you know, to  
38 dictate something that is in your area without consulting  
39 you first, and that's our concern.

40

41 Thank you. The sun's shining, so I  
42 appreciate it.

43

44 CHAIRMAN ADAMS: Gunalcheesh.  
45 Gunalcheesh. Okay, Mr. Johnson, Mr. Dave Johnson come  
46 forward. He's going to give a report on Unit 2 deer  
47 harvest.

48

49 MR. JOHNSON: Thank you, Mr. Chairman.  
50 Council members. My name is Dave Johnson, I'm the

1 subsistence coordinator for the Tongass National Forest,  
2 I'm located in Craig.

3

4                   As a result of the Unit 2 Deer  
5 Subcommittee planning process that several of you were  
6 involved in, you have before you copies of the approved  
7 final Unit 2 Deer Planning Subcommittee report and there  
8 were a number of action items that came out of that, and  
9 one of those was the Unit 2 harvest joint reporting  
10 between the Forest Service and the Alaska Department of  
11 Fish and Game.

12

13                   Last year the 2005/2006 regulatory season  
14 was the first time, to my knowledge, that the Forest  
15 Service and the Alaska Department of Fish and Game  
16 actually worked together on one single harvest reporting  
17 system for people hunting deer in Unit 2. And I have  
18 received the first set of data from the Department and we  
19 are currently in the second year of that joint reporting  
20 process, and I would just share a few numbers with you  
21 very briefly and to let you know that we are continuing  
22 -- in addition to the harvest reporting there are some  
23 additional things that came out of that planning process  
24 that involved a lot of your time away from your families  
25 during that process.

26

27                   The first piece of information has to do  
28 with there were a total of 2,750 harvest tickets issued,  
29 now this is for hunters from outside of Alaska, other  
30 places other than the rural communities that are  
31 Federally qualified to hunt deer in Unit 2 and folks  
32 within Unit 2, and the surrounding communities. Of those  
33 2,750, 1,860 were returned for a return rate of 68  
34 percent, which is not as good as we would have hoped.  
35 Being the first year, we realized there would be some  
36 problems, some of the dates that we established for  
37 getting things printed, and by the way we had some very  
38 good support of Office of Subsistence Management and so  
39 there was a number of folks that were working together,  
40 in addition to just the Forest Service and the State to  
41 make some of this happen. Some of the other Staff for  
42 some aspects of of the report had to do with Maureen  
43 Clark from the Office of Subsistence Management, Melinda  
44 Hernandez and others, and Jan Caulfield, which I will  
45 get to in just a moment.

46

47                   I would like to point out in the past  
48 there have been some concerns raised regarding harvest  
49 reporting from small communities, that small communities  
50 don't always report that well or don't have that high of

1 a return, and in some cases that is true. For Craig, for  
2 this first year there 512 overlays issued and there were  
3 only 379 return, which is still a 74 percent rate. Edna  
4 Bay issued 17, and they returned 13. Hollis issued 30  
5 and there were 27 returned. Ketchikan had 770 issued,  
6 464 were returned for a 60 percent return rate. Klawock  
7 59 issued and 25 returned. And I'm not going to go  
8 through the entire list, but Point Baker, for example,  
9 had 12 issued and they returned 9. And then Thorne Bay  
10 had 226 issued and 191 were returned. Whale Pass had 31,  
11 they returned 28, Wrangell had 70 and they returned 54.  
12 So I just point that out and -- for Petersburg there were  
13 86 issued and 72 returned. So those are actually some  
14 pretty good percentages for some of the -- for many of  
15 the small communities that, in the past, perhaps have  
16 been criticized for not returning that many so I just  
17 wanted to let you know that we're making some progress.

18  
19 In addition to the harvest reporting  
20 another recommendation that came from the Council, the  
21 Staff Committee and ultimately from the Board that  
22 accepted the report, was on Page 29 of the report, Dr.  
23 Garza, one of the things I recall very vividly was the  
24 concern about the lack of educational materials and the  
25 lack of involving communities and making sure people  
26 understand Title VIII and what were we going to do about  
27 that to try to get people better informed. You'll see on  
28 those two pages, 29 and 30, a list of things that were  
29 recommendations.

30  
31 One of the things we have started on and  
32 we've just recently received this from the Office of  
33 Subsistence Management are some posters, I will pass this  
34 around, Cal if you could pass this around to the Council,  
35 it actually identifies one aspect of the planning  
36 prospect that dealt with the harvest reporting and the  
37 importance of whether you live in Ketchikan or whether  
38 you live in Craig or you live in Juneau, if you hunt deer  
39 in Unit 2, we would like for you to report your harvest.  
40 And, again, Maureen Clark and Melinda Hernandez were very  
41 instrumental in making that available. Copies of that,  
42 additional copies of that are available that wants some.  
43 If you would like them for your tribal offices or other  
44 places in your community we'll be glad to get additional  
45 copies of that made for you.

46  
47 Finally, Mr. Chairman, and Council I  
48 wanted to update you on the latest with respect to the  
49 young growth strategy that was an additional item that  
50 came out of the planning process. As of December 20th,

1 in response to action item number 9, rehabilitation of  
2 young growth forest, the young growth strategy will be  
3 completed in December of 2006, which is just a few months  
4 away. And the process that was used for this strategy  
5 was an identification of 13 watersheds on Prince of Wales  
6 Island that are the highest priority for young growth  
7 treatment and that's based on the amount of deer in those  
8 areas or the significance historically for deer habitat  
9 in those areas and also based on harvest information  
10 where people are deer hunting.

11  
12 So that concludes my presentation, Mr.  
13 Chairman. If there are any questions I'll be glad to  
14 respond to them.

15  
16 CHAIRMAN ADAMS: Thank you, Dave. Any  
17 questions. Harvey.

18  
19 MR. KITKA: Thank you, Dave. Did  
20 everybody that was involved seem happy with what came out  
21 of this?

22  
23 MR. JOHNSON: I guess from my  
24 perspective, Harvey, I would say yes I would also defer  
25 though to a number of the Council members that are here  
26 that were very heavily involved in that, and I'm sure  
27 they may have some comments but from my perspective the  
28 fact that we were able to get an agreement with the State  
29 for this harvest reporting is probably one of the biggest  
30 successes, in my opinion, that we have, yes.

31  
32 CHAIRMAN ADAMS: Any -- okay, Dolly. I  
33 know Dolly was on that committee as well as Don and Mike,  
34 and I think Michael was on there, too. Feel free to, you  
35 know, add anything to what Dave presented to us as well,  
36 the floor is open for that. Go ahead Dolly.

37  
38 DR. GARZA: I'll give you my response to  
39 that, and I think good negotiations result when everybody  
40 walks away a little bit unhappy and that certainly was  
41 the case. I don't think Ketchikan got all of what they  
42 wanted and I don't think Prince of Wales got all of what  
43 they wanted, I don't think Wrangell got all of what they  
44 wanted, but it seems like we all got enough so that it  
45 wasn't quite so difficult for anybody, but we'll see.  
46 We'll just have to see if we get a slough of proposals in  
47 the next round and maybe somebody thought they got a bit  
48 slighted more than anyone else, who knows.

49  
50 But the process went as good as it could

1 have for the process that we chose to use.

2

3           And I guess the only question I have in terms of  
4 your report is I would like to see that poster out in  
5 Ketchikan like everywhere that it could possibly go.  
6 Because Ketchikan people are still uninformed.

7

8           Thank you.

9

10           CHAIRMAN ADAMS: Go ahead, Don.

11

12           MR. HERNANDEZ: Thank you, Mr. Chairman.  
13 Dave, part of the reporting requirement was asking people  
14 to, you know, voluntarily provide some information on  
15 areas where they hunted so that we could have a better  
16 idea of how the distribution of hunters is out there, do  
17 you feel that you got some good information back in that  
18 respect?

19

20           MR. JOHNSON: Mr. Hernandez. Mr. Chair.  
21 Council members. This GIS map that I have here, I didn't  
22 hold up before, actually incorporates some of the  
23 information that you've requested Don that was taken from  
24 historic harvest reports as well as historic timber  
25 harvest areas, important habitat areas and that then was  
26 identified -- I'll put this up in the back and people can  
27 look at it, but it has a number of different categories  
28 that will be real important as we move into this next  
29 round of actual treatments and we will continue to revise  
30 that as we have better harvest -- deer harvest  
31 information, and as more young growth stands come up for  
32 treatment. So I think we didn't get as good of  
33 information as we would have liked, because it was the  
34 first year, and it's going to continue to take some  
35 additional working with the State to insure that the  
36 vendors and the hunters are providing the best  
37 information we can get for future use.

38

39           CHAIRMAN ADAMS: Dolly, go ahead.

40

41           DR. GARZA: Thank you. I guess just one  
42 final question because I don't see it anywhere else on  
43 the agenda, and maybe I'm just not looking good enough.  
44 But just following up on that, looking for additional  
45 information, we were trying to get additional information  
46 through some survey work through Craig Community, not  
47 through FIS, but WIS.

48

49           MR. JOHNSON: WIS, that's correct.

50

1 DR. GARZA: So what is the status of  
2 that?

3  
4 MR. JOHNSON: We will have a presentation  
5 on that later, but briefly there is a proposal in that  
6 will cover that. It has not been funded as of yet, but  
7 there is a proposal in for collecting the information  
8 that you're requesting. I believe it's agenda item on  
9 Page 3, Item C, 2.

10  
11 CHAIRMAN ADAMS: Thank you, Dave.  
12 Appreciate it. Sorry, go ahead, Frank.

13  
14 MR. WRIGHT: Thank you, Mr. Chairman. Is  
15 the deer population on Prince of Wales going up there or  
16 and, you know, with the large logging industry that used  
17 to be there, are they thinning out, the new growth so  
18 these animals can wonder through, you know, I've just  
19 heard that, you know, it's been a long time that Prince  
20 of Wales was -- the limit on the number of deer that you  
21 could take was three or something like that.

22  
23 MR. JOHNSON: Mr. Wright. Chairman.  
24 Council. If you'll look, again, at the Unit 2 deer  
25 report from the subcommittee, the main reason for the  
26 formation of the subcommittee was to look down the road  
27 to the future. And to answer your question, generally  
28 speaking the populations right now in Unit 2 overall  
29 right now are healthy. That's based on a number of  
30 different pieces of information, there's healthy wolf  
31 population, the harvest for subsistence users, Federally  
32 qualified users was increased from four to five last  
33 year, there is an early season. There's a number of  
34 these are indicators that today the population is  
35 relatively healthy again. Looking at the entire Unit 2,  
36 which includes the outside islands as well, as Unit 2, as  
37 well as Prince of Wales itself. But in terms of the  
38 future, in the Tongass Land Management Plan, the year  
39 2056 is cited as the year that there is a significant  
40 potential for a significant reduction in the deer  
41 population in Unit 2.

42  
43 And if we were to have a severe winter,  
44 which we have not had in recent time, that could be sped  
45 up much sooner. So part of the young growth strategy and  
46 in answer your question today, it's healthy but down the  
47 road it doesn't look real healthy.

48  
49 CHAIRMAN ADAMS: Gunalcheesh.  
50

1 MR. JOHNSON: (Nods affirmatively)

2

3 CHAIRMAN ADAMS: It's my understanding  
4 that Proposal -- or Item No. 12 on the agenda, call for  
5 proposals to change subsistence wildlife regulations will  
6 take place later.

7

8 MR. JOHNSON: (Nods affirmatively)

9

10 CHAIRMAN ADAMS: So we'll go on to Item  
11 No. 13 now, and this is in regards to the Secretary of  
12 the Interior and Agriculture concerning hunting license  
13 requirements, Mr. Schroeder, please.

14

15 DR. SCHROEDER: Mr. Chairman. The  
16 question of a petition to the Secretaries concerning  
17 hunting licenses has been discussed by the Council a  
18 number of times, at least at its past two meetings, in  
19 recent years the Council attempted to address the  
20 question of whether a State license was required by --  
21 should be required under Federal regulations for hunting  
22 under Federal subsistence regulations on Federal lands.

23

24 This advanced at our last meeting. We  
25 developed a draft petition. The draft petition is shown  
26 in your books on Page 81 with a cover letter on Page 79.  
27 The basic idea that the Council developed around this  
28 petition was that this -- the draft petition was our best  
29 attempt in saying what we wanted, what the Council wanted  
30 with respect to the hunting license question.

31

32 The Council recognized, however, that  
33 this was really a statewide issue and wanted some way  
34 that this petition would go before other Councils around  
35 the state for their comment and review.

36

37 For that reason the cover letter  
38 requested that the Federal Board, Mr. Demientieff would  
39 insure that the petition would be on the agenda for the  
40 other Councils at their meetings this fall. The petition  
41 has been on the agenda of these meetings and we're  
42 starting to get a response from other Councils on what  
43 their view is of this Southeast initiative concerning  
44 hunting licenses. I don't have very up to date or  
45 thorough information on how other Councils are viewing  
46 this petition. I do know that Bristol Bay voted against  
47 this petition and they thought that hunting licenses  
48 provided useful service funds for useful services. I  
49 just hear notes -- I got notes from other coordinators  
50 concerning two other Councils and they were taking

1 something of a wait and see attitude on this. Councils  
2 received a very short briefing on what was involved in  
3 this petition.

4  
5 The action item for the Council right now  
6 would be to either affirm the previous course of action  
7 or to make a change.

8  
9 Under the previous course of action, what  
10 would happen would be the other Councils would have the  
11 opportunity to see the petition as written here and that  
12 the Southeast Regional Advisory Council would schedule a  
13 teleconference meeting probably sometime off in November  
14 and at that time we would include the other Councils  
15 comments and then submit the petition to the Secretary.  
16 So that's what we were saying what we were going to do in  
17 our March 30th, 2006 letter.

18  
19 So at this point perhaps the first step  
20 there would be for the Council to either affirm or change  
21 its -- say what it's interest is in following that course  
22 of action, and then the second thing would be to set a  
23 time for that teleconference meeting or request Staff to  
24 arrange that.

25  
26 That's what I have, Mr. Chair, and at  
27 some time I know the State wishes to comment on this. It  
28 might be good to get the general wishes of the Council in  
29 terms of our process and then hear from the State, that  
30 would be my recommendation.

31  
32 CHAIRMAN ADAMS: And we're going to  
33 follow your recommendation and take, you know, questions  
34 and comments from the Council and then we're going to ask  
35 the State if they would like to come down and respond.

36  
37 Any comments anyone.

38  
39 MR. KOOKESH: Yeah.

40  
41 CHAIRMAN ADAMS: Floyd.

42  
43 MR. KOOKESH: Mr. Schroeder, when this  
44 issue came up before about giving -- doing away with the  
45 hunting license fees that the State of Alaska charges, I  
46 had requested if it can be presented, I believe Mike  
47 Turek was the gentleman that was sitting here at the  
48 time, if it could be presented to us, what actually  
49 happens to our -- what the value is of our hunting  
50 license fees and where the money actually goes, does it

1 benefit me, I had asked that question before and I don't  
2 know if we had gotten a response, and I don't know if  
3 you're familiar yet but that.

4

5 DR. SCHROEDER: Floyd, I haven't received  
6 anything further on that. And my recollection is that  
7 Mike Turek was there and also Doug Larson also spoke  
8 about how that information, they'd try to provide that  
9 information this way. We haven't received anything  
10 specific on that.

11

12 CHAIRMAN ADAMS: Sarah, why don't you  
13 come down and address that, please, and then if the  
14 Council does have any further questions you can remain  
15 there and respond if they are directed to you.

16

17 MS. GILBERTSON: Thank you, Mr. Chairman.  
18 Members of the Council. I'm quite relieved to be able to  
19 talk about this because this is one issue I do know a lot  
20 about because -- and I'm sorry if you didn't get a  
21 response from the State, obviously I just started this  
22 job in May, but prior to that I was Fish and Game's  
23 legislative liaison, which means I was the one who was in  
24 the legislature talking about a hunting license fee  
25 increase, so while it wasn't my idea, I was certainly  
26 there advocating for it, and I'm very familiar with where  
27 the money goes, how it's generated, and that's exactly  
28 why I was hoping to speak to you today.

29

30 Just wanted to clarify, when you purchase  
31 a hunting license, you don't have to purchase one if  
32 you're younger than 16 or if you're older than 65. So  
33 we're talking about folks between the age of 16 and 65,  
34 and when you purchase a license the revenues from that  
35 license does not go to the State of Alaska, it goes to a  
36 particular fund within Fish and Game, we have a dedicated  
37 fund under the -- under the State Constitution that we're  
38 required to have in order to receive some Federal monies.  
39 And so when you purchase your \$25 license the \$25 goes  
40 back to Fish and Game, specifically to the Division of  
41 Wildlife Conservation. So it doesn't go to the  
42 Department of Education, it doesn't go anywhere else in  
43 the state but to the Division of Wildlife Conservation.

44

45 And I'm not sure if Phil Mooney is in the  
46 room but he and I were talking earlier about his limited  
47 budget, and Floyd I think you had mentioned, maybe  
48 yesterday, and some others about bears in your community  
49 and we got to do something about these bears, and Phil  
50 was saying, geez, I wish I could do something about the

1 bears, but Sarah this is my budget, and it pays for my  
2 salary and part of or maybe completely one or two staff  
3 members, but very limited monetary resources thereafter  
4 to go out and fly surveys. And if you think about it,  
5 the price of a hunting license in Alaska hasn't changed,  
6 it's been \$25 flat for quite some time. And having  
7 looked at all the licenses in all the other states, we're  
8 -- it's a very good deal, right now it cost more than  
9 that to fill up your gas tank in your car. And for the  
10 price of \$25 you can take a whole array of big game and  
11 small game and animals that you don't need to purchase  
12 tags for, and if you went to any other state it'd cost a  
13 lot more.

14

15                   So another point I think worth making is  
16 that the Division of Wildlife Conservation, typically,  
17 and our Department, typically, has not received money  
18 from the State in terms of general funds.

19

20                   The Department of Education, for example,  
21 is funded in large part by general funds, and those  
22 dollars come from the state of Alaska. The Department of  
23 Fish and Game historically does not have a good record of  
24 getting general funds from the state of Alaska, and  
25 that's one of the things that I spoke to the Legislature  
26 about, why doesn't this department get any money. We do  
27 get some money, it goes to the Division of Commercial  
28 Fisheries. They do fund the Subsistence Division, they  
29 give that division general fund monies. But typically  
30 the Division of Sportfish and the Division of Wildlife  
31 Conservation runs solely off of license fees.

32

33                   And so another point worth noting is that  
34 when you go hunting and you buy your ammunition or you  
35 buy your gear, you're charged an excised tax and I think  
36 it's about 10 or 11 percent, so if you buy a box of  
37 shells, three to \$4 goes back to the Federal government,  
38 and what happens to that money is the money that's  
39 generated by the excise tax from all 50 states is  
40 reapportioned out by the Federal government and it's  
41 reapportioned out based upon a formula, based upon the  
42 area, the size of your state and the number of licenses  
43 that you sell, so Alaska has always gotten more money  
44 back, it's called Pittman Robinson funds (ph), we've  
45 always gotten more money back than we've paid into  
46 because of the huge size of our state, because of the  
47 number of licenses that we sell.

48

49                   So I wanted to bring some of this  
50 information forward for your consideration. I understand

1 that you're the authors of this petition, and I wanted to  
2 be here today to just let you know what I have learned  
3 and to let you know that that money that I saw in here --  
4 a statement that I saw in here about license fees also  
5 supports some construction of facilities to support  
6 hunting and fishing, that's not true, they don't support  
7 fishing, they go directly to the Division of Wildlife  
8 Conservation and those monies are used solely for  
9 wildlife management. It says these facilities may  
10 include boat ramps, viewing stations or firing ranges and  
11 that the Council believes that these facilities partially  
12 supported by State license fees generally are not used by  
13 or do not serve the interests of rural subsistence users.  
14 And I know for a fact that the Division of Wildlife  
15 Conservation has not used any of this money for anything  
16 other than wildlife management and that is the surveys,  
17 the research that we do, the collaring of the animals, so  
18 this statement is not correct, and I just wanted to bring  
19 that to your attention.

20

21                   And then one final point, if I may, it  
22 says on here on Page 87, No. 7, that the current State of  
23 Alaska licenses creates a financial burden and that  
24 recent efforts to increase license fees would have fallen  
25 disproportionately on rural users, what was being  
26 proposed was an increase, a flat increase across the  
27 board for all Alaskans and I know from personal  
28 experience that this idea was not well received within  
29 our State Legislature, and so it did not pass. It did  
30 not even -- it didn't move at all, and I think that the  
31 new Governor will have a decision to make as to whether  
32 or not he or she wants to help this Department get more  
33 money from the State of Alaska or pursue some other means  
34 for finding new revenues, because as we just talked  
35 about, with the price of gas, you know, think about how  
36 much it cost for us to go up in the air and conduct an  
37 aerial survey, it's very costly.

38

39                   And so in conclusion, good wildlife  
40 management costs money, and I think in this state we have  
41 a real history of supporting that conservation and that  
42 wildlife management through the purchase of these  
43 licenses.

44

45                   So I wanted to be here to answer any  
46 questions, this is something that I know quite a bit  
47 about and just to point out some points that I thought  
48 perhaps were incorrect.

49

50                   CHAIRMAN ADAMS: Thank you, Ms.

1 Gilbertson. Is there any questions by the Council for  
2 Sarah.

3

4 MR. KOOKESH: I do.

5

6 CHAIRMAN ADAMS: Go ahead, Floyd.

7

8 MR. KOOKESH: Can you tell me what -- the  
9 money goes to Wildlife Conservation, can you tell me what  
10 Wildlife Conservation is and breakdown for Southeast, and  
11 I don't know if you can do it community by community but  
12 how do we benefit community-wise besides surveys and how  
13 much money is generated by these revenues and what was  
14 your proposed rate increase to be?

15

16 MS. GILBERTSON: Thank you, Mr. Chairman.  
17 Council members. I don't have those numbers before me.  
18 But I do know that we spend about -- first of all let me  
19 back up. Within the Department of Fish and Game there's  
20 the Commercial Fisheries Division, the Sportfish  
21 Division, the Division of Wildlife Conservation and the  
22 Subsistence Division. We all work very closely with one  
23 another, we're all within, you know, under the same roof.  
24 And so the Division of Wildlife Conservation is charged  
25 with managing big game populations in the state, and the  
26 money that they get, I mean these are the guys like --  
27 like if you're familiar with Phil Mooney, here on the  
28 local level, they're in charge of managing the wildlife  
29 populations, the big game populations, the surveys, the  
30 research that we do and managing hunting in conjunction  
31 with the Board of Game, so that's where your money goes,  
32 and I don't have a breakdown for Southeast. But just off  
33 the top of my head, I remember visiting Sitka two years  
34 ago and talking to Phil and talking about the fact that  
35 we haven't done a sheep survey in a very long time, and  
36 so we need the money to be able to do that because if you  
37 don't have the numbers, you have to manage more  
38 conservatively.

39

40 If I can't tell you that there are 100  
41 sheep and how many can be harvested, then we have to  
42 guess, the Board of Game has to guess, and I think all  
43 Alaskans lose because you have to manage more  
44 conservatively and you have to restrict hunting, perhaps  
45 unnecessarily.

46

47 Does that help?

48

49 MR. KOOKESH: Well, we don't have sheep,  
50 but I guess it helps somebody.

1 MS. GILBERTSON: Well, not just sheep but  
2 deer in Southeast, sheep, bear, all of the big game are  
3 managed by the Division of Wildlife Conservation, and we  
4 work closely with our Federal partners, as you saw in the  
5 Unit 2 deer presentation, we work closely and we  
6 sometimes conduct those surveys or research together.  
7 But in large part a lot of those are done by the State  
8 and by this Division and you contribute to that and  
9 support it through the purchase of your hunting license  
10 and through the purchase of the gear and the ammo.

11  
12 CHAIRMAN ADAMS: Go ahead, Floyd.

13  
14 MR. KOOKESH: The reason why I originally  
15 asked this question is that I would support the issue  
16 that's before us to do away with the hunting and license  
17 fees if we weren't benefiting from it personally,  
18 communitywise.

19  
20 MS. GILBERTSON: Uh-huh.

21  
22 MR. KOOKESH: Because I know for a fact  
23 from Angoon that when we buy sportfishing licenses and  
24 deer hunting licenses we don't have boat launch ramps,  
25 not even one. We have what's called a naturally sloped  
26 beach front that people pull their boats from.

27  
28 MS. GILBERTSON: Uh-huh.

29  
30 MR. KOOKESH: Well, you can go to  
31 Douglas and see a boat launch ramp out in the middle of  
32 nowhere where nobody even lives, and for example a rifle  
33 range. My brother-in-law built a rifle range, a  
34 building, it's not a fancy one and the backdrop there is  
35 an old pit, so I was just wondering what our benefits are  
36 for our communities if we're going to support the State  
37 and their Wildlife Conservation program.

38  
39 I'm just kind of -- I've been trying to  
40 work this through because I wanted to make sure that when  
41 I walked into this I knew what I was doing.

42  
43 MS. GILBERTSON: Uh-huh. Mr. Chairman.  
44 I understand completely and I will commit to getting you  
45 that information. Because I know the shooting range, I  
46 know that there's one in Juneau, it's a beautiful new  
47 indoor shooting range, that, for instance, was built by  
48 money that was funded by legislature, so the legislators  
49 from the various areas came up with the money to do that.  
50 I know out the road here in Sitka there's a beautiful new

1 Stargavin boat launch, now that money came partially from  
2 the legislature and it came partially from the Division  
3 of Sportfish. So the Division of Conservation, the guys  
4 in the state who are managing big game, who are managing  
5 the wildlife, they don't have anything to do with  
6 building boat ramps, your money doesn't go there. It  
7 doesn't go for boardwalks for wildlife viewing, it goes  
8 specifically to manage the populations.

9  
10 And I would follow up with all of you to  
11 let you know examples of some of what we do in Southeast.

12  
13 MR. KOOKESH: Thank you.

14  
15 CHAIRMAN ADAMS: You're welcome. Thank  
16 you, Sarah.

17  
18 MS. GILBERTSON: Thank you.

19  
20 CHAIRMAN ADAMS: Is there any other  
21 comments or questions from the Council or should we move  
22 on -- go ahead. Go ahead, Mike.

23  
24 MR. DOUVILLE: Thank you, Chairman Adams.  
25 So then everything I read in the paper during this  
26 controversial time about the indoor shooting range being  
27 funded with increased license fees is false then,  
28 according to Sarah.

29  
30 But on the other hand we are able to get  
31 a Federal permit to go get subsistence fish, you don't  
32 need a fishing license.

33  
34 I don't have any problem with the same  
35 situation in your local area to get a Federal permit to  
36 go harvest deer, that doesn't cost anything, if you're  
37 going to do it in your own area. If you're going to go  
38 hunting somewhere else for bear or trophy, then that, in  
39 my mind, involve a hunting license, it's not subsistence  
40 it's more sport.

41  
42 CHAIRMAN ADAMS: Uh-huh.

43  
44 MR. DOUVILLE: That's my own opinion.

45  
46 CHAIRMAN ADAMS: Thank you, Mike. any  
47 other comments. Dolly go ahead.

48  
49 DR. GARZA: Thank you, Mr. Chair. I'm  
50 not sure if this item is before us as information or if

1 we're reaffirming but this Council has already gone on  
2 record that it wishes to no longer have to pay these  
3 fees. And so we are leading the charge in that regard  
4 and at the May Federal Subsistence Board, I did ask the  
5 Chairs of the other regions to take this item to their  
6 Councils to their fall meetings.

7

8 REPORTER: Hold on a minute, here.

9

10 CHAIRMAN ADAMS: Let's take some time out  
11 while she adjusts the microphones. No, here it's on.  
12 It's on, just fine. Go ahead, Dr. Garza, break's over.

13

14 (Laughter)

15

16 DR. GARZA: I'll just finish my thought  
17 and then if you want to call a break.

18

19 CHAIRMAN ADAMS: We're going to keep on  
20 going here because, you know, according to Dr. Schroeder  
21 we have a lot to do here yet and we may have to even go a  
22 little bit late tonight in order to be out of here on  
23 time tomorrow, so we'll just keep on moving.

24

25 So did you have something to say there  
26 Dolly before we move on?

27

28 DR. GARZA: I guess the question is,  
29 whether or not this is here as information or we are  
30 reaffirming our position. I mean if we're not  
31 reaffirming it then we do need to discuss it, if we're  
32 going to change it, or if we're just reaffirming it then  
33 I think we could do that quickly and get on to the rest  
34 of the agenda.

35

36 CHAIRMAN ADAMS: So I guess, yeah, the  
37 question would be for us, you know, are we going to  
38 affirm this position that we have taken so far and if  
39 that's the case then we can go ahead and do that and move  
40 on, if not, then there's going to be a lot more  
41 discussion involved.

42

43 So, Dick, go ahead.

44

45 MR. STOKES: I just wanted to say that  
46 living in a depressed area, there are many that would  
47 need a free license. I know there are several families,  
48 like there's one that's got seven children besides him  
49 and his wife, that's nine, and Wrangell area is only  
50 allowed two deer, so they'd have to come up with 50 bucks

1 just to get a deer tag. And \$50 would buy two gallons of  
2 oil. So I'm, in a sense, in favor of it.

3

4 CHAIRMAN ADAMS: Okay, thank you, Dick.  
5 Don, and then we'll let you respond, Bill.

6

7 MR. HERNANDEZ: Yeah, I have a question.  
8 I guess I'm a little unsure of how this is worded, and  
9 Mr. Knauer could probably answer this question, would  
10 this exemption from a license requirement, would that be  
11 the case if you were -- well, let's say you're hunting on  
12 Federal lands, but you're hunting a species such as moose  
13 or elk which is not currently has a customary and  
14 traditional use, would you still have to buy a State  
15 hunting license to hunt a species which did not have a  
16 customary and traditional subsistence hunt?

17

18 DR. SCHROEDER: Don, this would apply if  
19 -- if this went through, this would apply to any hunting  
20 by Federally qualified subsistence users on Federal land.  
21 And so if you were hunting something on Federal land for  
22 which there was a recognized use, either in the general  
23 category or a specific community you wouldn't need a  
24 license under this.

25

26 CHAIRMAN ADAMS: Mr. Knauer.

27

28 MR. KNAUER: Excuse me, I need to clarify  
29 that.

30

31 MR. HERNANDEZ: Yeah.

32

33 MR. KNAUER: As long as you would be  
34 hunting under Federal regulations you wouldn't need the  
35 State license, if you were hunting under other  
36 regulations, State regulations, you would have to have a  
37 State license even if you were hunting on Federal lands.

38

39 MR. HERNANDEZ: So if I wanted to  
40 participate in the Zarembo elk hunt I would have to have  
41 a State license?

42

43 MR. KNAUER: That is correct. The other  
44 thing, Mr. Chairman, that I wanted to point out, is that  
45 if we went with a -- if the Secretary agreed to go with a  
46 Federal license, there is nothing that would guarantee  
47 that that license would be without cost.

48

49 It is very common in Federal agencies to  
50 set costs for special permits and special things to cover

1 the administrative costs for those things, permits for  
2 commercial activities on Federal lands, it's very common  
3 throughout all of the land managing agencies, and we  
4 don't know what the case would be. There might be a  
5 cost, there might not. So I think it would be  
6 inappropriate to assume, yes, there would be or no, there  
7 wouldn't.

8

9 CHAIRMAN ADAMS: When you referred to the  
10 Secretary, you didn't clarify yourself, is it this  
11 secretary over here or the one in Washington, D.C.?

12

13 MR. KNAUER: I'm sure you'd prefer it to  
14 be this one, but it would be the Secretary of the  
15 Interior and Secretary of the Agriculture.

16

17 (Laughter)

18

19 CHAIRMAN ADAMS: Because I had lunch with  
20 Harvey, you know, and he was saying, well, what are my  
21 duties in this and I said we'll think of something, you  
22 know.

23

24 (Laughter)

25

26 CHAIRMAN ADAMS: Floyd, go ahead.

27

28 MR. KOOKESH: I don't know if this has  
29 been brought up but are we talking about Federal lands,  
30 say if you shot a deer on Federal lands and it tumbled  
31 down below mean high tide, are we talking.....

32

33 (Laughter)

34

35 MR. KOOKESH: .....are we talking that  
36 you now have a problem, Mr. Knauer, I'm asking a  
37 question.

38

39 MR. KNAUER: That problem always exists  
40 relative to where the jurisdiction is and of course many  
41 of the lands around the villages are corporation lands  
42 where people hunt and not Federal lands, so you would  
43 have to have a State license to hunt on those corporation  
44 lands. And then if you decide to hunt off the  
45 corporation lands you'd have to fulfill the requirements  
46 of the Federal system.

47

48 CHAIRMAN ADAMS: Mr. Hernandez.

49

50 MR. HERNANDEZ: Yeah, I was going to

1 follow up when I got the answer to my question, that I  
2 think actually the impacts to the State revenues would  
3 really be far less than what people are portraying  
4 because there would -- I think most people would still be  
5 buying a State hunting license because you would be  
6 hunting species that are not under Federal management,  
7 you'd also be hunting on State lands and private lands,  
8 both require a State license. I know I hunt on State  
9 land every year and Mr. Knauer pointed out, most of the  
10 villages are surrounded by private corporation land,  
11 you'd have to have a license there.

12  
13 So a lot of the doom and gloom portrayed,  
14 I don't think is necessarily going to be so. I would  
15 speculate that maybe a lot of the lost -- or the small  
16 amount of lost revenue could easily be made up by this,  
17 you know, license increase to out of state residents and  
18 what not.

19  
20 CHAIRMAN ADAMS: Mr. Kitka.

21  
22 MR. KITKA: Thank you, Mr. Chair. On  
23 some of my sources that I heard, I heard rumors as Mr.  
24 Schroeder had talked about that some of the others were  
25 just going to sit back and watch and see what we did.  
26 And it seemed like from Southeast a lot of things we push  
27 through and it's a little bit different than the rest of  
28 the state of Alaska. Hunting down here, most of it is on  
29 Federal lands and we differ a lot from those up there  
30 that way.

31  
32 And I know you said Bristol Bay rejected  
33 the idea altogether. And there's been a few that  
34 rejected it. But most of them are just sitting back and  
35 watching to see what we do.

36  
37 Thank you.

38  
39 CHAIRMAN ADAMS: So let's go back to the  
40 question then, do we want to affirm this position the  
41 Council has taken right now or, again, to emphasize if we  
42 do that then this issue, you know, will be settled here  
43 today so we can pursue it further, but what's the wish of  
44 the Council.

45  
46 Go ahead, Dolly.

47  
48 DR. GARZA: Thank you, Mr. Chair. I  
49 would move that we reaffirm our request to petition the  
50 Secretary of Interior that we have a change in license so

1 that we have a Federal license on Federal lands and no  
2 longer have to pay the State fee if we're hunting Federal  
3 resources on Federal lands.

4

5 Thank you.

6

7 MS. PHILLIPS: Second.

8

9 CHAIRMAN ADAMS: It's been moved and  
10 seconded. Further discussion.

11

12 (No comments)

13

14 DR. GARZA: Question.

15

16 CHAIRMAN ADAMS: Question's been called,  
17 all in favor please say aye.

18

19 IN UNISON: Aye.

20

21 CHAIRMAN ADAMS: Opposed.

22

23 (No opposing votes)

24

25 CHAIRMAN ADAMS: Motion carries.

26

27 DR. SCHROEDER: Mr. Chairman. Just so  
28 we're clear on the record, I understand that the  
29 Council's affirming its earlier position and Staff will  
30 set up a teleconference at the appropriate time to do our  
31 next step on this which will be to finalize the petition  
32 including whatever we receive from other Councils with  
33 respect to this.

34

35 Thank you.

36

37 CHAIRMAN ADAMS: Next, Dr. Schroeder. I  
38 didn't have it on my agenda, but Bob had it on his is for  
39 the Wrangell-St. Elias report to be given at this time.

40

41 You have in the packet that was passed  
42 out the other day on Page 1, my report and, you know, if  
43 you've read through it all it's all there and I'd be  
44 happy to respond to any questions you might have.

45

46 DR. SCHROEDER: Mr. Chair. Wrangell-St.  
47 Elias discussed the question of the Kenai Council and  
48 that's also an item that is on our penciled in agenda.  
49 It might work if you discussed the Wrangell-St. Elias  
50 position on that and that may influence the discussion of

1 the SERAC on that.

2

3 CHAIRMAN ADAMS: Sure. The paragraph  
4 down toward the middle of the page, it says the  
5 Commission also discussed the request for the formation  
6 of the of a Kenai Peninsula RAC.

7

8 This proposal was over a concern that  
9 Ninilchik should be a C&T, the Commission opposed this  
10 idea because they didn't think there was a need for  
11 another RAC. It would mean splitting up Southcentral and  
12 the expense of creating another RAC would also be too  
13 great and time consuming for a number of communities that  
14 it would involve. The Commission also recommended that  
15 an environmental review be done before this issue is  
16 taken any further.

17

18 Public hearings will be held in the early  
19 part of November so that more communities can may  
20 comments, and then the comment period is going to end on  
21 November 9th.

22

23 Now, I know that we're going to be taking  
24 up this issue later on the agenda, but this is the  
25 position that, you know, the Wrangell-St. Elias  
26 Commission has taken at this point.

27

28 Dr. Schroeder has brought to my attention  
29 that it might be a good idea to bring up the Kenai issue  
30 at this time since I've addressed to you the position  
31 that the SRC has taken. It might be appropriate for us  
32 also to take up this issue.

33

34 DR. SCHROEDER: The Kenai Peninsula  
35 material is also included in your handout on Page 5 and  
36 following. That's the background on the formation of a  
37 new Regional Advisory Council for the Kenai Peninsula.

38

39 DR. GARZA: Mr. Chairman.

40

41 CHAIRMAN ADAMS: Is all of the members of  
42 the Council familiar with what's happening here?

43

44 MR. KOOKESH: Can we include Yakutat.

45

46 (Laughter)

47

48 MR. KOOKESH: Can we include Yakutat in  
49 this Kenai thing.

50

1 (Laughter)  
2  
3 CHAIRMAN ADAMS: No comment.  
4  
5 (Laughter)  
6  
7 DR. GARZA: Mr. Chair.  
8  
9 CHAIRMAN ADAMS: Dolly, please.  
10  
11 DR. GARZA: Thank you, Mr. Chair. To get  
12 this going I would move that the Southeast Regional  
13 Advisory Council oppose the creation of a Kenai area RAC  
14 separate from the Southcentral RAC. If I can get a  
15 second I'd be glad to expand.  
16  
17 CHAIRMAN ADAMS: Is there a second.  
18  
19 MR. KITKA: I'll second it.  
20  
21 CHAIRMAN ADAMS: Seconded by Mr. Kitka.  
22 Go ahead and expand.  
23  
24 DR. GARZA: Mr. Chairman. There are  
25 several reasons to oppose it and I think one is primarily  
26 that Southcentral doesn't support it.  
27  
28 Two, in creating a separate RAC of Kenai,  
29 you basically have two, maybe three small communities  
30 that have rural preference and they'll be pitted against  
31 all of Anchorage and all of the non-rural communities. I  
32 mean you would have a hard time even getting a 9 or 11  
33 member RAC that can duke it out with Anchorage and  
34 Wasilla and all the other communities. So I think that  
35 those communities find strength in the Southcentral RAC  
36 and having the support of other rural communities. And  
37 if they don't have that support on a newly created RAC  
38 it's going to make their life difficult.  
39  
40 CHAIRMAN ADAMS: Thank you, Dr. Garza.  
41 Is there any other comments from anyone.  
42  
43 (No comments)  
44  
45 CHAIRMAN ADAMS: No comments.  
46 Somebody.....  
47  
48 MR. KITKA: Question.  
49  
50 CHAIRMAN ADAMS: Question has been called

1 for, thank you Harvey. All in favor, please say aye.  
2  
3 DR. GARZA: Aye.  
4  
5 MR. KITKA: Aye.  
6  
7 MS. PHILLIPS: Aye.  
8  
9 CHAIRMAN ADAMS: Opposed, same sign.  
10  
11 (No opposing votes)  
12  
13 CHAIRMAN ADAMS: I heard a couple of ayes  
14 and no nays so I'm going to rule that.  
15  
16 MR. DOUVILLE: Three ayes.  
17  
18 CHAIRMAN ADAMS: Three ayes.  
19  
20 MS. PHILLIPS: Mr. Chair. Would you  
21 please clarify the question.  
22  
23 CHAIRMAN ADAMS: The question is whether  
24 we should support the creation of another RAC for the  
25 Kenai.  
26  
27 DR. GARZA: My motion was that we not  
28 support the creation of another RAC. So in calling for  
29 the question and perhaps we should revote, due to the  
30 confusion, my motion was that we not support the creation  
31 of a new Kenai RAC, so perhaps I did that incorrectly  
32 based on Robert's Rules of Order.  
33  
34 I should have made a motion to support it  
35 and we could vote it down, whatever you think is right,  
36 Mr. Chair.  
37  
38 CHAIRMAN ADAMS: Yeah, it's always been  
39 our practice to make motions in the affirmative and then  
40 discuss it and then vote on it in that manner.  
41  
42 So if you would like to rearrange your  
43 motion I'll entertain that at this time, Dolly.  
44  
45 DR. GARZA: I've been rearranged many  
46 times.  
47  
48 CHAIRMAN ADAMS: Dolly.  
49  
50 DR. GARZA: Mr. Chairman. If I could

1 withdraw my last motion with the concurrence of the  
2 second.

3

4 MR. KITKA: (Nods affirmatively)

5

6 DR. GARZA: Okay. Then to be proper, Mr.  
7 Chairman, I would move that we support the creation of a  
8 Kenai RAC.

9

10 MR. KITKA: Second.

11

12 CHAIRMAN ADAMS: It's been moved and  
13 seconded and now we can discuss it further or we can go  
14 ahead and vote on it, what's your wish.

15

16 MR. BANGS: Question.

17

18 CHAIRMAN ADAMS: Remarks. Mr. Knauer, do  
19 you have something to say.

20

21 MR. KNAUER: Yes. I think I need to  
22 clarify. There is much misinformation about what a  
23 Council would look like for the Kenai Peninsula. Much  
24 concern over Anchorage and some of the other communities,  
25 but as with this Council there is still the requirement  
26 for a significant number of Council members, currently  
27 we're operating under the 70 percent, 30 percent goals,  
28 to be subsistence users. So the - there could not be the  
29 domination by non-subsistence users. Likewise you found  
30 that there are individuals that are on this Council, that  
31 have Chair'd this Council, that have been from areas that  
32 are non-rural that have been very strong and consistent  
33 supporters of Title VIII and the subsistence priority.  
34 We would expect the same thing to occur on that if there  
35 is a Council there.

36

37 Thank you.

38

39 CHAIRMAN ADAMS: Thank you, for that  
40 enlightenment, Mr. Knauer. So any more discussion on  
41 this issue or comments. Dr. Garza.

42

43 DR. GARZA: Mr. Chairman. Without  
44 looking for debate here, I still hold to my position and  
45 I have talked to other regions and have found that there  
46 have been other ways where people have infiltrated the  
47 Council wearing the cloak of subsistence and really not  
48 having good positive input to the subsistence process,  
49 and I think that's the concern that the people from that  
50 region are facing.

1 In addition, in regards to the 70/30  
2 split, for whatever is in the court case, if it calls for  
3 some type of fair representation of the area, that 70/30  
4 may just flip for a newly created RAC and maybe 70  
5 percent non-rural and 30 percent rural, we don't know.

6  
7 All I know is that that region doesn't  
8 support it and so we should be supporting them.

9  
10 Thank you.

11  
12 CHAIRMAN ADAMS: Thank you, Dr. Garza.  
13 Patty.

14  
15 MS. PHILLIPS: Chairman Adams, thank you.  
16 I will vote in opposition.

17  
18 It would be setting a precedent. Region  
19 2, Southcentral, if they were allowed to subdivide would  
20 set a precedent for other regions of the state. We have  
21 10 regions, some of greater land area than Southcentral's  
22 and if they decided that they wanted to break it in half,  
23 or somebody, the powers that be decided that we should  
24 break them up, or if those regions themselves wanted to  
25 break themselves up, then we're going -- we already have  
26 finite resources as it is and it would be to the  
27 detriment of the program overall.

28  
29 Thanks.

30  
31 CHAIRMAN ADAMS: Okay. Should we go  
32 ahead and vote on this issue. Somebody call for the  
33 question please.

34  
35 MS. PHILLIPS: Question.

36  
37 CHAIRMAN ADAMS: So all in favor of this  
38 motion please say aye.

39  
40 (No aye votes)

41  
42 CHAIRMAN ADAMS: All opposed, same sign.

43  
44 IN UNISON: Aye.

45  
46 CHAIRMAN ADAMS: The motion is defeated.  
47 Thank you. It's getting late, report on the Ketchikan  
48 Subsistence Food Survey, Patricia Petrivelli or Staff, it  
49 looks like you're it, uh, good afternoon Patricia.

50

1 MS. PETRIVELLI: Good afternoon,  
2 Chairman. My name is Pat Petrivelli and I'm the BIA  
3 subsistence anthropologist, and part of my job is to help  
4 the tribes document subsistence uses. And so when KIC,  
5 then the rural hearings were being held, KIC wanted to do  
6 a household survey and so I worked with them on that  
7 survey. They requested BIA funding and BIA was able to  
8 provide it through the self-determination grants.

9  
10 And Dolly Garza was the principal  
11 investigator. But I think you've all been provided with a  
12 copy of the report, and luckily the OSM did use some of  
13 the preliminary numbers in their survey. The main  
14 concern KIC had was that OSM was going to use the 33  
15 pounds per household estimate, harvest estimate from a  
16 document prepared by the Division of Subsistence, based  
17 primarily on harvest reporting for big game and salmon,  
18 and they felt the 33 pounds per household was an  
19 inadequate number. And we realized that doing a  
20 comprehensive household survey would provide better  
21 information for the Board to make their decision on. And  
22 we came up with, and I think -- well, the data results --  
23 it's on Page 11 of the final report, of the full report,  
24 and there is an executive summary that's on the table up  
25 there for everyone else that doesn't have the full  
26 report, and that's available. But on Page 11 of the  
27 final report we determined that they had an average of (0  
28 pounds, 90.4 pounds per person and 230.8 pounds per  
29 household. But there's -- we generally used the same  
30 household survey form used by the Division of Subsistence  
31 for household surveys. We followed their protocols and  
32 we did random sampling to have it representative of the  
33 Ketchikan -- the whole Ketchikan community, not just KIC  
34 members.

35  
36 And so we feel it's a very accurate  
37 picture of the use by Ketchikan for the Ketchikan  
38 communities.

39  
40 And you can just feel free to read  
41 through the report because it has some interesting  
42 numbers like the top 10 species used per pound -- or by  
43 percentage of participation. But it goes through all the  
44 possible wild resources that could be used by a  
45 household.

46  
47 And so in the interest of time I think  
48 that's all I have to say, and for other people who don't  
49 have a paper copy, the full report's on the KIC web site.  
50

1 CHAIRMAN ADAMS: Thank you, Patricia. Is  
2 there any questions from the Council.

3  
4 MS. PHILLIPS: Mr. Chairman.

5  
6 CHAIRMAN ADAMS: Patty does.

7  
8 MS. PHILLIPS: Thank you, Chairman Adams.  
9 Thank you, Patricia. Was this report taken back to the  
10 community and shared with them at a meeting as a  
11 presentation?

12  
13 MS. PETRIVELLI: When we finished -- when  
14 we got the preliminary data back from -- Kawerak did the  
15 data entry because they work with the Division of  
16 Subsistence doing data processing for a bunch of harvest  
17 surveys, when we did have preliminary information we did  
18 have a community meeting in Ketchikan and we invited the  
19 public to review the results. So it was reviewed at a  
20 public meeting.

21  
22 CHAIRMAN ADAMS: Thank you, Pat. Any  
23 other -- Dolly.

24  
25 DR. GARZA: It was also approved by KIC  
26 Council so it did not go out to the public until the  
27 Council put their stamp of approval on it. So basically  
28 it was reviewed twice.

29  
30 CHAIRMAN ADAMS: Okay. Thank you, Pat,  
31 no, no, stay there, Dolly.

32  
33 DR. GARZA: Thank you, Mr. Chair. I want  
34 to publicly thank Patricia for all the work that she put  
35 into it. If Mike Turek were here I would take my hat off  
36 to him for the amount of work that he puts into these  
37 subsistence surveys, they're phenomenal. I mean he loves  
38 his job and he makes it look and sound easy and what we  
39 found out is it ain't that easy. It took a lot of time,  
40 it took a lot of Pat's time that probably she should have  
41 dedicated to some other job obligations with BIA, it was  
42 not cheap, it was phenomenal that we did it in four  
43 months time pretty much until we had something that was  
44 usual. We did have a draft that went before the Federal  
45 Subsistence Board, the final didn't come out until  
46 September, and part of that was because we had to make  
47 sure that the data was good and it was defensible, which  
48 we did do.

49  
50 So, again, just thank you, Pat, for all

1 of your work, and to Mike Turek and Division of  
2 Subsistence, we definitely recognize the work that they  
3 do.

4  
5 Thanks.

6  
7 CHAIRMAN ADAMS: Just a minute, Pat. Mr.  
8 Wright.

9  
10 MR. WRIGHT: Mr. Chairman. I was kind of  
11 looking at this and I was just kind of wondering, what  
12 are you going to be using this for, is this for -- I'd  
13 like to know.

14  
15 Thank you.

16  
17 MS. PETRIVELLI: Well, it's for the use  
18 by the tribe, but anyone could access this information on  
19 the web. But the Office of Subsistence Management used  
20 three numbers from the report. They used the household  
21 per capita in the analysis in the rural determination.  
22 They used the per capita pounds. They used the diversity  
23 of resources, which for Ketchikan was 8.8 average species  
24 used by a household. And then there was one other  
25 number, oh, the percentages of households using a  
26 resource, which was about 80 percent.

27  
28 So those numbers, those three numbers are  
29 used in a chart when the Federal Board compares use of  
30 wildlife -- fish and wildlife resource amongst the  
31 communities in making the rural determination.

32  
33 But otherwise KIC could use this data for  
34 whatever they would want to report to other agencies, you  
35 know, just as a representation of the use of wild  
36 resources.

37  
38 CHAIRMAN ADAMS: Follow up.

39  
40 MR. WRIGHT: Yes, okay, thank you. Mr.  
41 Chair. So this information that we got here is  
42 informational for use in future endeavors, is that what  
43 it's for?

44  
45 MS. PETRIVELLI: Because we use the kind  
46 of -- we used the household survey form that the Division  
47 of Subsistence uses, and so I suppose as a way of  
48 reporting household use by Ketchikan residents, if there  
49 were future studies, we would hope that people would cite  
50 this report. And, of course, as this data goes, it's as

1 good as any other household survey and the limitations of  
2 those household surveys are they're just one year's worth  
3 of data.

4  
5                   And like we mentioned in the report, on  
6 the use of eulachon with the failure of the Unuk River,  
7 there was no -- shows no harvesting of eulachon in the  
8 Ketchikan area, that's because there were no eulachon to  
9 harvest. But we acknowledge those limitations of a one  
10 year snapshot of use because the resources are variable  
11 and people harvest different things year to year. So  
12 like if you don't get enough kings one year then you  
13 harvest more sockeyes. So what this report shows is just  
14 a one year's worth, but for what it does, though, is it's  
15 the only survey done for Ketchikan area that asks them  
16 about all the resources they would use.

17  
18                   So hopefully -- ideally these would be  
19 conducted on a regular basis but that's whether KIC feels  
20 the need to pay the money, you know, to request the money  
21 because it comes out of their self-governance funds. So  
22 it's just a question of whether people think it's a  
23 priority to gather this data on a regular basis to report  
24 on uses.

25  
26                   CHAIRMAN ADAMS: Patty.

27  
28                   MS. PHILLIPS: Thank you, Mr. Chair. On  
29 the Page 21, what does this mean, it says that there were  
30 4,895 occupied households and that on a per capita basis  
31 Ketchikan residents used 90.4 pounds of wild resources  
32 per year, almost triple what ADF&G estimated the harvest  
33 to be. ADF&G estimated Ketchikan residents used an  
34 estimated 33 pounds per person of fish and wildlife in  
35 2000. So I mean that, in itself, those two pieces of  
36 data were -- support what a good piece of work this is to  
37 verify the use of subsistence resources of an area.

38  
39                   MS. PETRIVELLI: Yes. We thought that  
40 was significant because -- well, because that other  
41 estimate was only based upon reporting of big game  
42 harvest tickets and personal use permits, and then maybe  
43 some krill estimates for some sportfishing, and it's all  
44 based upon the zip code for Ketchikan. So -- but what  
45 this survey provided was actually asking people whatever  
46 resources. And the form's in the back, but, you know,  
47 those forms are -- we just adapted the form used for  
48 Saxman in the year 2000 knowing that those were all the  
49 resources used in the area by people so we were able --  
50 we had a little bit of a head start based upon the

1 Division of Subsistence work already. But we felt it was  
2 pretty thorough.

3

4 CHAIRMAN ADAMS: Patty.

5

6 MS. PHILLIPS: Thank you, Chairman Adams.  
7 What this shows to me is that with household occupancy of  
8 4,895, those are the year-round residents -- I see those  
9 as the year-round residents who reside there 12 months of  
10 the year who, if they were qualified as rural would be  
11 qualified eligible hunters. If you look at the make up  
12 of Ketchikan, the population is probably around 8 to  
13 10,000. But if you look at this occupied household, it  
14 shows you the disparity between those who live there  
15 year-round and those who do not live year-round -- no.

16

17 MS. PETRIVELLI: There are a number of  
18 seasonal households in -- or seasonal residents, but,  
19 yeah, it's true they weren't included in this survey.  
20 The U.S. Census does have seasonal occupancy and I can't  
21 remember the numbers right now. But, yeah, it's true  
22 that this is the 4,895 would be the estimated permanent  
23 households for Ketchikan.

24

25 DR. GARZA: But then every household on  
26 average has 2.3 occupants, and so it's not 4,895 people.

27

28 MS. PHILLIPS: I understand that.

29

30 DR. GARZA: Okay.

31

32 CHAIRMAN ADAMS: Alrighty. Anyone else  
33 for Pat.

34

35 (No comments)

36

37 CHAIRMAN ADAMS: Thank you, Ms.  
38 Petrivelli. Again, Council review of rural determination  
39 report. Has everyone read the information contained in  
40 the book, would you like to maybe take an at ease for  
41 five minutes or so and go over this and then come back.

42

43 (Council nods affirmatively)

44

45 CHAIRMAN ADAMS: Let's go ahead and take  
46 a break and take some time to go over this and be  
47 prepared to discuss it when we come back in session in  
48 about five minutes.

49

50 (Off record)

1 (On record)  
2  
3 CHAIRMAN ADAMS: Okay, everyone, let's  
4 gather back and take your seats we're going to get  
5 started here again.  
6  
7 (Pause)  
8  
9 CHAIRMAN ADAMS: Mr. Kookesh, we're  
10 starting, sir, come on.  
11  
12 (Laughter)  
13  
14 (Pause)  
15  
16 CHAIRMAN ADAMS: Okay, we're back in  
17 session.  
18  
19 MR. KOOKESH: Sorry about that.  
20  
21 CHAIRMAN ADAMS: We're going to review  
22 the rural determination report at this time. So we'll  
23 put it before us now for discussion, who wants to start.  
24  
25 Dr. Schroeder.  
26  
27 DR. SCHROEDER: Mr. Chairman. The  
28 Council, in the packet of materials, I believe, let's see  
29 where are we here.....  
30  
31 MR. KOOKESH: Page 220.  
32  
33 DR. SCHROEDER: The Council has had a  
34 number of communications with the Federal Subsistence  
35 Board concerning the rural determination process. Those  
36 might form a beginning for where you're at today, I don't  
37 think there's any need to reaffirm them but the Council  
38 did come up with a position on where it stood on  
39 Ketchikan, Saxman and Sitka and you might refer to those  
40 as a starting point and see where you want to take it  
41 from there.  
42  
43 CHAIRMAN ADAMS: On your booklet it  
44 starts off on Page 220 and then, you know, this here was  
45 passed out to us a little while ago.  
46  
47 (Pause)  
48  
49 CHAIRMAN ADAMS: It's also in the packet  
50 that Dr. Schroeder gave to us, you know, at the beginning

1 of this meeting. This packet here, the front page, you  
2 know, is the Wrangell-St. Elias Subsistence Resource  
3 Commission report, and then the issue that we're talking  
4 about is on Page 26 of that packet.

5

6 DR. GARZA: Mr. Chairman.

7

8 CHAIRMAN ADAMS: Dr. Garza.

9

10 DR. GARZA: Thank you. That is what I  
11 was looking for. In the additional packet that starts  
12 with Wrangell-St. Elias on Page 26 of it is a letter that  
13 starting October 28, 2005, and this is all in regards to  
14 our position on rural status for Ketchikan, Saxman and  
15 Sitka.

16

17 And I guess I would like to reaffirm this  
18 letter, Mr. Chairman, but also update it and perhaps  
19 resubmit it through you as Chair.

20

21 The first item on the letter is:

22

23 A. Deference is due to the Regional  
24 Council.

25

26 This request for due deference has been  
27 pretty much ignored by the Federal Subsistence Board but  
28 that doesn't mean that we should stop requesting it. I  
29 think as the Regional Advisory Council, it's our job, as  
30 Mr. Kookesh has pointed out numerous times to have a feel  
31 for what is going on in Southeast to what our people in  
32 the region are using and needing and pretty much their  
33 positions as communities. And so we are the people that  
34 know whether or not a community is rural or nonrural.  
35 And so in that regard I think we are due the deference in  
36 that our recommendations really should be seriously  
37 considered and should only be denied with substantial  
38 evidence from Federal Subsistence Board.

39

40 CHAIRMAN ADAMS: Dr. Schroeder.

41

42 DR. SCHROEDER: We did receive a response  
43 in our annual report where we raised the question of  
44 deference due to Council recommendations. And whatever  
45 the Council cares to emphasize in this point with respect  
46 to rural, we should remember that we did get the response  
47 in the annual report that deference was due only to  
48 Council recommendations in a narrow band of things that  
49 concerns the taking of fish and wildlife. So if that  
50 request for deference was going to be repeated, I think

1 we should address the annual report response.

2

3 CHAIRMAN ADAMS: Dr. Garza.

4

5 DR. GARZA: Thank you, Mr. Chair. So  
6 perhaps in our next annual report as well as an update in  
7 this letter, our due deference is because if you don't  
8 have rural status you obviously can't take as a rural  
9 resident. And so even in regard to this narrower  
10 definition, which to me is a bit of a word game, I think  
11 we can still argue the ears and the heart and mind for  
12 the Southeast region and we should be given that  
13 deference when we say that you can't take it if you're a  
14 nonrural resident then that, in my opinion, would fall in  
15 that narrow band.

16

17 Following up, Mr. Chair, for this letter,  
18 on Page 27, we then go through the three communities.  
19 And these points were brought out at the Wrangell meeting  
20 and at that Wrangell meeting we did have President Lee  
21 Wallace from Saxman, we had the chairman of the  
22 Subsistence Committee Merle Hawkins from Ketchikan. We  
23 did not have a representative from Sitka but we did call  
24 in and Chairman Littlefield, at the time, was able to get  
25 information from them.

26

27 On Page 27, I guess I would like to go  
28 through the Ketchikan points that I think need to be  
29 updated either in this letter or perhaps through  
30 resolution form. The first point:

31

32 Ketchikan is mentioned in the Legislative  
33 history of ANILCA as an example of an  
34 urban place. It is not mentioned in  
35 ANILCA. It is not mentioned in the Act  
36 itself.

37

38 It is mentioned in documents but in  
39 ANILCA itself Ketchikan is not listed as an urban place.

40

41 The population of Ketchikan Borough is  
42 well above the 7,000 population  
43 threshold.

44

45 And there has been some digging around  
46 fortunately by Staff members who may or may not choose to  
47 remain anonymous because sometimes they get beat up for  
48 trying to help us. But that 7,000, from my understanding  
49 was based on looking at the four communities that were  
50 considered nonrural, picking the smallest one of it and

1 figuring out what that population was. So it was  
2 Anchorage, Fairbanks, Juneau, Ketchikan. So at the time  
3 they looked at Ketchikan, said it's 7,000, set it at  
4 7,000. That was a mistake, Mr. Chair, if they were  
5 looking at Ketchikan it should have been Ketchikan city  
6 and borough, which in 1980 was 11,325. So that 7,000  
7 should have been 11,325 and that should have been the  
8 basis we've been going forward from.

9  
10 That makes a big difference for  
11 Ketchikan, for Kodiak and for Sitka. Sitka basically  
12 falls off and should have never been reconsidered in this  
13 round if the correct number was used.

14  
15 The error, and this probably gets into a  
16 little more depth than you want, but the error was  
17 because they counted Ketchikan as a city, and then they  
18 said that it went from one end of the paved road to the  
19 other, and so just out of by magic, those houses that  
20 were built up beyond those, the paved road, actually were  
21 rural and so there were portions of Ketchikan that were  
22 considered rural because they fell outside of that  
23 boundary. If everyone in that boundary was considered  
24 Ketchikan and nonrural then it should have been 11,325.  
25 And so I think we need to bring that forward. I think  
26 that there has been some realization that a mistake was  
27 made and I think that it's up to this Council to do  
28 whatever we can to correct that mistake because it will  
29 have an impact on three communities.

30  
31 So I think that needs to be clarified  
32 either through resolution or by updating this letter, by  
33 petition.

34  
35 So I think that can be addressed in the  
36 letter that we send back, and that Mr. Chairman, you  
37 carry forward, but we did talk about, what does it take  
38 to change that. So if you look at the numbers:

39  
40 First of all Ketchikan was not in the  
41 ANILCA act itself.

42  
43 Secondly, the population numbers of 2,500  
44 and 7,000 were set a long time ago. The 7,000 was  
45 incorrect. It was set through regulation and it's our  
46 understanding that regulation can be changed by  
47 petitioning the Secretary, that's exactly what we're  
48 doing in our request to require that rural residents no  
49 longer have to apply for the hunting licenses. It would  
50 be the same petition we would write a letter asking that

1 this be corrected, that it be updated. I think there's  
2 other efforts throughout the state, even to raise that  
3 2,500 because I do remember, that was based on an average  
4 of Bethel, Kotzebue, Nome and Dillingham, and all of  
5 those communities as rural hubs are around four to 5,000  
6 now and so there may be interest in changing that number  
7 as well.

8  
9 So to get around to this, Mr. Chair, and  
10 sorry I'm lengthy but this is what I've been living for  
11 the last six months. I think we need to bring this  
12 forward, both in updating this letter and our position,  
13 and also as a Council to petition the Secretary of  
14 Interior and Agriculture, if necessary, to request that  
15 the 7,000 number be changed to correctly reflect  
16 Ketchikan's population in 1980 which was 11,325. I've  
17 looked it up. And based on those numbers that Sitka  
18 should have never been reviewed. And that Ketchikan is  
19 much more closer to the definition of rural than was  
20 originally thought.

21  
22 Thank you.

23  
24 CHAIRMAN ADAMS: Thank you. Any other  
25 comments.

26  
27 DR. GARZA: Mr. Chair.

28  
29 CHAIRMAN ADAMS: Go ahead, Dolly.

30  
31 DR. GARZA: Also on Page 27 and so in  
32 requesting that we update this letter, resubmit, reaffirm  
33 our position, the second point on Page 27:

34  
35 Overall fish and wildlife harvest levels  
36 and per capita harvest estimate for  
37 Ketchikan are not readily available.

38  
39 That point needs to be changed to  
40 represent the data that Ms. Petrivelli just submitted to  
41 us, that it is 90.4 pounds per person, 230.8 pounds per  
42 family, 80 percent of the households use. They use  
43 approximately 8.8 resources. And so I think those  
44 numbers can be inserted. They have been used by OSM in  
45 their rural determination, this packet that was just  
46 handed out, the numbers there, some of them were the  
47 draft numbers that we came up with May and some of them  
48 are correct but we just need to update our letter to  
49 reflect what Ketchikan harvest levels are in our  
50 reaffirming our support for Ketchikan.

1 I think that also in updating this letter  
2 we can, and I can attest to that there was, and Mr. Kitka  
3 for Sitka, that there was in Sitka, Ketchikan and Saxman,  
4 nobody that got up and said that the community should not  
5 be rural. All of Ketchikan supported Ketchikan. All of  
6 Saxman supported Saxman. All of Sitka supported Sitka.  
7 So it is not a controversial issue when ANILCA passed in  
8 1980, subsistence was a dirty word and a tough fight and  
9 a tough battle and that doesn't exist anymore. People  
10 have seen that we have very little impact on many of the  
11 other users and we just did not get anyone saying that  
12 Ketchikan shouldn't be rural, that Saxman shouldn't be  
13 rural or that Sitka shouldn't be rural.

14  
15 So I think that should also be reflected  
16 in our letter.

17  
18 Thank you.

19  
20 MS. PHILLIPS: Mr. Chair.

21  
22 CHAIRMAN ADAMS: Patty, please.

23  
24 MS. PHILLIPS: Thank you, Chairman Adams.  
25 In response to the response given to us, Issue No. 6,  
26 rural determination process deference due to Councils.  
27 My response would be

28  
29 .801(5) states that Congress finds and  
30 declares that the national interest in  
31 the proper regulation, protection and  
32 conservation of fish and wildlife on the  
33 public lands in Alaska and the  
34 continuation of the opportunity for a  
35 subsistence way of life by residents of  
36 rural of Alaska require that an  
37 administrative structure be established  
38 for the purpose of enabling rural  
39 residents who have personal knowledge of  
40 local conditions and requirements to have  
41 a meaningful role in the management of  
42 fish and wildlife and of subsistence uses  
43 on the public lands in Alaska.

44  
45 And in:

46  
47 .805(C) the encouragement of local and  
48 regional participation pursuant to the  
49 provision of this title in the decision-  
50 making process affecting the taking of

1 fish and wildlife on the public lands  
2 within the region for subsistence uses.  
3 The definition of affecting is to have an  
4 influence on or to effect a change in.

5  
6 So we are trying to have an influence on  
7 or effect a change in the rural determinations in  
8 Southeast Alaska.

9  
10 I have very directed comments concerning  
11 Sitka.

12  
13 If we look at the characteristics of the  
14 population and the population in this rural determination  
15 booklet is 8,835, population of the city and borough of  
16 Sitka, how many are a qualified eligible rural  
17 subsistence resident. That's the question I was trying  
18 to get to when we reviewed the amount of resources used  
19 by the residents of Ketchikan. How many have been a  
20 resident for 12 months in order to qualify as an eligible  
21 rural subsistence resident. The displacement of local  
22 residents by multiple home owners who are retired or  
23 semi-retired from the areas of the Lower 48 states has a  
24 significant and detrimental impact on policies meant to  
25 protect ANILCA Title VIII for rural residents with  
26 cultural and social lifestyles connected to the land and  
27 seas of the regions they live in.

28  
29 Baranof Island is X amount of square  
30 miles, I'm not sure how many square miles, but with a  
31 limited road system without connection to any other  
32 municipality. It cost \$460 to charter here from Pelican  
33 one way, or \$280 one way scheduled sea plane service from  
34 Pelican to Juneau, 10 hour layover, and an Alaska  
35 Airlines June to Sitka, one way. This is an economic  
36 hardship or you can wait for a once a month ferry  
37 Pelican, Juneau layover which includes lodging and meals  
38 for a connecting ferry to Sitka. All in all it is  
39 difficult to get here. One other way is a 10 hour, seven  
40 knot boat ride on the outside waters or a 24 hour ride  
41 around the inside waters Pelican Sitka. The cost of  
42 living requires qualified rural residents to harvest  
43 local resources and perpetuates the sharing of resources  
44 among families and neighbors. Subsistence is a principal  
45 characteristic of the economy.

46  
47 Thank you.

48  
49 CHAIRMAN ADAMS: Thank you, Patty.  
50 Anyone else.

1                   Okay, Dolly.

2

3                   DR. GARZA: So just to get things  
4 rolling, Mr. Chair, I think we need to make several  
5 motions. One that we reaffirm our October 28th letter,  
6 that we support Ketchikan, Saxman and Sitka all as rural  
7 communities. That the points that we made on those pages  
8 be updated to reflect the changes in Ketchikan. Also to  
9 reflect the testimony from the three communities, that  
10 there was no negative response and all the testimony  
11 supported rural status and that testimony in itself  
12 reflects, to me, data, and so it reflects adequate input  
13 to make a sound decision from.

14

15                   I'm not sure how we need to write that in  
16 the letter but I think it should. Because whether or not  
17 Ketchikan or Sitka or Saxman has been analyzed may come  
18 up as an issue and I think that the testimony from all  
19 our residents who went on at length about how they use  
20 the resources and how they are important to them is  
21 marvelous data if you're an anthropologist or a  
22 sociologist, that's the kind of information that you're  
23 looking for. So I think that was available.

24

25                   So my first motion would be to update  
26 that letter and to reaffirm our positions on the three  
27 communities, so I would so move.

28

29                   MR. KITKA: I'll second that.

30

31                   CHAIRMAN ADAMS: Seconded by Mr. Kitka.  
32 Further discussion.

33

34                   (No comments)

35

36                   MR. WRIGHT: Call for the question.

37

38                   CHAIRMAN ADAMS: Question's been called,  
39 all in favor please say aye.

40

41                   IN UNISON: Aye.

42

43                   CHAIRMAN ADAMS: Opposed.

44

45                   (No opposing votes)

46

47                   CHAIRMAN ADAMS: Motion carried. Your  
48 next motion.

49

50                   DR. GARZA: Mr. Chairman. I would also

1 move that the Southeast Regional Advisory Council  
2 petition the Secretary of the Interior to have the  
3 population numbers corrected for the original rural  
4 determination, that the 7,000 number was incorrect and  
5 should have been 11,325 based on Ketchikan's population  
6 in 1980, and that that correction will have an impact on  
7 the relative position of Ketchikan, Sitka and Kodiak in  
8 their deliberations in December.

9

10 I think that this petition needs to go  
11 out in a timely manner because the Federal Subsistence  
12 Board will be making their determinations December 12th  
13 and 13th.

14

15 So I would move that we petition the  
16 Secretary of Interior to correct the rural/nonrural  
17 population cutoff of 7,000 to 11,325 based on Ketchikan's  
18 population in 1980.

19

20 CHAIRMAN ADAMS: Do I hear a second.

21

22 MR. KITKA: I'll second it.

23

24 CHAIRMAN ADAMS: Mr. Kitka seconds it.

25 Any discussion.

26

27 (No comments)

28

29 MR. WRIGHT: Question.

30

31 CHAIRMAN ADAMS: Question's been called,  
32 all in favor please say aye.

33

34 IN UNISON: Aye.

35

36 CHAIRMAN ADAMS: Opposed.

37

38 (No opposing votes)

39

40 CHAIRMAN ADAMS: Motion carried. Got  
41 another motion, Dr. Garza.

42

43 DR. GARZA: I don't think so. But, Mr.  
44 Chairman, I would be glad to help with that letter, with  
45 both of those letters even though this is my last  
46 meeting, just to get it through, and as we do the  
47 Secretary petition, we also need to let the Kodiak  
48 Regional Advisory Council know what we're doing because  
49 this will impact them and may be helpful to them.

50

1 Thank you.

2

3 CHAIRMAN ADAMS: Thank you, Dr. Garza.  
4 And I was going to see if you could maybe devote some of  
5 your time to help us with the drafting of that letter, so  
6 I appreciate that.

7

8 Dr. Schroeder.

9

10 DR. SCHROEDER: Mr. Chair. What we've  
11 done in the past when we were sending letters out or  
12 petitions is exactly that, is to identify specific  
13 Council members who will assist Staff in writing letters  
14 and preparing them for being sent out by the Chair. So I  
15 understand Dr. Garza is willing to participate in that  
16 activity. We may see if there are other Council members  
17 who would like to volunteer.

18

19 CHAIRMAN ADAMS: Are there any other  
20 Council members who would like to volunteer.

21

22 MS. PHILLIPS: Mr. Chairman.

23

24 CHAIRMAN ADAMS: Yes.

25

26 MS. PHILLIPS: Mr. Chairman. I volunteer  
27 to read the drafts and give my input.

28

29 CHAIRMAN ADAMS: That's what I was going  
30 to volunteer to do, but, fine, that's okay.

31

32 MR. BANGS: Question, Mr. Chair.

33

34 CHAIRMAN ADAMS: Mr. Bangs, yes.

35

36 MR. BANGS: Thank you, Mr. Chairman. Is  
37 the Council going to have someone present at that  
38 meeting, one of us or you or Dr. Schroeder, at that  
39 December meeting when they make this decision.

40

41 CHAIRMAN ADAMS: I'm sure.

42

43 DR. SCHROEDER: Mike. That's a Board  
44 meeting and so the Council Chair is always invited to  
45 Board meetings and the Staff is there to assist with  
46 those meetings including our Staff Committee member and  
47 usually our Tongass coordinator as well.

48

49 MR. KOOKESH: Question.

50

1 CHAIRMAN ADAMS: Question's been called.  
2  
3 MR. KOOKESH: No, I have a question.  
4  
5 CHAIRMAN ADAMS: Oh, you have a question,  
6 okay, ask the question.  
7  
8 MR. KOOKESH: On Page 220, I have a -- I  
9 know we just discussed this rural determination process  
10 here and the first paragraph or the first bullet, I  
11 believe it's a bullet, that all recommendations go  
12 through this first bullet also, which recommends that it  
13 goes to the Board, Federal Subsistence Board.  
14  
15 CHAIRMAN ADAMS: Dr. Schroeder.  
16  
17 DR. SCHROEDER: Thanks for pointing that  
18 out Floyd, that really important is that there's an  
19 October 27th deadline for general comments on the  
20 Proposed Rule for rural determination. The Board will,  
21 of course, hear from Councils at the December 12th  
22 meeting, however that's pretty much a cut off date for  
23 the Staff to prepare whatever the Federal Staff are doing  
24 in Anchorage for the December 12 Board meeting. So it  
25 would be our intention, I believe, to have our comments  
26 in before the 27th.  
27  
28 CHAIRMAN ADAMS: All right, thank you.  
29 Dr. Garza.  
30  
31 DR. GARZA: Just one final comment, in  
32 updating our letter of support for the three communities  
33 I think we might also look at the proposed  
34 recommendations in this rural determination booklet, and  
35 so in updating we would say:  
36  
37 We do not recommend that Saxman be  
38 grouped with Ketchikan.  
39  
40 And so try and address some of the  
41 options that they're bringing forward so that our  
42 response reflects the position that the three communities  
43 are rural.  
44  
45 CHAIRMAN ADAMS: Good point, Dolly, thank  
46 you. Harvey.  
47  
48 MR. KITKA: Mr. Chairman. I've been  
49 sitting here listening and doing that and in all the  
50 hearings that I've read and talked about and listened to,

1 one of the main things and most of us will agree, is that  
2 all of these communities say that they are rural, they  
3 are rural.

4  
5                   When you think about it, they're all on  
6 an island. And the roads are very limited, they have no  
7 real connection with any big cities. And I just wonder  
8 where and how we can address that idea, that all these  
9 communities that say they're rural and they are rural by  
10 the very definition that they are an island surrounded by  
11 water with no connecting roads to the outside.

12  
13                   CHAIRMAN ADAMS: Thank you, Harvey. Any  
14 other comments from the Council.

15  
16                   (No comments)

17  
18                   CHAIRMAN ADAMS: Hearing none, I think  
19 that I'd like to invite the State to come down and, you  
20 know, state your position on this. And I think it would  
21 be well if you stated your position as far as Sitka is  
22 concerned, as well, so Sarah do you want to come down and  
23 sit in that hot seat once more.

24  
25                   MR. GILBERTSON: Sure. Thank you, Mr.  
26 Chairman. I just wanted to clarify and I did this the  
27 other night during -- or it was afternoon when we had  
28 public testimony in this room relative to Sitka.

29  
30                   And just to clarify, because I think  
31 there has been some confusion and some misinformation,  
32 the State has not taken a position as to whether Sitka  
33 should be rural or nonrural. The correspondence that  
34 went out at the end of last year from Commissioner McKie  
35 Campbell was an issue and a matter of process, and was  
36 one of pointing out that in the 2005 Staff analysis, the  
37 two communities, both Sitka and Kodiak had population  
38 increases over the 7,000 level, and both had been  
39 recommended by Federal Staff for further analysis, and  
40 then the Board made a decision not to move forward for  
41 further analysis on Sitka but did so relative to Kodiak.  
42 So that was the issue, it was one of procedure and  
43 process, not whether or not Sitka should be rural or not.

44  
45                   So the Commissioner asked me, and I did  
46 testify two days ago to make clear that he just wants the  
47 Federal Board to follow their process and to analyze the  
48 facts, and if the facts say that Sitka should be rural  
49 then Sitka should be rural.

50

1                               So I just wanted to clarify that on  
2 behalf of the Commissioner.

3  
4                               CHAIRMAN ADAMS: Thank you, Sarah.

5  
6                               MR. GILBERTSON: Thank you.

7  
8                               CHAIRMAN ADAMS: Questions anyone.  
9 Dolly.

10  
11                              DR. GARZA: Thank you, Mr. Chairman. And  
12 our former Chairman Littlefield was, unfortunately, very  
13 skeptical every time Fish and Game did not have a  
14 position at this Regional Advisory Council but then would  
15 turn around and have a very strong position at the  
16 Federal Subsistence Board. It, in effect, made us appear  
17 as if we had no value, and so if the ADF&G has no  
18 position at the Regional Advisory Council, whether or not  
19 Ketchikan, Saxman or Sitka is rural or not, then that  
20 should be the position that goes forward from ADF&G to  
21 the Federal Subsistence Board in December, otherwise we  
22 just get sideswiped, and being at the May meeting, that's  
23 what happened, and so we need to be careful.

24  
25                              In terms of the evaluation, ANILCA does  
26 not require that we use ADF&G or a State process for  
27 evaluating whether or not a community is rural or  
28 nonrural. Federal Subsistence Board agonized over  
29 several years as to the process that they would use.  
30 Everybody will find fault in that process, we certainly  
31 have found fault in that process, and I think that the  
32 best they can do is hear from the communities and as Mr.  
33 Kitka stated, Sitka said that they're rural, they're  
34 rural; Ketchikan said that they're rural, they're rural;  
35 Saxman said that they're rural, they're rural. I don't  
36 know what other process you can use.

37  
38                              A change in population of 248 people over  
39 almost 20 years is not significant to warrant a  
40 reconsideration. The main change in Sitka over the last  
41 -- since 1990 has actually been a decline in opportunity.  
42 It's just -- if an analysis should warrant some kind of  
43 change, then a better analysis and updating of the  
44 household harvest survey should have commenced a long  
45 time ago, it shouldn't be used as an obstacle to not  
46 support Sitka at this time.

47  
48                              Thank you.

49  
50                              CHAIRMAN ADAMS: Okay. And, Sarah, I

1 think Dolly has really put you in a spot, but I'm going  
2 to ask the same question, you know, you came before us  
3 with a position here and are you going to go -- is the  
4 State going to go to the Board with the same position?

5  
6 MS. GILBERTSON: Thank you, Mr. Chairman  
7 for the opportunity to respond. And first of all I would  
8 just -- before we even get to that, I think by our  
9 presence at this meeting that the Council should know  
10 that we do value you, we value the work that you do, it's  
11 very important and I think we have, you know, 10, maybe  
12 more Staff members who have been present throughout your  
13 entire meeting and so we do value the work that you're  
14 doing. And, you know, we spent a lot of time in  
15 preparing the comments that we brought before you on the  
16 fishery proposals. So I think it's unfair to even imply  
17 that we're sideswiping you in any way. That's never our  
18 intention. That's not how we operate, and that's not how  
19 I operate.

20  
21 So having said that, with respect to the  
22 rural and nonrural determinations, I'm not going to  
23 debate ANILCA, I'm not going to debate the Federal  
24 regulations or the procedures that they've laid out. But  
25 I will tell you that Fish and Game probably will submit  
26 some sort of public comments under this public comment  
27 period. They're not written yet. They're not put  
28 together. I don't know what they'll say and so,  
29 therefore, truly today I stand before you saying that we  
30 have not taken a position one way or the other on any of  
31 this.

32  
33 And as to whether or not we will, I'm not  
34 sure and I'm not sure what it would say. So honestly I  
35 don't know.

36  
37 CHAIRMAN ADAMS: And I think that's what  
38 this Council is afraid of, you know, we need to be honest  
39 with you on that issue. And I think we'll be looking  
40 forward to what your comments are going to be, you know,  
41 before the Board but right now we're saying that you are  
42 not taking a position and we're concerned that maybe it  
43 might change.....

44  
45 MS. GILBERTSON: Uh-huh.

46  
47 CHAIRMAN ADAMS: .....you know, by the  
48 time that it comes time for the meeting before the Board.

49  
50 Dolly, go ahead.

1 DR. GARZA: Thank you, Mr. Chair. And I  
2 certainly don't mean that the ADF&G people here don't  
3 respect us or value us, I know that's why they are here.

4  
5 But there is a big jump between your  
6 status and the Commissioner's status, and so somewhere in  
7 there there's a break, and we recognize that, and I  
8 recognize you will not be the person at the Federal  
9 Subsistence Board testifying either for or against rural  
10 status for any of the communities that are up on the  
11 chopping block, so to speak.

12  
13 MR. GILBERTSON: Thank you.

14  
15 DR. GARZA: So she can't tell us what  
16 will be stated by ADF&G, but I think in our letter to  
17 reaffirming our position for the three communities, that  
18 we should make it clear that we did not hear from ADF&G  
19 as to their position, it's as simple as that.

20  
21 Thank you.

22  
23 MS. GILBERTSON: Perhaps to follow up on  
24 what Dr. Garza said, Mr. Chairman and Council members. I  
25 think in talking to the Commissioner before I came here,  
26 before I testified the other day, he made it very clear  
27 to me that he wanted the Board to follow its process, to  
28 make a decision based upon facts. And so, you know, what  
29 he said to me was whatever decision they make based upon  
30 the facts is the decision that they make.

31  
32 So I don't think that helps you in any  
33 way but I thought I should relate his conversation to me.

34  
35 CHAIRMAN ADAMS: Thank you, Sarah. And  
36 we do appreciate your presence here, and we've always  
37 valued and appreciated, you know, Mike Turek and  
38 Marianne, you know, they've come here faithfully every  
39 year and they've sat here for days and days, you know,  
40 with us and we have valued their presence here as we do  
41 yours, so I just want to reaffirm that and, you know, let  
42 you know that we appreciate that you are here and are  
43 making these comments before us but.....

44  
45 MS. GILBERTSON: Thank you.

46  
47 CHAIRMAN ADAMS: Thank you. Any other  
48 comments.

49  
50 (No comments)

1 CHAIRMAN ADAMS: Okay, let's look at the  
2 agenda here again and see what we've got. Let's do No.  
3 16 Chatham Strait sockeye follow up to the annual report,  
4 Mr. Doug McBride and Cal, oh, you're up there again,  
5 welcome Sarah.

6  
7 MR. CASIPIT: Thank you, Mr. Chair.  
8 Yeah, there was some last minute changes to the agenda.  
9 I'll probably be handling most of this report. I've  
10 asked Sarah to be along here because of the nature of the  
11 report I'm going to give you. So from there I'm going to  
12 start.

13  
14 You know, I think the Council's well  
15 aware of the situation of Chatham Straits. I think  
16 Floyd, last meeting, you know, brought some concerns out  
17 from the Council, the Council agreed that they are  
18 concerned about the situation with sockeye in Chatham  
19 Straits. They asked us to work with the Department of  
20 Fish and Game to start addressing some of those issues  
21 and some of those concerns and this is just an update of  
22 where we're at and where we're going.

23  
24 So I just wanted to make the Council  
25 aware that this summer there were discussions between  
26 Angoon Community Association and the ADF&G local manager  
27 regarding the Kanalku sockeye run in Juneau 6. I think  
28 those conversations are appropriate and they need to  
29 continue. There needs to be a dialogue between the local  
30 users and the managers and the Fish and Game manager in  
31 this case and Forest Service local manager as well. It's  
32 a good thing and that should continue.

33  
34 There are ongoing discussions right now  
35 between ADF&G and Forest Service Staff regarding the  
36 Chatham Strait seine fisheries, stock status of Chatham  
37 Strait sockeye stocks and the use of those stocks. I  
38 think we can all agree that this issue is important, that  
39 the use of sockeye in Angoon is an important use and I  
40 think both agencies share the long-term goal of insuring  
41 the health of the run and insuring that subsistence needs  
42 are met for the community.

43  
44 We do have a meeting of our Staffs, Fish  
45 and Game and Forest Service Staff scheduled for October  
46 27th, later this month. Our main goal for this meeting  
47 is to develop a first draft of a comprehensive report  
48 that would be ready by mid-December. At that point in  
49 time we would like to circulate that draft with a couple  
50 of representatives of this Regional Advisory Council,

1 Angoon community representatives and the Southeast Seine  
2 Taskforce representatives, circulate that draft and have  
3 a public meeting sometime in January, the end of January  
4 '07, where we'll take input from this public panel,  
5 insure that their concerns and issues are being addressed  
6 in this report, and that that input would be incorporated  
7 into the report, and that we would present that final  
8 report to you at your next meeting in February. This  
9 would be pretty much a comprehensive review of where we  
10 are with stock, status of Chatham Strait sockeye stocks,  
11 how the conduct of the seine fishery is occurring and,  
12 you know, talk about potential ways to address community  
13 concerns that would be identified through this process.

14  
15 So in a nutshell that's kind of where  
16 we're at in our discussions and where we're going with  
17 this issue.

18  
19 I'd be happy to answer any questions, and  
20 I also would really hope that the Council take some  
21 action and appoints some members to help us through this  
22 process and work with us.

23  
24 I have some obvious choices but I think  
25 the Council probably knows who those obvious choices  
26 would be.

27  
28 I'd be happy to talk more.

29  
30 Thank you.

31  
32 And Sarah may have more to say.

33  
34 MS. GILBERTSON: No, nothing to add, that  
35 was.....

36  
37 CHAIRMAN ADAMS: We'll let Sarah make her  
38 comments and then I want to know your obvious choices.

39  
40 MS. GILBERTSON: No comment.

41  
42 MR. CASIPIT: Well, if I had to draft two  
43 individuals and of course this is only my suggestion but  
44 I would like to draft Mr. Kookesh and Mr. Wright.

45  
46 (Laughter)

47  
48 MR. CASIPIT: But that is purely at the  
49 consent of the Council.

50

1 CHAIRMAN ADAMS: Thank you, Cal. We'll  
2 take that under consideration. Sarah, do you have  
3 anything that you'd like to add.

4  
5 MS. GILBERTSON: (Shakes head negatively)

6  
7 CHAIRMAN ADAMS: You don't, you must be  
8 all talked out by now. Bob.

9  
10 DR. SCHROEDER: Mr. Chairman. Just to  
11 review the context of why this is before the Council  
12 right now as an item. In our annual report last year,  
13 which is found on Page 67, the issue of Chatham Strait  
14 sockeye was raised and the Council basically said, well,  
15 we really want some action on certain issues that were  
16 raised in the annual report, primarily concerning  
17 commercial interception of sockeye. And the Council said  
18 that they wanted to -- that the Council would like these  
19 issues to be resolved cooperatively with Fish and Game,  
20 but then did hold out the possibility of submitting an  
21 extraterritorial jurisdiction petition if satisfaction  
22 wasn't received there.

23  
24 The response from the Federal Subsistence  
25 Board was that the Staff will work with Alaska Department  
26 of Fish and Game to resolve these issues and that  
27 hopefully progress would be made in that realm, and  
28 that's exactly what Staff are up to right now. The  
29 Federal Subsistence Board did say, however, that if the  
30 Council decides that it was necessary to do such a  
31 petition that the Federal Staff would be available to  
32 provide technical assistance.

33  
34 And as all of you know submitting  
35 petitions is not an every day occurrence, it's a really  
36 major step for the Council to do such a thing, and we  
37 definitely -- Staff definitely hope that the cooperative  
38 approach works in this case.

39  
40 CHAIRMAN ADAMS: Mr. Bangs.

41  
42 MR. BANGS: Thank you, Mr. Chairman. Has  
43 the Organized of Village of Kake, they expressed a lot of  
44 concern about the interception there and I think they  
45 offered some stream survey help and what not, I think  
46 Mike Jackson was present at one of the meetings and he  
47 was real concerned about interception, and I was  
48 wondering if they were included in this process.

49  
50 MR. CASIPIT: Thank you, Mr. Chair. Mr.

1 Bangs. So far, you know, most of the controversy and  
2 issues surrounding escapements has been centered in  
3 Chatham Strait, northern Chatham Strait although I know  
4 we have issues at Kutlaku, Falls and Gut within the  
5 traditional territory of the people of Kake. I think  
6 it'd be a good idea to involve Kake as well. I know Kake  
7 has been doing work at Kutlaku and Falls this year, so I  
8 think they're part of the equation as well. And Staff  
9 would try to work to try to get these community  
10 representatives in this public process from all affected  
11 users of subsistence of sockeye in Chatham Strait, which  
12 would include Kake.

13

14 Specifically what I was asking for here  
15 was getting representatives from the Council to volunteer  
16 with us, to help develop this report that would be  
17 presented to you next time.

18

19 CHAIRMAN ADAMS: Mr. Davis, you have a  
20 comment.

21

22 MR. DAVIS: Thank you, Mr. Chair. I did  
23 talk to Mike Jackson before I came to Sitka here to see  
24 if there was any concerns he wanted me to address and he  
25 said there was none, but they need more information  
26 pertaining to the lower side of Chatham, I'll definitely  
27 be able to -- or willing to look into it.

28

29 CHAIRMAN ADAMS: Thank you, Nick, we'll  
30 look forward to that. Any more comments or questions.  
31 Dolly.

32

33 DR. GARZA: So Mr. Chairman, would this  
34 be the time to recommendations for this committee.

35

36 CHAIRMAN ADAMS: Yes, ma'am.

37

38 DR. GARZA: Mr. Chairman. I would move  
39 that Vice Chair Kookesh, his partner right there Mr.  
40 Wright and his partner there Mr. Davis all be part of  
41 this subcommittee and if necessary one of them could be  
42 an alternate, if we could only have two, but my  
43 preference would be all three since they are all  
44 impacted.

45

46 CHAIRMAN ADAMS: I think that's  
47 appropriate, Dolly, so we'll go with that. Is there a  
48 second.

49

50 MR. BANGS: Second.

1 CHAIRMAN ADAMS: Seconded by Mr. Bangs.  
2 Any comments or questions. Dr. Schroeder.  
3  
4 DR. SCHROEDER: Just because we know when  
5 this meeting is going to be held, which is -- we don't  
6 have a date but I believe the face to face meeting is  
7 anticipated to be sort of late in January, I just -- it  
8 would be probably good while we're meeting as a Council  
9 to see if the volunteers are likely to be available at  
10 that time, so that would probably be the third or fourth  
11 week of January.  
12  
13 CHAIRMAN ADAMS: Okay, guys keep that in  
14 mind. Mr. Wright.  
15  
16 MR. WRIGHT: Mr. Chair. I have no idea  
17 because I'm the basketball coach and I don't know where  
18 I'm going to be so I'll be there if we're not on a trip  
19 or playing a game.  
20  
21 Thank you.  
22  
23 CHAIRMAN ADAMS: And I think that was a  
24 wise decision, you know, motion that Dolly made that you  
25 have an alternate in case there's a problem there so  
26 we'll keep you on.  
27  
28 (Pause)  
29  
30 CHAIRMAN ADAMS: A motion has been made,  
31 do you want to call for the question, anyone.  
32  
33 MS. PHILLIPS: Question.  
34  
35 CHAIRMAN ADAMS: Question's been called,  
36 all in favor please say aye.  
37  
38 IN UNISON: Aye.  
39  
40 CHAIRMAN ADAMS: Opposed, same sign.  
41  
42 (No opposing votes)  
43  
44 CHAIRMAN ADAMS: Motion is carried.  
45 Review of Alaska Board of Fisheries proposals concerning  
46 steelhead reporting.  
47  
48 Mr. Davidson.  
49  
50 MR. DAVIDSON: I have something to pass

1 out.

2

3 CHAIRMAN ADAMS: We don't pass out here,  
4 we distribute.

5

6 (Laughter)

7

8 MR. DAVIDSON: It's a handout. It's that  
9 time of the day.

10

11 CHAIRMAN ADAMS: Go ahead, Mr. Davidson.

12

13 MR. DAVIDSON: Okay, thanks. My name is  
14 Bill Davidson and I'm with the Alaska Fish and Game, and  
15 I've been asked by Federal Staff to prepare a short  
16 report about the -- I've been asked to give an update on  
17 a new Board of Fisheries regulation regarding reporting  
18 of steelhead and how that regulation has been implemented  
19 in the past year. So to walk through the history of what  
20 the Board did and how it all happened and how we've done  
21 it, I've got some bullet points and some data and I can  
22 accept your questions.

23

24 So in statewide fish ticket reporting  
25 requirements, require the reporting of  
26 pounds of fish or shellfish landed to be  
27 sold and reported.

28

29 So that's in place statewide, that's what  
30 fish tickets are.

31

32 Since 1994 purse seine and gillnet  
33 fisheries in Southeast Alaska, I think in 1997 gillnet  
34 fisheries, I'm looking -- I probably handed out a good  
35 copy and I've got an old one, but in 1994 in purse seine  
36 fisheries and in 1997 in gillnet fisheries, fishermen are  
37 allowed to take but not to sell steelhead. This  
38 regulation removed an incentive to target, retain and  
39 sell steelhead in commercial fisheries and encourages  
40 release of those fish.

41

42 The reported harvest following the  
43 implementation of the non-sale provisions dropped from an  
44 average of 4,000 steelhead per year, 1980 to 1993 to  
45 around 300 per year following adoption of the non-sale.  
46 So there was a dramatic change of the recorded --  
47 reported harvest of steelhead, that's been reported to a  
48 couple of past Southeast RAC meetings.

49

50 There is a regulation:

1 Retention of salmon taken in a commercial  
2 net fishery, the Commissioner can close  
3 that fishery and reopen a fishery  
4 requiring full retention and, therefore,  
5 also full reporting for conservation  
6 purposes and development of the salmon  
7 resource.

8  
9 That regulation has primarily been used  
10 in the chum salmon fisheries to encourage full  
11 utilization of chum as opposed to roe stripping and  
12 discard of carcasses.

13  
14 This past Board cycle ADF&G sponsored  
15 Proposal 198 to give the Department the option under  
16 emergency order authority to require reporting of  
17 steelhead taken incidentally but not sold to be reported  
18 on fish tickets. The prior regulation that I mentioned  
19 could have been invoked, however, it would have required  
20 retention of all steelhead caught and therefore would  
21 have eliminated the release provisions. So that's what  
22 this new regulation essentially did, is if we decide to  
23 require it then those steelhead that are retained would  
24 have to be reported, even though they're not sold.

25  
26 The purpose of this regulation was to  
27 obtain additional steelhead catch information in certain  
28 fishery where there's a need to understand the impact of  
29 new fisheries, to support stock assessment projects or if  
30 there are sustainability or management problems or  
31 concerns. Case in point here is at this past Board  
32 meeting after a hiatus of about 30 years we implemented  
33 new king salmon fisheries on the transboundary rivers,  
34 the Taku and Stikine. So Proposal 198 was adopted and it  
35 reads as indicated in the indent on this handout:

36  
37 The Commissioner may, by emergency order,  
38 close a commercial salmon fishing season  
39 and immediately reopen a commercial  
40 salmon fishing season during which a CFEC  
41 permit holder shall be required to report  
42 on an ADF&G fish ticket at the time of  
43 landing the number of steelhead and the  
44 number of king salmon 28 inches or  
45 greater in length taken but not sold.

46  
47 In 2006 this new regulation was first  
48 applied in District 8, drift gillnet king salmon fishery  
49 under emergency order between the dates of May 1st and  
50 June 9th. When the fishery was first reimplemented under

1 emergency regulation in 2005, this regulation was not in  
2 place so managers surveyed the fleet to obtain steelhead  
3 bycatch information and they resurveyed the fleet again  
4 last year in 2006, and based on the results from 2005 and  
5 concerns expressed during the development of a management  
6 plan this past year regulations were implemented in  
7 District 8 establishing seven inch minimum requirements  
8 during the king salmon fishery to better target king  
9 salmon and allow steelhead to pass through the net.

10  
11                   So this regulation was used for the first  
12 time this past year in order to see if the mesh  
13 restriction was working to conserve steelhead. And then  
14 in reference to some information on tables on the third  
15 page of the handout, in 2006, in District 8 and that's  
16 off of the mouth of the Stikine River, 14 steelhead were  
17 retained and reported on fish tickets during the directed  
18 king salmon fishery between May 1st and June 7th when it  
19 closed, and seven were reported later on in the fall  
20 portion of the fishery after the mesh size changes.  
21 Based on interviews with the fishing vessels, a total of  
22 30 steelhead was identified by interviews during the  
23 directed king salmon fishery and 13 steelhead were  
24 released.

25  
26                   In District 11, the Taku drift gillnet  
27 fishery, because we did not have an adequate harvestable  
28 surplus under the treaty it did not open until May 22nd,  
29 2006 as opposed to May 1st as in District 8, the fishery  
30 was open through June 13th and all steelhead encounters  
31 in 2005 were in early May so no encounters were in late  
32 May so we elected not to implement this EO regulation  
33 requiring reporting, however, we did continue with  
34 interviews with drift gillnet fishermen on the grounds.  
35 And from that a total of nine steelhead were reported on  
36 fish tickets following the directed king salmon fishery  
37 and during the king salmon fishery two steelhead were  
38 caught and released so there was a low encounter with  
39 steelhead in District 11.

40  
41                   Based on low numbers of steelhead  
42 reported on fish tickets corroborated by interviews in  
43 District 8 the seven inch mesh requirement is helping to  
44 minimize the harvest of steelhead coupled with live  
45 releases by fishermen. The Department will again  
46 implement the reporting requirement in 2007 if there's a  
47 directed king salmon fishery in District 8. The  
48 Department has not yet determined if we would do this  
49 again in District 11, but we will consider that  
50 especially if we open May 1st.

1                   The Department will carefully consider  
2 justification prior to implementing this regulation in  
3 other areas due to small numbers of steelhead along with  
4 relatively larger numbers of other species compliance  
5 with this regulation is cumbersome or problematic.  
6

7                   So the two tables that I've included with  
8 this handout, the first one shows you by commercial gear  
9 type catch this season, by species, and you can see in  
10 the far right column the number of steelhead that are  
11 reported on fish tickets this year, and you can see for  
12 the other species the numbers of salmon those fisheries  
13 harvest so the basic point here is that there are very  
14 few steelhead and a lot of the other types of salmon and  
15 so it puts a tremendous burden on a fisherman who may be  
16 delivering large poundages to have a steelhead in the mix  
17 and then somehow that doesn't get reported and he's then  
18 liable for getting a citation. So we don't intend to be  
19 cavalier in using this option when we have other options  
20 we might be able to use, interviews from -- skiff  
21 interviews of fishermen or something else if there's a  
22 need for information.  
23

24                   And bottom table, there's a gray'd out  
25 box that shows in District 8 by week the steelhead  
26 reporting and then the two far right columns show you the  
27 results of the interview program, how many caught, how  
28 many released. And I guess what I would point out here is  
29 if you look at District 8, which is the Stikine River for  
30 2005 you can see this is extrapolated, not all vessels  
31 are interviewed during an opening. Openings are from two  
32 to four days usually. 337 were caught and 263 were  
33 released in week 20 which is mid-May; 194 steelhead were  
34 caught, this was, in 2005 before the Department had a  
35 regulation to require a seven inch minimum mesh so you  
36 can compare 2005 to 2006, the difference in the steelhead  
37 catches is pretty dramatic there.  
38

39                   So that's why we feel that this -- how  
40 this regulation was used and why we're comfortable with  
41 the new mesh requirement.  
42

43                   So -- and I guess one last comment is  
44 purse seine fisheries and drift gillnet fisheries have  
45 non-sale provisions but set gillnet fisheries in Yakutat  
46 and trawl fisheries they can retain and sell steelhead.  
47

48                   So that's all that I had for you. I'd be  
49 happy to take any questions.  
50

1 CHAIRMAN ADAMS: Thank you, Bill. Any  
2 questions for Mr. Davidson.

3  
4 MR. DAVIS: Mr. Chair.

5  
6 CHAIRMAN ADAMS: Nick.

7  
8 MR. DAVIS: Thank you, Mr. Chair. How  
9 are these surveys conducted, was that from the fishermen,  
10 from the processor, from the tender or.....

11  
12 MR. DAVIDSON: Mr. Davis. That was  
13 conducted by Fish and Game managers, a skiff survey of  
14 vessels while they were fishing and basically asking them  
15 what they caught the prior week so that we could  
16 encompass that whole week and if they were catching any  
17 that week. So it was sort of like a household survey,  
18 but a vessel survey.

19  
20 CHAIRMAN ADAMS: Follow up, Nick.

21  
22 MR. DAVIS: Yes. The reason I ask is  
23 because no one's ever asked me when I ran my boat for  
24 salmon fishing, and a lot of times would catch a  
25 steelhead and never give it another thought but take it  
26 home, it was dead anyway, so, you know, maybe like  
27 sometimes I'll get like two in one year or 20 in one  
28 year. Just depends on where we were, I guess, or, you  
29 know, the season.

30  
31 MR. DAVIDSON: Mr. Davis, this was done  
32 in particular on the directed king salmon portion of the  
33 season, so between May 1st and June 9th, not during the  
34 sockeye season.

35  
36 CHAIRMAN ADAMS: Don, go ahead.

37  
38 MR. HERNANDEZ: I just wanted to go back  
39 to the first page, third paragraph down. It says  
40 reported harvest dropped from an average of 4,000  
41 steelhead per year in all fisheries 1980 to 1993 to  
42 around 300 per year following the adoption of the non-  
43 sale provisions.

44  
45 After you adopted that non-sale  
46 provision, how did you get information on catches when it  
47 was longer, you know, required to be on a fish ticket, is  
48 that just a best guess?

49  
50 MR. DAVIDSON: After the non-sale

1 provisions went into effect, they were not required to be  
2 -- since they couldn't be sold they did not -- they  
3 weren't required to be reported, so there's -- you know,  
4 there's a fishermen -- a commercial fisherman always has  
5 the option to retain his lawfully taken commercial catch  
6 so presumably there was continuing catch of steelhead in  
7 commercial fisheries, fisherman could retain, they did  
8 not need to report so that's -- it's very dramatic in the  
9 fish tickets records after '94 in the seine fishery and  
10 after '97 in the gillnet fishery, there's a big drop in  
11 our information and we think that part of that drop is  
12 associated with release of fish as -- you know, the  
13 incentive to sell was gone, but we do know that, you  
14 know, catch still goes on.

15  
16 MR. HERNANDEZ: I just -- you know, my  
17 background, maybe Nick and Frank could probably chime in  
18 on this but, you know, it seems like an awful lot of the  
19 steelhead that come up in the gear are already dead or  
20 they're not going to survive and I'd say that probably  
21 the amount of release is fairly minimal, really, I mean  
22 that's a big assumption to make that you're getting a lot  
23 of release if you're not getting reporting. I would say  
24 that, you know, that number is probably pretty inaccurate  
25 so I don't know if the seiners in the group could comment  
26 on that.

27  
28 MR. WRIGHT: Mr. Chair. I'm talking to  
29 you.

30  
31 (Laughter)

32  
33 CHAIRMAN ADAMS: Mr. Wright.

34  
35 MR. WRIGHT: Well, actually this year,  
36 you know, when we dump fish into the hold, you know, we  
37 don't sort through we just dump, so this year, I think we  
38 actually had only about three steelhead in our -- that  
39 was put on deck after -- because once they go to the  
40 tender then we sort fish but that's about all we got this  
41 year, but they're dead once they're in, going down the  
42 hole.

43  
44 But, you know, it's rare that we would  
45 catch them, so I mean I fish on the north end so every  
46 time I see one I say I want it but, you know, it's not  
47 that much.

48  
49 MR. DAVIDSON: Mr. Wright. I think that,  
50 you know, if you look -- I spoke to the Southeast RAC in

1 Juneau in 2004, I gave a report on steelhead after I had  
2 downloaded all the fish ticket information on steelhead  
3 and if you look at the pattern of when and where they're  
4 caught a lot of the catch is in District 4 outside, you  
5 know, Dall Island, and Mr. Harding is here with SportFish  
6 Division, and he's aware of past tagging efforts for  
7 steelhead and it -- it's the -- the intent of what I  
8 presented at that past RAC meeting was to indicate that a  
9 lot of the steelhead is caught -- 4,000 may seem like an  
10 alarming number to a group who is closely watching small  
11 production of steelhead out of a small Prince of Wales  
12 stream and trying to provide for subsistence opportunity,  
13 but a lot of those fish are unlikely bound for Southeast  
14 Alaska systems. Most of the catch history shows the  
15 concentrations off the large transboundary rivers, the  
16 Taku and the Stikine, and that's why we're looking at  
17 those two, but probably a lot is going south to Canada  
18 and so it -- it's also -- I mean while the 4,000 may be a  
19 representative number you have to know a little bit more  
20 about what the catch composition is so.....

21

22 CHAIRMAN ADAMS: Patty.

23

24 MS. PHILLIPS: Thank you, Mr. Chair.  
25 This 2005 vessel survey shows 337 caught and then you  
26 changed the mesh size and you caught 30 that were 28  
27 inches or greater in 2006, steelhead, is that what that  
28 means?

29

30 MR. DAVIDSON: The mesh size in 2005 did  
31 change -- there was no mesh size going into that fishery  
32 and the fishery managers based on seeing the numbers of  
33 steelhead the fishery was encountering elected to  
34 implement a mesh size restriction and most fishermen have  
35 fall gear of six inch and so that was -- that was done to  
36 reduce the steelhead harvest with the type of gear that  
37 fishermen had available. Since then we've gone to seven  
38 inch, so -- so that came two weeks into the season.

39

40 MS. PHILLIPS: Follow up.

41

42 CHAIRMAN ADAMS: Go ahead, Patty.

43

44 MS. PHILLIPS: So these 30 caught are 28  
45 inches or greater in length?

46

47 MR. DAVIDSON: We don't know the size  
48 breakdown of -- the 30 that were caught is what fishermen  
49 that were interviewed reported catching in their nets.  
50 And out of the 30 they reported releasing 13 so 17 were

1 retained for personal use.

2

3 MS. PHILLIPS: Don explained something to  
4 me. So this number of steelhead and the number of king  
5 salmon, that 28 inches or greater in length only applies  
6 to the king salmon?

7

8 MR. DAVIDSON: Right. That's -- it --  
9 that.....

10

11 MS. PHILLIPS: Okay.

12

13 MR. DAVIDSON: Excuse me.

14

15 MS. PHILLIPS: Thank you.

16

17 CHAIRMAN ADAMS: Mr. Bangs.

18

19 MR. BANGS: Thank you, Mr. Chairman.  
20 When they were implementing the seven inch mesh  
21 restriction I think I recall something, one of the key  
22 components in avoiding the steelhead was to close areas  
23 around streams that were producers of steelhead; is that  
24 right, I know in District 8 I think they did that.

25

26 MR. DAVIDSON: Right. That's correct. I  
27 think over by Petersburg Bear Creek was a closure for  
28 steelhead and I believe also the closure north of  
29 Wrangell Narrows, along that shore.

30

31 MR. BANGS: The one question that I had  
32 is Mr. Wright was mentioning that, you know, they just  
33 dump into the hold, do you get a count from the cannery  
34 even if it's caught in the seine fishery, they keep track  
35 of how many steelhead are caught and then you get that  
36 information?

37

38 MR. DAVIDSON: If it's delivered and is  
39 part of the commercial catch it could be -- those are the  
40 ones that do show up on the fish tickets if they're  
41 identified as steelhead then they would report those if  
42 the cannery retains them and they're landed, yeah, I  
43 would think those would be what these numbers are  
44 showing.

45

46 If it stays on the boat then -- then  
47 those -- if we're requiring them to be reported then  
48 those are reported too, even though they're not sold,  
49 but.....

50

1 CHAIRMAN ADAMS: Dr. Garza.  
2  
3 DR. GARZA: So here's a zinger, do you  
4 have any idea how many people aren't reporting or have  
5 you made any estimates of people looking you straight in  
6 the eye and say we don't have any when perhaps they do  
7 have three?  
8  
9 MR. DAVIDSON: Well, I -- I -- that's --  
10 that's a difficult question. I -- I suspect that there  
11 are probably are people who don't report, but the  
12 interview data corroborates the catch data but not  
13 exactly, there's not a one to one perfect correspondence  
14 there. So -- but you have to realize that with the  
15 implementation by EO of mandatory reporting, if somebody  
16 has a steelhead and they're retaining it and not  
17 reporting it then they're -- they're liable for a  
18 citation for violating fish ticket reporting  
19 requirements.  
20  
21 If they let it go and it swims away then  
22 -- then that fish isn't reported. But if it's kept --  
23 that's what we're asking them to do is to tell us and put  
24 it on the fish ticket.  
25  
26 CHAIRMAN ADAMS: Go ahead, Don.  
27  
28 MR. HERNANDEZ: So then looking at the  
29 table on Page 3 for 2006, in all of the purse seine  
30 fisheries, you say there was one steelhead.....  
31  
32 (Laughter)  
33  
34 MR. HERNANDEZ: .....caught?  
35  
36 MR. DAVIDSON: That's what's in our  
37 database this year for all of the purse seine fisheries  
38 is one.....  
39  
40 MR. HERNANDEZ: Well.....  
41  
42 MR. DAVIDSON: .....one steelhead shows  
43 up.  
44  
45 MR. HERNANDEZ: .....I think we know  
46 that's not very accurate. You know I know what the  
47 requirements are that a fish, you know, like Mr. Bangs  
48 pointed out, if a fish, you know, ends up on the boat and  
49 gets delivered to the dock, you know, it should be on the  
50 fish ticket but I mean, you know, I know people that work

1 at cold storage, you know, and from what I hear there's  
2 always kind of like a lot of steelhead to be given away  
3 to anybody on the dock who wants any, you know, and I  
4 know somebody that put up quite a few of their -- quite a  
5 bit of their smoked steelhead, you know, from what comes  
6 from the tote on the dock. You know, just putting an  
7 observer, which it seems like Fish and Game has observers  
8 observing other things, you know, at cold storages at  
9 various times, but, you know, just watching some of the  
10 boats unloading and taking a count of the steelhead  
11 coming off would be a pretty good way to get a better  
12 idea of what's actually being caught.

13

14 But I think also I'd like to comment that  
15 I think your vessel surveys of actually having your  
16 skiffs out there cruising the grounds and, you know,  
17 asking people -- I think -- I believe in those numbers, I  
18 think those are pretty good. You know, I think you get  
19 real good information when you're out there, you know,  
20 people have a real interest that -- you know, they know  
21 the problems, they want to cooperate and I think if  
22 you're out there asking questions you get good  
23 information, but, you know, this table at the top of Page  
24 3 is, you know for the driftnet as well, it just can't --  
25 it's just not reliable.

26

27 MR. DAVIDSON: Mr. Hernandez. You know,  
28 in the gillnet fishery the skiffs are out there at least  
29 once a week anyway to find out catch information to  
30 manage the fishery, so that was an easy thing to follow  
31 up on and it's face to face interviews with those that  
32 were fishing. So I agree with you, I think that should  
33 be very good information.

34

35 We did not implement this in the purse  
36 seine fishery and I guess, yeah, I would agree with you,  
37 I don't think that there was just one steelhead caught in  
38 the purse seine fishery, when they were sold and reported  
39 it was about 30 percent of the overall take of steelhead.  
40 But even this year with very poor pink salmon returns we  
41 only caught just over 10 million pinks in Southeast,  
42 about equal numbers of chum, you know, you're sorting  
43 through 20-plus million salmon, you know, to find out how  
44 many steelhead and that's the limitations of where we can  
45 go with this, I think, if we did need to know the purse  
46 seine fishery we would have to use another method than  
47 mandatory reporting on fish tickets. There's too much of  
48 a chance that somebody's going to get cited for missing  
49 or overlooking something or that they're just not going  
50 to be aware of it. Like Mr. Wright said, you know, the

1 fish go into the hold.

2

3 MR. HERNANDEZ: I know, I realize, you  
4 know, the way seining is conducted now, there's very  
5 little on deck sorting like when I seined 30 years ago,  
6 it was pretty typical to dump bags on deck and toss them  
7 in the hold and sometimes we even counted them but there  
8 weren't near as many fish being caught at that time as  
9 there are now. Now they pretty much just get dumped in  
10 the hold straight from the bag and, yeah, you're not  
11 going to be sorting out steelhead, obviously.

12

13 But I mean if you really did want to get  
14 some accurate information, you know, there are other ways  
15 to do it, you can do it at the dock when the fish get  
16 delivered, because if they're not being sorted on board  
17 they're also not being discarded so you're going to see  
18 them turn up.

19

20 If you want to know that information, you  
21 know, it's there, if you look for it, if you don't want  
22 to know it, well, you don't look for it, I guess.

23

24 CHAIRMAN ADAMS: I think we've belabored  
25 this enough. Thank you, Mr. Davidson for your report.

26

27 MR. DAVIDSON: Okay, thank you.

28

29 CHAIRMAN ADAMS: I noticed that Mr.  
30 Sanderson up there has been trying to get our attention,  
31 did you want to come down and make a comment Robert.

32

33 MR. SANDERSON: Our fish.....

34

35 CHAIRMAN ADAMS: If you'd come on down,  
36 please.

37

38 MR. SANDERSON: Members of the Board. I  
39 was kind of listening with a great deal of interest here  
40 to the testimony on steelhead.

41

42 Now, I'm quite familiar with this here.  
43 As a little boy, even I grew up, the only way I've ever  
44 caught a steelhead in my life is with a spear or a  
45 snagger, you know, the streams on our end, Prince of  
46 Wales Island, doesn't really lend itself to sportfishing  
47 with a rod. In fact, you just get hopelessly tangled up  
48 in brush. You know, the bigger streams up island, you  
49 know, Carta River, Klawock, Stainey Creek, Thorne River,  
50 you know, it does that. But I know of only two streams

1 on the south end of Prince of Wales Island in the Cordova  
2 Bay area, another the Hyda area that you would probably  
3 do that too, that would be Hunter Bay and Nuqwa (ph),  
4 they have large runs in those two places that are pretty  
5 not -- they're not being harvested at present.

6  
7                   There's a lot of streams in our own area.  
8 A lot of them are very small, you can jump across some of  
9 them, but they all have steelhead. The larger the  
10 stream, the earlier the run. These really small systems,  
11 I mean as a child we chased a whole bunch down one creek  
12 and got 17 by just kicking them out on the sand bar, that  
13 was at Soda Bay. So they're there, you know, but nobody  
14 gets them.

15  
16                   But the only impact on the south end,  
17 basically is probably the children going up to the local  
18 creek, the two local systems and getting steelhead to eat  
19 and giving them away.

20  
21                   And the other thing that was mentioned  
22 was the interception of sockeye, when they mentioned Dall  
23 Island and Noise Island, I'm quite familiar with it,  
24 those are fish are very large. One year I saved 57 of  
25 them and averaged about 15 pounds apiece. Had one 32  
26 pounds I sent to John Borbridge and used the rest for --  
27 we smoked them mostly to try to get investigation [sic]  
28 into a commercial smokery. But they're very large fish,  
29 they're summer run fish and evidently, you know, they  
30 probably go to the Skena River and Bonass River (ph) in  
31 British Columbia, they're probably not our fish, our fish  
32 are spring run.

33  
34                   So I remember one year getting one 36  
35 pounds in the net and Bill Demmert had one 41 pounds,  
36 almost up to the world's record. And I tried to  
37 investigate that, where did they go to, you know, and I  
38 find out they were very large fish in the Skena River  
39 drainage that could go up to that poundage and weight  
40 there.

41  
42                   Our local systems in Klawock and others,  
43 they might -- Klawock's start in the winter, right in the  
44 mid-winter, there are probably other systems that do ours  
45 is April and May. Memorial Day we had some yet. There  
46 was a steelhead investigation, I guess there was a weir  
47 put in Cable Creek in roughly I suppose 150 sockeye,  
48 which they thought was pretty good, our local stream had  
49 more than that just from looking at it. The children  
50 probably caught almost that much, and most of them you

1 can't, they hide under banks, you know, they're under  
2 logs, out in the middle there, you can't take them with a  
3 spear, you know, you'll see a lot and maybe not get one  
4 or two. But at the local, the lower end, you know, no  
5 one goes to those creeks. We're going to do an  
6 investigation on at least two of them we do know that are  
7 large numbers of steelhead in them and one is Nuqwa and  
8 the other is Hunter Bay.

9  
10 But there are residents, sportsmen are  
11 starting to fly into Hunter Bay now because it just --  
12 the knowledge just became available. I don't know where,  
13 you know, but they're flying in there now to get  
14 steelhead.

15  
16 But I just thought I'd make a few  
17 comments on that, on the steelhead here. I didn't do it  
18 last night.

19  
20 Thank you.

21  
22 CHAIRMAN ADAMS: Thank you, Mr.  
23 Sanderson. We appreciate your comments, thank you very  
24 much. We are going to move on.

25  
26 You know, I was thinking maybe we could  
27 go on until 6:00 o'clock. The next item would be  
28 Fisheries Information Services, no, I'm sorry, Southeast  
29 sockeye reports, but I think we're going to save that for  
30 the first thing in the morning.

31  
32 Let's turn over to your agenda toward the  
33 end, future meeting plans, you know, while Dolly and  
34 Michael are here I think it would be a good idea if we  
35 talked about that and determined -- we know it's going to  
36 be in Kake, but we need to look at the window of  
37 opportunity for dates. And where are the.....

38  
39 MR. KOOKESH: Before you leave.

40  
41 DR. SCHROEDER: Mr. Chairman.

42  
43 CHAIRMAN ADAMS: Dr. Schroeder.

44  
45 DR. SCHROEDER: So usually what we do is  
46 we simply look at the date that we have for the next  
47 meeting and generally just confirm that unless there's  
48 some reason to change from that.

49  
50 So our next meeting is scheduled for

1    ake, three days between February 26 and March 3, and  
2    there's a calendar on Page 270 of your book and it blocks  
3    out all five of those days. Usually the Council gives  
4    Staff the flexibility of figuring out what the best days  
5    to travel and make arrangements are. So if there's any  
6    comment on that we could do that one first and then while  
7    we're doing that Council members could figure out where  
8    we might have our fall meeting next year and as well as  
9    dates for that.

10

MS. PHILLIPS: Mr. Chairman.

11

CHAIRMAN ADAMS: Yes, Ma'am.

12

13

MS. PHILLIPS: Is Yakutat ready?

14

15

CHAIRMAN ADAMS: No, not yet.

16

17

MR. KOOKESH: Next fall, next year, in

18

19

20

21

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49

50

Thank you.

MR. KOOKESH: Recommendations, are you  
looking for?

CHAIRMAN ADAMS: Uh-huh. Mr. Bangs, you  
got a recommendation.

MR. BANGS: Well, what about Angoon.

(Laughter)

CHAIRMAN ADAMS: Angoon was going to  
recommend somewhere else.

(Laughter)

MR. KOOKESH: I was going to recommend  
Haines. I don't believe we've gone to Haines. I don't  
ever recollect going to Haines.

1 CHAIRMAN ADAMS: Okay. If that's what  
2 you want to do, let's do it in the form of a motion.  
3  
4 (Pause)  
5  
6 CHAIRMAN ADAMS: Make a motion Floyd.  
7  
8 MR. KOOKESH: Mr. Chairman. I'd like to  
9 make a motion that we have our fall meeting in Haines.  
10  
11 CHAIRMAN ADAMS: Is there a second.  
12  
13 DR. GARZA: (Nods affirmatively)  
14  
15 CHAIRMAN ADAMS: Dolly won't be here but  
16 she seconded it.  
17  
18 (Laughter)  
19  
20 CHAIRMAN ADAMS: Thank you, Dolly. So  
21 discussion about it. Mr. Bangs.  
22  
23 MR. BANGS: Thank you, Mr. Chairman. I  
24 was wondering if it would be possible to do the meeting  
25 in September rather than October, if possible, any week  
26 is fine.  
27  
28 DR. SCHROEDER: Mr. Chairman. The  
29 calendar is on Page 271 for fall, the fall meeting. And  
30 the meeting window opens on August 27th and closes on  
31 October 9th, and unless there's a pressing reason to do  
32 so, Federal Staff would request that a meeting doesn't  
33 cross the fiscal year so that -- that makes our job just  
34 really hard. So the fiscal year ends on September 30th.  
35  
36 CHAIRMAN ADAMS: And we don't want to go  
37 somewhere without any money, right Cal.  
38  
39 (Laughter)  
40  
41 DR. GARZA: But you could go in September  
42 provided it's done by the 30th.  
43  
44 CHAIRMAN ADAMS: Okay, thanks for that  
45 point. Mr. Bangs, could you give us a rationale why you  
46 would prefer September rather than October?  
47  
48 MR. BANGS: Well, there's a lot of  
49 fisheries that start up the first of October, and I think  
50 trolling starts in the beginning, the dive fisheries

1 start in October and hunting is starting to get better in  
2 October.

3

4 CHAIRMAN ADAMS: Yakutat moose season  
5 doesn't open until October 8th, so we're safe.

6

7 (Laughter)

8

9 CHAIRMAN ADAMS: Any other comments.

10

11 DR. SCHROEDER: Well, this is a bit in  
12 advance. Usually we have to deal with Alaska Native  
13 Brotherhood and AFN meetings, which I don't know if we  
14 have the date for the Brotherhood meeting next year,  
15 someone might know that.

16

17 DR. GARZA: It's my understanding that  
18 nobody invited them for the Grand Camp so they're all in  
19 a quandary right now.

20

21 DR. SCHROEDER: They could go to Haines  
22 with us.

23

24 DR. GARZA: Yeah, they could. So I don't  
25 think we could base it on that right now, I'm not sure  
26 they have an idea what they're going to do. But I think  
27 it's gotten too expensive for communities to invite them  
28 because it takes a fair amount of work. So Libby, who is  
29 the first vice president for ANS said that it's the first  
30 time in their history that they've not been invited.

31

32 CHAIRMAN ADAMS: Yeah, I think AFN is at  
33 the end of October sometime and ANB, Grand Camp will  
34 probably be in November next year because they always  
35 have, on election years, you know, the meetings earlier  
36 so that the candidates could come and make their pitch.  
37 So it will probably be in November next year.

38

39 Dolly.

40

41 DR. GARZA: I don't really care, so I'll  
42 move that we meet in.....

43

44 (Laughter)

45

46 DR. GARZA: .....Haines the week of  
47 September 24th, it will be beautiful, gorgeous and  
48 lovely. I'm sure they'll welcome us there.

49

50 CHAIRMAN ADAMS: Is there a second.

1 MR. HERNANDEZ: Second.  
2  
3 CHAIRMAN ADAMS: Seconded by Don. Any  
4 further discussion.  
5  
6 (No comments)  
7  
8 CHAIRMAN ADAMS: Hearing none, I'm going  
9 to ask for a vote, all in favor please say aye.  
10  
11 IN UNISON: Aye.  
12  
13 CHAIRMAN ADAMS:  
14  
15 (No opposing votes)  
16  
17 CHAIRMAN ADAMS: And Dolly said aye the  
18 loudest.  
19  
20 (Laughter)  
21  
22 DR. SCHROEDER: And by identifying just  
23 the week you're giving Staff the flexibility to figure  
24 out what works best for our travel.  
25  
26 CHAIRMAN ADAMS: Yes.  
27  
28 DR. SCHROEDER: Good. And there wasn't  
29 any discussion of the next meeting in Kake, so that's on  
30 those dates.  
31  
32 MR. HERNANDEZ: Question on Kake.  
33  
34 CHAIRMAN ADAMS: Mr. Hernandez.  
35  
36 MR. HERNANDEZ: Mr. Chairman. Regarding  
37 the meeting at Kake, is it even possible to.....  
38  
39 CHAIRMAN ADAMS: Mr. Hernandez, go ahead.  
40  
41 MR. HERNANDEZ: Yeah, for the meeting in  
42 Kake, is it possible to find out if there's any  
43 possibility of a ferry to Kake.....  
44  
45 MR. KOOKESH: We should schedule it  
46 around the ferry.  
47  
48 MR. HERNANDEZ: .....at some point in  
49 that week.  
50

1 CHAIRMAN ADAMS: Schedule it around the  
2 ferry. Dr. Schroeder, maybe you can take that assignment  
3 and, you know, figure that out and then let us know what  
4 the travel on the ferry is from Juneau.

5  
6 DR. SCHROEDER: We'll work on that.  
7 There's also a possibility of getting a boat and taking a  
8 boat ride from someplace. The Council's done that in  
9 other meetings. So we'll have to see if there's somebody  
10 available, or if our seine captains are willing to take  
11 quite a few people.

12  
13 CHAIRMAN ADAMS: That was the way it was  
14 done in the olden days. Nick.

15  
16 MR. DAVIS: Yeah, you know, to get in and  
17 out of Kake a lot of times this time of the year could be  
18 impossible for a week or even more, and if you do get in  
19 you want to at least see when the ferry is leaving so  
20 you're not stuck there for a week or two weeks, you know,  
21 who knows, you know.

22  
23 (Laughter)

24  
25 CHAIRMAN ADAMS: How can we have a long,  
26 long fast meeting.

27  
28 (Laughter)

29  
30 CHAIRMAN ADAMS: Okay. Yeah, so Dr.  
31 Schroeder you'll look into all of that logistic stuff and  
32 let us know.

33  
34 DR. SCHROEDER: Yes.

35  
36 CHAIRMAN ADAMS: Thank you.

37  
38 DR. SCHROEDER: Mr. Chairman. There is  
39 another item, talking about meeting plans and item 3 is  
40 talking about a teleconference date and the Council  
41 already directed Staff to set something up that was  
42 appropriate for dealing with our license petition. And I  
43 anticipate that will be in the last half of November  
44 sometime.

45  
46 CHAIRMAN ADAMS: Okay, thank you, Dr.  
47 Schroeder. The last part of November.

48  
49 DR. SCHROEDER: Yes.

50

1                           CHAIRMAN ADAMS: Okay. What we're going  
2 to do now ladies and gentlemen is recess until 8:30  
3 tomorrow morning, okay, and we're going to try to get as  
4 much done before Michael and Dolly leave because they  
5 have to leave at noon tomorrow, they don't want to get  
6 stuck here another day and I can identify with that.

7  
8                           So we'll see you all tomorrow morning at  
9 8:30.

10  
11                           (Off record)

12  
13                           (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Joseph P. Kolasinski, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

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Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 03/12/08