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SOUTHEAST ALASKA SUBSISTENCE
REGIONAL ADVISORY COUNCIL

Public Meeting
Hydaburg, Alaska
October 13, 2000

Volume III

10 MEMBERS PRESENT:

11
12 William Thomas, Chairman
13 Dolly Garza, Vice-Chair
14 Bert Adams
15 Floyd Kookesh
16 Clarence "Butch" Laiti
17 Richard Stokes
18 Mary Rudolph
19 Patricia Phillips
20 Michael Douville
21 Marilyn Wilson
22 John Littlefield
23 Harold Martin
24
25 Fred Clark, Coordinator
26
27 Susan Reilly, Recorder

P R O C E E D I N G S

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(On record)

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CHAIRMAN THOMAS: I'm watching you guys.

Okay. Good morning, everybody. I want to thank you guys for your patience, your indulgence and your participation the last couple of days. I think you've done a dynamic job. I think we've worked through some areas that we weren't able to in the past. We're still fumbling and stumbling and working our way through this; but the important part is that we're making headway. We might not be perfect in every sense, but I'm sure we'll have an improved result when we get through. So, I may not have a chance to express this later on. We got planes coming in here and people are leaving. I might be here by myself at 2:00 o'clock, so I just wanted to get that said; but I really do appreciate all that you folks have done over the last couple of days. Let's bring this back to our last proposal, number 21. We deferred it for today at the request of the Yakutat management area. Cal, if you would reintroduce proposal number 21?

MR. CASIPIT: Thank you, Mr. Chairman. My name is Calvin Casipit. I am the subsistence staff fisheries biologist for the Forest Service, Alaska Region. Proposal 21 was proposed by Mr. John Vale of Yakutat, former Regional Advisory Council member. He would like to replace the State subsistence fishing permit for steelhead trout with a Federal subsistence fishing permit in the Yakutat area. His proposed regulation would read: Salmon, trout, and char may be taken only by rod and reel or under authority of a subsistence fishing permit issued by the Federal Subsistence Board. When taking salmon, trout, or char with a rod and reel, a State sportfishing license is required; and sportfishing seasons and harvest limits apply. At this time, we oppose the proposal; but we would change the Federal regulation as proposed by Mr. Vale to say: You may take salmon, trout -- other than steelhead trout -- and char in all waters of the Yakutat area only under authority of a subsistence fishing permit. You may take steelhead trout in the Situk and Ahrnklin Rivers only under authority of a subsistence fishing permit.

There was some confusion as to the intent of Mr. Vale's proposal. As he proposed it, it looked to us as though the only allowable methods and means in the Yakutat management area would be rod and reel, which we felt was an unnecessary restriction. Mr. Vale did send a two-page fax

50 clarifying his proposal. Council members have a copy of

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1 that.

2

3 CHAIRMAN THOMAS: Okay. Any questions of
4 staff? Bert? Was your hand up?

5

6 MR. ADAMS: I had my hand up.

7

8 CHAIRMAN THOMAS: You are recognized and
9 you have the privilege of the floor and we are going to
10 give our undivided attention.

11

12 MR. ADAMS: I sure appreciate that. Thank
13 you. I had a meeting with Mr. Vale before I left on this
14 proposal, and I expressed my concerns about the way he had
15 this written. I'm not satisfied with the way he proposed
16 it. But, one of the things that he told me was that we
17 could fish under the authority of two permits: one with
18 the State, and one with the Feds. The way that this was
19 addressed to us today was that it was to be based on the
20 statewide regulations. Maybe we can get some clarification
21 on that, Cal, if you would.

22

23 MR. CASIPIT: If that is the case, we would
24 basically be replacing a State permit with a Federal permit
25 with no real change to the bag limit or the season quota of
26 300 fish. So, at this time, we would like to continue
27 using the State permit until there is a proposal to change
28 either the daily possession limits or the overall quota.

29

30 CHAIRMAN THOMAS: Let me hit both of you
31 with the same question: Bert, do you know of any user
32 conflict with existing regulations?

33

34 MR. ADAMS: I know of none, no.

35

36 CHAIRMAN THOMAS: Have you heard of any
37 user conflicts?

38

39 MR. CASIPIT: I'm not aware of any, Mr.
40 Chairman.

41

42 CHAIRMAN THOMAS: Okay. That's good.
43 Okay, Department?

44

45 MR. BROOKOVER: Thank you, Mr. Chair. Tom
46 Brookover with Fish and Game, Sportfish Division. For the
47 State's comments on the original proposal, we have listed
48 out our comments on page 146. At this point, although it's
49 obviously been done earlier, I'd just like to point out

50 that our original comments that are in your booklet pertain

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1 to the original proposal, whereas the comments that we've
2 been giving here at the meeting pertain more or less to the
3 Federal staff analysis through a review process that we've
4 gone through.

5
6 Our original understanding of the intent of the
7 proposal wasn't clear. The proposal comments do state that
8 its adoption will increase harvest of steelhead in the
9 Situk River, but we're unclear on how the adoption of the
10 proposal would actually affect that -- in other words, how
11 the adoption of the proposal would increase the harvest
12 limits. The Federal staff analysis, as Cal mentioned,
13 includes a mention of a letter from the proposer that
14 clarifies its intent: to substitute the State permit with
15 a Federal permit with no quota or harvest limits. The
16 Federal staff analysis indicated that the proposed action
17 would create a dual permitting system for steelhead where
18 there's already a permit available. Cal mentioned that the
19 State does have a permit system in place, and we support
20 the Federal staff analysis to oppose the proposal and make
21 wording changes to clarify the existing regulations.

22
23 CHAIRMAN THOMAS: Thank you. You know, in
24 many cases in the past, the Council has had differences
25 with findings of Department and of staff because we felt
26 like it wasn't always serving the interests of the
27 subsistence community. In this case, I don't see that
28 happening. So, I'm just serving that as an observation. I
29 will share my persuasion of support or non-support later
30 on, but I just want you guys to know that. There isn't any
31 identified conflict for the existing regulations.
32 Questions for Department?

33
34 MR. LITTLEFIELD: I have a question.

35
36 CHAIRMAN THOMAS: John?

37
38 MR. LITTLEFIELD: Under your last comment
39 here, it says: We recommend that stock assessment programs
40 be implemented. There isn't any assessment on that stock
41 at the present time?

42
43 MR. BROOKOVER: Mr. Chairman, Mr.
44 Littlefield: There is an assessment project on the Situk
45 River steelhead run. With our comments on the original
46 proposal, we assumed that several different interpretations
47 could be made, and one of those interpretations was to
48 increase harvest area-wide potentially. We don't have
49 stock assessment programs in place for steelhead in areas

50 of Yakutat other than the Situk.

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1 CHAIRMAN THOMAS: Dolly?

2

3 MS. GARZA: I guess the part of it I don't
4 understand -- and I don't know if have seen John's fax, but
5 I'm glad to share that with you -- but the point he's
6 making is that the reason that very few permits get issued
7 is because people don't want to go out there for only five
8 fish where, under the ADF&G comments, it allows for a
9 harvest of up to 300; but it's only five per person. Is
10 that correct?

11

12 MR. BROOKOVER: Mr. Chair, Ms. Garza:
13 That's correct. I have not seen a copy of the proposer's
14 letter; but it is correct that, I believe, limits are five
15 fish per permit. However, with the 300 fish existing
16 limit, people can come in if they fill their harvest under
17 the one permit and re-issue them another one.

18

19 MS. GARZA: Right.

20

21 MR. BROOKOVER: As long as there's fish
22 (indiscernible). But, this time, there's been very little,
23 if any, request for permits.

24

25 MS. GARZA: Okay, and so, in this fax it
26 says that -- it sounds like he wants to take more than five
27 per day. So, it would be like 10 per season, or 20 person,
28 or sort of the same thing that we're facing with, you know,
29 considering gas costs and time. When you go out there, you
30 want to get enough for the winter. So, instead of five per
31 day, you would have more of a family limit. Fred?

32

33 MR. CLARK: I just wanted to point out that
34 under written public comments I'll read John's letter into
35 the record.

36

37 CHAIRMAN THOMAS: Further questions for the
38 Department? Thank you, sir.

39

40 MR. BROOKOVER: Thank you.

41

42 CHAIRMAN THOMAS: Other agencies?
43 Summaries?

44

45 MR. CLARK: Thank you, Mr. Chairman. The
46 Eastern Prince of Wales Fish and Game Advisory Committee
47 voted no action on this proposal.

48

49 CHAIRMAN THOMAS: Say again?

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1 MR. CLARK: Their recommendation was no
2 action on this proposal.

3
4 CHAIRMAN THOMAS: They being who?
5

6 MR. CLARK: They being the Eastern Prince
7 of Wales Fish and Game Advisory Committee. In a letter
8 dated June 23rd of this year, John Vale, who is the
9 proposal proponent, clarified the intent of the proposal,
10 and that was to substitute the State permit with a Federal
11 permit with no quota or harvest limits. John Vale also
12 submitted the fax that's been distributed to the Council
13 and, at this time, Mr. Chairman, I'd like to read that into
14 the record. This is from John Vale:

15
16 "I would like to point out some errors with
17 the staff analysis, and then provide some
18 final comments.

19
20 "The State regulations prohibiting
21 subsistence steelhead harvest have been in
22 effect since 1962. Additional restrictions
23 to sportfishing occurred in 1991. Efforts
24 to allow State subsistence fishing started
25 in the late 1980's, and ended up with
26 approval by the Alaska board of fisheries
27 in 1998 with a 300-fish quota. The quota
28 is only a restriction on subsistence, and
29 has nothing to do with conservation.

30
31 "I disagree with the staff recommendation
32 to oppose the proposal. Removing the cap
33 and bas [sic] limit would allow subsistence
34 users to harvest according to their needs.
35 It is not worth most peoples time to make
36 the effort to go to the river to harvest 5
37 fish, and that is what the State is hoping
38 for. The State system is not compatible
39 [sic] with Title VIII of ANILCA, a Federal
40 permit would be.

41
42 "The proposed wording by the staff would
43 have the effect of closing subsistence
44 steelhead harvest in other river systems
45 (except the Situk) in the Yakutat area. I
46 don't believe that is what the Council
47 wants. Steelhead are harvested in almost
48 all the river systems in the Yakutat area.
49

"The wording should be: a. You may take

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1 salmon, steelhead trout, other trout and
2 char in all of the waters of the Yakutat
3 area only under authority of a subsistence
4 fishing permit.

5

6 "Thank you for your consideration."

7

8 Signed: John Vale

9

10 CHAIRMAN THOMAS: Thank you. That was
11 under summary of written comment? Public comments? Yes,
12 Mr. Maloney?

13

14 MR. MALONEY: Mr. Chairman, members of the
15 Council: My name is Tom Maloney, and I'm the Chairman of
16 the Yakutat Advisory Committee. I had a meeting -- I
17 didn't know about this proposal until about a week prior of
18 this meeting here, maybe just a little longer, eight days
19 or so. I tried to get a quorum. We didn't get quorum on
20 account of this last week of the gillnetting in the Yakutat
21 area. Everybody was out getting their gear in; and, from
22 subsistence hunting the next day for moose, nobody showed
23 up. I had three people was all, and they're all opposed to
24 this regulation as wrote by John Vale. Seeing as we didn't
25 have a quorum, I will not talk any longer on the Advisory
26 Board, you know; but the three that were there were opposed
27 it.

28

29 But, as the mayor of Yakutat, I would like to speak
30 more on this --

31

32 CHAIRMAN THOMAS: Okay.

33

34 MR. MALONEY: -- proposal, which is:
35 Salmon, trout and char may be taken by taken by rod and
36 reel only. We have a very strong subsistence fisheries on
37 king salmon. We have sockeye when the steelheads are in.
38 Most people put all their effort into this fisheries at
39 this time of year. In fact, the steelhead fishing doesn't
40 start until the sports fishermen lodges; and I'm not taking
41 up for sportfishing. I'm a commercial fisherman, myself;
42 but the only time that the roads open up is when the lodges
43 get in people to steelhead fish, and the roads are opened
44 by the lodges -- the State refuses to open them -- and that
45 gives access to the local people. They are allowed to
46 catch 300 fish in the marine waters, which all gillnetting
47 for subsistence takes place in the marine waters of
48 Yakutat.

49

As the mayor, I've went around and just polled

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1 people on this proposal and everyone -- men, women, young
2 and old -- they're all opposed to this because, like I say,
3 we don't use the steelhead. There's a few do, and they get
4 them from the gillnetters when they're sockeye fishing or
5 king fishing in the marine waters of the Situk River. And,
6 I don't know how many they get. I can't tell you that. I
7 heard one story where one person went out in the bay of
8 Yakutat and got 29 steelhead and brought them in, and the
9 community used them. He gave them out.

10

11 As you can see in the reports of the staff, there
12 has never been a permit. You know, you're allowed to get a
13 permit from the State for steelhead; and there's never been
14 one issued because I feel the people get what steelhead
15 they want. One lady I talked to, she says, I tried to jar
16 them. She says, my family won't eat them. She says, we
17 just get them out of the gill; and we just try to release
18 them alive again and get them out. But, I go along with
19 the subsistence in this area. I fell that right now that
20 300 steelhead for that system -- well, I can't say if it's
21 adequate or not. I just don't know how many people are
22 really utilizing them; but, what I hear from the people,
23 they don't that much because they've got the king and
24 they've got the sockeye at this time of year.

25

26 I would like to see this proposal brought back to
27 the tribe, and to the city, for either rewriting or more
28 clarification on it, because I would hate to see it pass as
29 rod and reel only for salmon, steelhead and trout, because
30 that would do away with the gillnetting for sockeye and
31 kings. And, that's about all I have to report on this; but
32 I would like to have it brought back to the Yakutat Board.

33

34 CHAIRMAN THOMAS: Any questions for
35 Mr. Maloney?

36

37 MS. WILSON: Yeah, I have one.

38

39 CHAIRMAN THOMAS: Marilyn?

40

41 MS. WILSON: Yeah. Right now, you can
42 gillnet for steelheads?

43

44 MR. MALONEY: Yes, you can. Yakutat is
45 quite unique in their steelhead. It's available rights
46 here [sic]. In the 80's, there was no U.S. subsistence for
47 steelhead. That was in the years where stocks were really
48 declined, and it was a hook and release for the
49 sportfisherman. And that's the only thing they do, hook

50 and release. And, since, the hook and release has come

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1 back. Since 1988, if that's the year that John says here,
2 they have had fisheries on that, you know, 300 steelhead.
3 Now the stocks are getting pretty healthy, and I feel that
4 that figure of 300 can be raised. And when they say five
5 steelhead a day, you can get multiple permits to go out and
6 get more than five, as it says here in the regulation here
7 in the book. But, we have a winter run, we have a fall run
8 and we have the spring run of steelhead. And, it's not
9 utilized in the winter because you can't get out in the
10 snow and stuff like that; but the springtime is when they
11 usually get the steelhead, along with the sockeye and the
12 kings.

13

14 CHAIRMAN THOMAS: Did you say that at one
15 time there was a hook and release fishery but there was no
16 provision for subsistence use?

17

18 MR. MALONEY: This is right. The hook and
19 release was where the -- I call them tourists, or pilgrims,
20 or whatever you call them that in there to fish. And it
21 still is hook release. I think it's one fish a day. You
22 could correct me (indiscernible) -- one fish a season I
23 should say over 40 inches, or something like that. So, the
24 steelhead fishermen in the Yakutat area are true
25 sportfishermen; and they just hook and release. I realize
26 that the runs are getting strong; and maybe if we bring it
27 back to the town, we can increase the 300 to 500, maybe,
28 per season. But, I'd like to see it done before the tribe
29 and the city again.

30

31 CHAIRMAN THOMAS: Okay. Any questions for
32 Mr. Maloney?

33

34 MR. ADAMS: Mr. Chairman?

35

36 CHAIRMAN THOMAS: Yeah, Bert?

37

38 MR. ADAMS: Tom, when you were doing your
39 survey of various people in the community, how many people
40 were native people?

41

42 MR. MALONEY: Most all of them. Most of
43 them, Bert, were native people. I took the gillnetters
44 along the river down there and talked to them. I cannot
45 tell you exactly how many, but I would say that I talked to
46 at least 50 people there in the Yakutat area.

47

48 MR. ADAMS: Thank you.

49

CHAIRMAN THOMAS: Further questions?

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1 MR. MALONEY: And, also, one of the people
2 that did show up was a native, George Boegler (ph), and he
3 was at the sobriety meeting that was there and he was
4 opposed to this.

5
6 CHAIRMAN THOMAS: Okay. Patti?
7

8 MS. PHILLIPS: Were you saying that some of
9 the subsistence fish are caught by set netters that
10 distribute their steelhead catch?

11
12 MR. MALONEY: Yeah. A lot of the steelhead
13 are caught, you know, when the subsistence fishery is
14 taking place. When the subsistence opens up in the Situk
15 River and in the bay -- the marine waters of Yakutat before
16 the sockeye come in -- they're primary after the king, and
17 they do fairly well on that. Then, when the sockeye come
18 in, about the 1st of June, I guess -- the season opens the
19 second week in July. I'm not a net fisherman, so I think
20 that's good to say. It's the second week, isn't it, in
21 July? From the 1st of June on, they're catching sockeye
22 for subsistence and steelhead, if they want.

23
24 CHAIRMAN THOMAS: Further questions?
25

26 (No audible responses)
27

28 CHAIRMAN THOMAS: Thank you.
29

30 MR. MALONEY: Thank you.
31

32 CHAIRMAN THOMAS: Further public comment?
33 Okay, we'll now bring it to the Board. At this point, it
34 is the property of the Advisory Council. What's the wish
35 of the Council?

36
37 MR. MARTIN: Mr. Chairman?

38
39 CHAIRMAN THOMAS: Harold.
40

41 MR. MARTIN: A question for Bert: Bert,
42 what is your view on the use of steelhead subsistence
43 resource by the local people in Yakutat?
44

45 MR. ADAMS: Mr. Chairman: Mr. Maloney
46 described, you know, pretty well the use of steelhead as a
47 subsistence resource in that area. When the 300 limit, or
48 cap, was designated as a subsistence resource, I think it
49 was in 1998, there was literally hardly any people direct

50 fishing for steelhead. When that regulation came into

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1 being, nothing changed. I'm a set net fisherman myself;
2 and, you know, I catch a lot of steelhead and I try to
3 release them if they're still in pretty good shape. Other
4 than that, I have been successfully leading the way. And,
5 so, I just take a little longer with my other catches and
6 process them right.

7

8 MR. MARTIN: So you agree with Mr. Maloney
9 on sending the proposal back to the community?

10

11 MR. ADAMS: And for the main reason is that
12 this has never been brought before the Tribal Council. I,
13 like Mr. Maloney, received this proposal a few days before
14 I came out here. I had a meeting with Mr. Vale. He came
15 and visited with me for a while and tried to explain his
16 reasoning for submitting the proposal, and he literally
17 told me that it should be a Federal subsistence permit, not
18 necessarily to replace the existing State regulation. And
19 I kind of told him: I says, we do management here, and I
20 don't think would be proper for me to cut it back,
21 something else in that regard. The thought was a good
22 idea, but I didn't think we ought to support it as it was
23 written by his hand. However, you know, the staff
24 recommendation seems to fit pretty well with the regulation
25 at this time.

26

27 CHAIRMAN THOMAS: Mr. Maloney?

28

29 MR. MALONEY: Mr. Chairman, I just advocate
30 (indiscernible - away from microphone) and everybody said
31 they'd like to have it stay under State (indiscernible).

32

33 Thank you.

34

35 CHAIRMAN THOMAS: For the information of
36 the audience and for information for members of the
37 Council, ANILCA defines jurisdiction of Federal management
38 areas; and it's fairly well-defined on where that
39 management area ends. And, for this Council not to make an
40 attempt to keep that regulation intact, but have it under
41 the auspices of the Federal government, I think we'd be
42 derelict of our duties. That's my feeling. And, if we
43 don't do that now, that leaves us postured for a problem in
44 the future. Not that it will happen, but we'll be postured
45 for that to occur. I have no argument with existing
46 regulations. I have no argument with historical use of the
47 resource. What we're viewing is new legislation, and we
48 represent that legislation. So, I just want to advise
49 Council.

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1 Dolly?

2

3 MS. GARZA: Well, I have utmost respect for
4 John Vale. He served on this Council for a number of
5 years, and he served Yakutat quite well. And he is an
6 adamant subsistence advocate. And there may be some
7 confusion in this proposal. However, I would bet that his
8 heart is in the right place and his intent is in the right
9 place. In trying to look at the facts, as well as the
10 documents in here, one of the points that I see that he's
11 trying to make is that the five fish a day is not enough;
12 and, although there may be few people who are getting that
13 permit, it could be because it's not worth going for five
14 fish. If you had me running out to God knows where for
15 only five sockeye a day, as opposed to 10, it wouldn't be
16 worth it. Even then, we have to add people up so we can
17 make the 10 fish a day, 40 fish a day, so we have enough
18 people to pay for the gas and make it worth our trip. So,
19 that's one of the issues I see.

20

21 The other issue I see is that although steelhead
22 may not be the preferred species, I have no doubt that it
23 is preferred by some people there because I remember in
24 Yakutat hearing from a number of the residents that they
25 had concerns that there were so many sport people there
26 that they couldn't get out and fish. While you can get
27 those steelhead in the net fisheries, that is not the same
28 as going and getting them in the river yourself. There may
29 be people there that don't have the skiffs or don't have
30 the nets to go out and get them incidentally in the kind
31 and the red fishery and would like to take themselves
32 and/or their family to the river and fish. So, I think
33 that you're right. I mean, it is our obligation to make
34 sure those types of opportunities are met; and I think that
35 that is what John is trying to do. And it may not have
36 been his intention to exclude net fisheries or to change
37 what salmon or trout fishing would look like; but I think
38 that his intent was to make sure that the subsistence needs
39 could be met should there be people there who choose to
40 fish in that manner.

41

42 CHAIRMAN THOMAS: Thank you. Bert, as a
43 member of this Council, your responsibility is to the
44 legislation that made this Council possible. The position
45 that you've taken earlier does not do that. So, I'm just
46 offering that as a reminder. And, if we continue to do
47 that as a Council, ultimately that will make the Council
48 counterproductive and all the negative things that can
49 accompany this. So, I just want to offer that as a

50 friendly reminder.

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1 MR. ADAMS: Thank you, Mr. Chairman. In
2 response to your comment, Mr. Chairman, I would remind you
3 that I would accept the staff recommendation and that
4 pretty much, you know, falls in line with the present
5 regulation that it states in this book here that you may
6 taken salmon and steelhead trout from the Situk and
7 Ahrnklin Rivers and other trout and char only with a
8 subsistence permit. And that's exactly, you know, what I
9 think John was trying to address us here with.

10

11 The thing that we had a problem with in his
12 proposal, you know, was that it was by rod and reel only.

13

14 CHAIRMAN THOMAS: Okay, I agree with that.

15

16 MR. ADAMS: Okay? So, the staff has
17 rewritten the proposal and that's the one that I sanction
18 at this point.

19

20 CHAIRMAN THOMAS: Point of order: If we
21 adopted that now as it's written, that would appear that
22 way in the Federal regs?

23

24 MR. LITTLEFIELD: Page 145, Mr. Chairman,
25 is that it?

26

27 MR. CLARK: Page 145 at the top of the
28 page.

29

30 MR. ADAMS: And, Mr. Chairman, as an
31 afterthought: that would not change the present
32 regulation, as I understand it. It would still be.....

33

34 CHAIRMAN THOMAS: No, I realize that.

35

36 MR. ADAMS: Okay.

37

38 CHAIRMAN THOMAS: I realize that, yeah.
39 But, this would be reflected as a Federal subsistence reg.

40

41 MR. CLARK: Right, and there would be a
42 permit.

43

44 CHAIRMAN THOMAS: Okay, I just wanted that
45 cleared. Like I said, I have no bone of contention with
46 anything existing. It's just that I want to make sure that
47 this falls under the management of Federal regulations,
48 even though they could mirror a Department regulation. I
49 got no problem with that, as long as it's in our book.

00354

1 MR. CLARK: It's Federal regulations.

2

3 CHAIRMAN THOMAS: Okay.

4

5 MR. CASIPIT: Mr. Chairman?

6

7 CHAIRMAN THOMAS: Yeah. Cal?

8

9 MR. CASIPIT: A little point of a
10 clarification here: Fred was right that this is basically
11 the same regulation that is under State regulation. It
12 would be managed under a State subsistence permit until the
13 Federal daily harvest limit changed from the existing State
14 harvest limit, and we don't have a proposal before us that
15 does that yet. You see what I'm saying?

16

17 CHAIRMAN THOMAS: Okay, now tell me in a
18 language that Bill Thomas can understand. Bill? Us Bills
19 talk the same language.

20

21 MR. KNAUER: Well, I hope you can
22 understand me this morning. I apologize for not being here
23 last night. The regulations, however they're put in, would
24 be Federal regulations. However, to avoid undue
25 bureaucratic paperwork for the subsistence user, it would
26 be one permit. Now, if you look at the Wildlife
27 regulations, in many places that permit is a State permit,
28 because it made no sense to add an additional layer for the
29 subsistence user to get an additional permit or to replace
30 one that was working well. Currently, it's still Federal
31 regulation even though we use the same permit.

32

33 Currently, you heard Pete talk about the
34 coordination between the State and Federal managers that's
35 going on. One of the protocols that's being discussed is
36 whether or not the State permits will suffice. And, if
37 there are differences in a particular area between State
38 and Federal regulations, whether the State permit can still
39 be used with the differences that might be from the Federal
40 program stated on it so the subsistence user doesn't have
41 to trouble him or herself going and getting something
42 different.

43

44 CHAIRMAN THOMAS: I don't have a problem
45 with that, so long as down the road we don't get a
46 complaint from users saying that there's some confusion
47 about the permitting. You know, I agree with the permit
48 system that's proposed -- to continue with the State permit
49 system. But, somewhere on there it should be identified as

50 a qualifier for that, even if it's just a sticker that goes

00355

1 on there. Not everybody is as dense as I am. I understand
2 that. But, if I were a user in that area, I would like to
3 see something like that.

4

5 MR. KNAUER: That's what the protocol is
6 working on, is to see how they can manage so that there's
7 one permit system that puts all of the harvest situation
8 into one bucket so that everybody has got good information
9 and to avoid duplication, also.

10

11 CHAIRMAN THOMAS: How come he didn't say
12 that? Thank you.

13

14 MR. KNAUER: He's a biologist, not a
15 regulation person.

16

17 CHAIRMAN THOMAS: I suppose. Further
18 comments from the Council? I want to know where Butch is.

19

20 MR. CLARK: Butch went back to Ketchikan,
21 and do did Mary.

22

23 CHAIRMAN THOMAS: Okay. I didn't miss
24 Mary.

25

26 MR. MARTIN: Mr. Chairman?

27

28 CHAIRMAN THOMAS: Harold.

29

30 MR. MARTIN: Staff: Does Yakutat have C&T
31 determinations for steelhead?

32

33 (No audible responses)

34

35 MR. MARTIN: The proposal also asks that
36 the cap and bag limits be lifted. It says: removing the
37 cap and bag limit would allow subsistence users to harvest
38 according to their needs. That goes back to Dolly's
39 concern that no one likes to go a long distance for five
40 fish a day. Also, it says the State system is not
41 compatible with Title VIII of ANILCA, was Bill's concern.
42 He says a Federal permit would be.

43

44 CHAIRMAN THOMAS: Okay.

45

46 MR. CLARK: Are you done?

47

48 MR. MARTIN: Yeah.

49

MR. CLARK: Mr. Chairman?

00356

1 CHAIRMAN THOMAS: Yeah?

2

3 MR. CLARK: I'd like to answer the question
4 if I may.

5

6 CHAIRMAN THOMAS: Okay.

7

8 MR. CLARK: Or, at least, part of it. The
9 answer to the first part is the customary and traditional
10 use determination for the Situk.....

11

12 CHAIRMAN THOMAS: Situk is better.

13

14 MR. CLARK:Situk, Situk: The
15 residents of the area, east of Yakutat Bay, including the
16 islands within Yakutat Bay west of the Situk River
17 drainage, and south of and including Knight Island -- so,
18 that's essentially the Yakutat area -- may take Dolly
19 Varden, steelhead trout and smelt for customary and
20 traditional uses in freshwater, upstream, from the terminus
21 of streams and rivers of the Yakutat area from the Dome
22 River to Point Manby. So, you need a map to figure that
23 one out.

24

25 CHAIRMAN THOMAS: Okay, let's get this in
26 an action mode. That Chair is now entertaining a motion.
27 What do you want to do with this? John?

28

29 MR. LITTLEFIELD: Mr. Chairman, I'll make
30 the motion. On the language on page 145, I make a motion
31 that we adopt paragraph (a) at the top of the page. In
32 addition to paragraph (a), at the end of the last sentence,
33 I would like to make sure that we include the last
34 paragraph on page 144: If this permit were recommended,
35 staff would additionally recommend increased monitoring of
36 steelhead. I want to make sure that that is recognized in
37 the motion.

38

39 CHAIRMAN THOMAS: Everybody understand the
40 motion?

41

42 MS. GARZA: No.

43

44 CHAIRMAN THOMAS: Okay.

45

46 MS. GARZA: We were flipping pages, so say
47 it all over again.

48

49 MR. LITTLEFIELD: Okay. The motion is

50 paragraph (a) at the top of page 145, and I want to make

00357

1 sure that the intent is to include the last paragraph of
2 page 144 requiring additional monitoring and escapement.

3

4 MS. GARZA: Second.

5

6 CHAIRMAN THOMAS: Moved and second.

7 Discussion? Fred?

8

9 MR. CLARK: I'd just like some
10 clarification, John. That paragraph that you're referring
11 to says that if a Federal permit were recommended, so are
12 you.....

13

14 MR. LITTLEFIELD: If any permit.

15

16 MR. CLARK: If any permit.

17

18 MR. LITTLEFIELD: If I can answer that: I
19 think that we've been trying to make clear that we want
20 more information on all of these proposals and, hopefully,
21 I think that's becoming clear. That's my intent.

22

23 MR. CLARK: Thank you.

24

25 MR. LITTLEFIELD: Need for info.

26

27 CHAIRMAN THOMAS: Now, has the language of
28 the motion changed any?

29

30 UNIDENTIFIED VOICE: No, it just needs more
31 info.

32

33 CHAIRMAN THOMAS: Dolly?

34

35 MS. GARZA: Okay, so the question I have on
36 the italic portion where it says you may take steelhead
37 trout in the Situk and -- how do you say that, Ahrnklin?

38

39 CHAIRMAN THOMAS: Ahrnklin.

40

41 MS. GARZA: Ahrnklin Rivers only under the
42 authority of a subsistence fishing permit. So, does that
43 imply that there will be no sport take, or is there no
44 sport take on those?

45

46 CHAIRMAN THOMAS: Oops.

47

48 MS. WILSON: What was your question, Dolly?

49

MS. GARZA: I don't know if they're trying

00358

1 quietly to kick out a bunch of sport people.

2

3 CHAIRMAN THOMAS: They might take some of
4 that trout. The Situk and Ahrnklin Rivers only under
5 authority of a subsistence fishing permit. Well, this is
6 addressing a subsistence duty fee. And other user groups
7 have their regs as well. And, I don't see any conflict.
8 Cal, is that true? You couldn't have said it better
9 yourself.

10

11 MR. CASIPIT: Yes, sir.

12

13 MR. MARTIN: Question.

14

15 CHAIRMAN THOMAS: Question was called. All
16 those in favor say aye?

17

18 IN UNISON: Aye.

19

20 CHAIRMAN THOMAS: All those in favor say
21 aye.

22

23 IN UNISON: Aye.

24

25 CHAIRMAN THOMAS: Those opposed?

26

27 (No opposing responses)

28

29 CHAIRMAN THOMAS: Motion carries. That
30 concludes our proposals. We will need to revisit, which
31 one, Dolly, 34?

32

33 MS. GARZA: Thirty-four.

34

35 CHAIRMAN THOMAS: Thirty-four.

36

37 MR. CLARK: Twenty-four.

38

39 MS. GARZA: Twenty-four.

40

41 CHAIRMAN THOMAS: Twenty-four. Let's go
42 back to 24. What was our action on 24 yesterday?

43

44 MR. LITTLEFIELD: I make a motion to take
45 it off the table.

46

47 CHAIRMAN THOMAS: Motion to take it off the
48 table.

49

MR. MARTIN: Second.

00359

1 CHAIRMAN THOMAS: Okay, everybody throw
2 their proposal on the floor.

3
4 MS. WILSON: What page is it on?

5
6 CHAIRMAN THOMAS: I've got to find it, too.

7
8 (Simultaneous speech - re: page number)

9
10 MR. KOOKESH: She's testing you.

11
12 CHAIRMAN THOMAS: Okay.

13
14 MS. GARZA: Mr. Chairman?

15
16 CHAIRMAN THOMAS: Madam Haida Princess,
17 Vice-Chair, Dr. Garza.

18
19 MS. GARZA: Okay, you've said enough. It
20 is my intention to not bring the proposal off the table at
21 the request of Klawock. However, we have one member from
22 Klawock who would like to testify so that you understand
23 why we should not put it on the table, if that's okay?

24
25 CHAIRMAN THOMAS: Then, what we need to do
26 with that, then, is to take some action. Okay. Let's do
27 that first so that we're no discussing a proposal.

28
29 MS. GARZA: Okay.

30
31 CHAIRMAN THOMAS: Let's consider
32 entertaining the motion?

33
34 MS. GARZA: Do you want me to take no
35 action. I'll get up and go visit some of the elders and
36 come back in a couple of hours.

37
38 CHAIRMAN THOMAS: No, this is just for
39 housekeeping.

40
41 MS. GARZA: Okay.

42
43 CHAIRMAN THOMAS: Let's go through the
44 process like any other regulation. Mister Know-It-All,
45 would you introduce?

46
47 MR. CASIPIT: Thank you, Mr. Chairman. My
48 name is Calvin Casipit, subsistence staff biologist for the
49 Forest Service, Alaska Region. I'll reintroduce this

50 proposal. This proposal was proposed by -- actually, on

00360

1 the original proposal that we had, it was signed by the
2 Alaska Native Brotherhood and Alaska Native Sisterhood.
3 The actual individual that was on that letter, her name was
4 Fanny (ph) Hamlin (ph). She signed it: Fanny (ph) Hamlin
5 (ph) for ANB, ANS Camp 9. They would like to revise the
6 sockeye harvest regulations for Klawock River so that, from
7 July 7th through July 31st, you may take sockeye salmon in
8 the waters of Klawock River and Klawock Lake from 8:00 a.m.
9 Saturday until 5:00 p.m. Wednesday. This basically would
10 change that fishery from a weekday fishery essentially to a
11 weekend fishery.

12

13 Our staff recommendation is to support the
14 proposal, with modification, to allow for fishing for
15 sockeye salmon in the freshwater of Klawock River system by
16 Federal permit. The permit should include the following
17 provisions: From July 7th through July 31st, you may take
18 sockeye salmon in the waters of Klawock River and Klawock
19 Lake only from 8:00 a.m. Saturday until 5:00 p.m.
20 Wednesday. The daily harvest limit would be 10 fish per
21 day. In addition, we ask for an annual harvest limit of 20
22 fish per household as a conservation measure. Allowable
23 gear would include rod and reel and dipnet. Also, the use
24 of bait would not be allowed. We also would request
25 harvest reporting on the permit with the date, number of
26 fish retained, number of fish needed, gear used, and the
27 location of the harvest. We further recommend continuation
28 and expansion of the monitoring program already in place
29 for the Klawock River.

30

31 CHAIRMAN THOMAS: Okay. Questions for
32 staff?

33

34 (No audible responses)

35

36 CHAIRMAN THOMAS: Mark. At least come to
37 the table then you can hear yourself.

38

39 MR. STOPHA: Thank you. Mark Stopha. I'm
40 with Fish and Game. We concur with the staff analysis
41 (indiscernible - background noise).

42

43 CHAIRMAN THOMAS: Any questions of
44 Department? Thank you. Comments? Summary of written
45 public comments?

46

47 MR. CASIPIT: Mr. Chairman, with the
48 indulgence of the Council, I can handle that, since Fred is
49 on the phone trying to make arrangements for flights.

00361

1 CHAIRMAN THOMAS: Okay.

2

3 MS. GARZA: Mr. Chairman?

4

5 CHAIRMAN THOMAS: Dolly?

6

7 MS. GARZA: They're on page 60. They're
8 summarized: one for, one opposed, one amend.

9

10 CHAIRMAN THOMAS: If you would, Cal?

11

12 MR. CASIPIT: Mr. Chairman, we had one
13 additional written comment that hasn't made it into that
14 executive summary. The Eastern Prince of Wales Advisory
15 Committee opposes this proposal.

16

17 CHAIRMAN THOMAS: Okay. That's the summary
18 of the written comments. Public comments? I think
19 Mr. Martinez looks pretty public to me. (Tlinget)

20

21 MR. MARTINEZ: My name is James Martinez.
22 I'm the Chairman of the fisheries, and I wasn't aware that
23 they read a proposal for the river. I believe that what
24 they have in place now is from Monday at 8:00 a.m. to 5:00
25 p.m., Monday through Friday. I believe that at the time we
26 put it in to the State, the fish that escaped up to the
27 Klawock River was only 1,800. So, we put an emergency
28 proposal in; and it was accepted by the State at that time
29 to close the outside fishing from the 1st of July until the
30 15th of July. We asked them to do that for five years;
31 and, during that time, they closed the outside from the 1st
32 until the 15th. And, then, in the third year, or the
33 fourth year, they opened it up again. But, during that
34 three-year closure, the sockeye salmon picked up to about
35 14,000 on the third year. And, now, it's depleted back
36 down to nothing.

37

38 As you know, the outside fishing has taken over
39 227,000 sockeye inn the outside waters and some of the
40 sockeyes coming into Klawock Creek. So, I would like to
41 see this proposal shot down or tabled indefinitely. The
42 simple reason is that we don't have that much sockeye in
43 the creek now. As it is, the subsistence fishermen only
44 catch about one or one and a half percent of everything
45 that comes in there, the sockeye. So, when Fanny (ph)
46 Hamlin (ph) wrote this, I called the President of the ANB
47 and asked him if he wrote this proposal; and he said he
48 didn't. He said he is in favor of keeping it closed and
49 keeping it the way it is at the present time. My question

50 to the Board is: Do you guys have jurisdiction to closure

00362

1 of the commercial fishing? No.

2

3 CHAIRMAN THOMAS: Then how come you asked
4 us?

5

6 MR. MARTINEZ: Because she shook her head.
7 I don't know.

8

9 MS. GARZA: I answered him.

10

11 CHAIRMAN THOMAS: Oh, really? You guys got
12 signals going on?

13

14 MR. MARTINEZ: Yeah.

15

16 MS. GARZA: You said take no action, so I'm
17 using hand signals here.

18

19 CHAIRMAN THOMAS: Well, I was about to use
20 some, too.

21

22 MR. MARTINEZ: So, my recommendation as
23 Chairman of the fisheries is that this proposal does not
24 pass for the simple reason that the sockeye is depleted in
25 Klawock. But, I imagine, we would have to go back to the
26 State to get another closure on the outside fishing for the
27 while? Is that the way it goes.

28

29 CHAIRMAN THOMAS: Okay, speaking directly
30 to this proposal, does the Council have any questions or
31 Mr. Martinez?

32

33 (No audible responses)

34

35 CHAIRMAN THOMAS: We appreciate you taking
36 the time to come down. Don't leave, don't leave, I'm
37 giving you some atta-boys. Anytime we're dealing with
38 people's foods and people's needs, it's a very sensitive
39 issue. We respect that, and we want the people that we're
40 considering to know that they have our compassion, respect
41 and support. So, while we've had some levity with this
42 proposal, if you folks have any questions of Jim, please go
43 ahead and ask him; and I'm sure he'll do an admirable job
44 of responding.

45

46 MS. GARZA: Jimmy, I just want to thank you
47 for coming down last minute. I know you weren't contacted
48 last night, but we did need to hear from Klawock.

49

CHAIRMAN THOMAS: Can I ask who contacted

00363

1 you?

2

3 MR. MARTINEZ: No.

4

5 (Laughter)

6

7 CHAIRMAN THOMAS: Okay, any further public
8 comments? Bruce [sic]?

9

10 MR. SANDERSON: Yes, just a brief comment
11 here. After listening to.....

12

13 CHAIRMAN THOMAS: You got to tell us who
14 you are.

15

16 MR. SANDERSON: Got to talk into the
17 microphone.

18

19 CHAIRMAN THOMAS: You got to do an NBC.

20

21 MR. SANDERSON: I'm Robert Sanderson, a
22 member of the city of Hydaburg here, just listening to
23 Mr. Martinez speak on the sockeye run in Klawock Inlet.
24 I've noticed several things. For a long time there was
25 almost unrestriction for fishing outside coast. In Noyes
26 Island and the entire outer coast. And, right now, because
27 of the Canadian Treaty, we're down to three or four days
28 for a whole month; and I've noticed in the segment of the
29 head of them -- they have three separate segments -- a June
30 peak, a July peak and an August peak -- that the July runs
31 jumped up in the last few years because of the outside
32 fishery being severely restricted.

33

34 The word of mouth from the Fish and Game people,
35 they used to tell me that probably half of the salmon are
36 intercepted before they got here. If you look at the
37 statistics of the catches that were on the outside, it will
38 show that. Right now, there is still, normally, a heavy
39 fishery in August; but July has been way down. I think the
40 impact from now on is they do have a heavy August runs,
41 also.

42

43 But the Klawock runs -- getting back to Klawock --
44 and I listened to you yesterday -- I noticed a very low
45 level of fishing for the entire period of the normal run in
46 Klawock. Years back, that run used to run from the middle
47 of June to probably toward the end of July. You had to
48 shift it about eight or 10 days later in the last few
49 years; but we had, this year, a very low level, almost

50 nonexistent. And then we had a spike, like this, and then

00364

1 downhill again. They came in after the normal run had
2 showed up; and it's almost like a separate stock, in other
3 words. Listening yesterday, where they got 10,000 sockeye
4 late there -- an estimated 10,000 late -- I just kind of
5 have an idea it might be due to some enhancement where they
6 separated the stock and made a later portion of the run.
7 But, that's probably what (indiscernible that run, because
8 there's nothing there. I looked at people up there fishing
9 all day long for 10 or 12 fish, there's seines all over the
10 place -- nothing.

11

12 Later on, I guess. I don't know. I kind of missed
13 it yesterday with Mr. Peel (ph) (indiscernible) involved in
14 managing the head of (indiscernible). Later on, I might
15 comment if we have time.

16

17 Thank you.

18

19 CHAIRMAN THOMAS: Thank you. Further
20 public comments for Proposal 24? Jolene?

21

22 MS. EDENSHAW: You folks -- I'm sorry.
23 Jolene Edenshaw, Hydaburg. You haven't accepted this
24 proposal, right? Mr. Sanderson was informed you accepted.
25 I was just wondering. I sympathize with Klawock and what's
26 going on there, but the closure of Klawock -- what would
27 happen that's happening in our area right now, in Hetta and
28 Eek. We're going to be in their situation in a few years
29 because we're already feeling the impact of what's going on
30 up there down here. And the animosity between the villages
31 and what's happening, we're just going to have to take a
32 stronger stance. And what you said about sharing, we do
33 that. We'll continue to do that. But, to go into
34 somebody's back yard, you need permission. You don't just
35 do it. That's what we've been taught over the years.

36

37 And I sympathize with what's happening in Klawock;
38 but, if the proposal dies, what's going to happen to our
39 area? It's going to be hit hard. I know it. You've shut
40 down way up north on the island and, now, Klawock. What's
41 left? Our area. That's it. That's the only place that
42 will be open for subsistence fishing on this island, and
43 that's where it's going to be. We're going to be hit the
44 hardest if this happens.

45

46 Thank you.

47

48 CHAIRMAN THOMAS: Thank you. Dolly?

49

MS. GARZA: I guess as part of

00365

1 clarification, Jolene, if we don't accept the proposal,
2 there will still be fishing Monday to Friday. The intent
3 of the proposal was to allow for a Saturday fishery; and it
4 was our understanding that Klawock has never wanted a
5 weekend fishery to keep the Ketchikan people out.

6

7 MS. EDENSHAW: I agree with that, totally.
8 But, what's happening there is it's made it so bad that
9 even their own people don't go over there to fish because
10 of what's going on. They're coming here. Not all of them,
11 but there's a lot.

12

13 CHAIRMAN THOMAS: Additional public
14 comment? Vicki?

15

16 MS. LECORNU: Good morning.

17

18 CHAIRMAN THOMAS: Good morning.

19

20 CHAIRMAN THOMAS: My name is Vicki LeCornu.
21 I think I see three problems here. And Jolene mentioned
22 the last one really well, that we will be impacted. But,
23 what I don't see happening for the Klawock people: they
24 could have it all ways. They could have it open on
25 Saturday for the customary and traditional user. That
26 would disallow the Ketchikan residents from taking part in
27 their customary use of the area. And, so, I think we need
28 to look at who the customary users were and take out all
29 those other people that are not customary users, first.
30 So, there could be a number of things done to mitigate it.
31 Thank you.

32

33 CHAIRMAN THOMAS: Thank you. Further
34 public comment?

35

36 MR. DOUVILLE: Mr. Chairman.

37

38 CHAIRMAN THOMAS: Yes.

39

40 MR. DOUVILLE: May I make a comment?

41

42 CHAIRMAN THOMAS: Sure.

43

44 MR. DOUVILLE: This proposed regulation
45 changes the date somewhat, but it also includes the Klawock
46 River and the Klawock Lake. It doesn't say anything about
47 below the bridge. The State lottery remains the same.
48 This is just additional days open, and the opening of the
49 river and the lake, that has been closed for many years.

50 It has no effect on the present system that has been in

00366

1 place. I don't know if everybody understands that. So,
2 this proposal is asking that you open the river up and the
3 lake, which has been closed for a long time. So, even if
4 this was to happen, you'd still have a distance from the
5 bridge to the mouth of the river, wherever saltwater ends,
6 that would be closed. This is merely asking that the river
7 and the lake be opened and that the days change that you
8 can fish those particular places.

9

10 CHAIRMAN THOMAS: This is regarding fish
11 that escape.

12

13 MR. DOUVILLE: So, it has no effect on
14 what's existing today.

15

16 CHAIRMAN THOMAS: Thank you. Further
17 public comments? What action? What's the wish of the
18 Board?

19

20 MS. WILSON: Mr. Chairman, I would like to
21 ask or say something. It seems like the regulation that's
22 proposed here, it's the same amount of days but it includes
23 the weekend instead. It's the same amount of days. But,
24 is the lake also closed? Did somebody mention the lake was
25 closed?

26

27 CHAIRMAN THOMAS: They have to go outside.

28

29 MS. WILSON: And the river, too?

30

31 CHAIRMAN THOMAS: Yep.

32

33 MS. WILSON: Well, from the way people have
34 been talking, I thought that it was open.

35

36 CHAIRMAN THOMAS: No.

37

38 MS. WILSON: No. And no fishing on the
39 weekend because of outside fishermen.

40

41 MS. GARZA: Mr. Chairman?

42

43 CHAIRMAN THOMAS: Dolly?

44

45 MS. GARZA: You were listening to me,
46 Marilyn, and I keep getting mixed up. And that was what
47 Mike clarified is that the fishery that occurs is in State
48 waters. So, even if we pass this, which isn't on the table
49 yet, we would only be affecting the creek and the lake.

00367

1 CHAIRMAN THOMAS: What's the wish of the
2 Council? Do you have any wishes?

3
4 MR. LITTLEFIELD: Leave it where it lies.
5 That's my wish.

6
7 CHAIRMAN THOMAS: How are you going to do
8 that?

9
10 MR. LITTLEFIELD: Not say anything.

11
12 CHAIRMAN THOMAS: That doesn't work.

13
14 MS. GARZA: I'll move to take off the
15 table.

16
17 CHAIRMAN THOMAS: Okay. Move to take off
18 the table. Is there a second? Is there a second?

19
20 MR. STOKES: I'll second it.

21
22 CHAIRMAN THOMAS: Moved and second.

23
24 MS. GARZA: Non-debatable.

25
26 CHAIRMAN THOMAS: Non-debatable. Okay, we
27 have before us Proposal 24 for Council action or inaction.

28
29 MR. MARTIN: We haven't had a vote yet.

30
31 MS. GARZA: You have to vote to take it off
32 the table.

33
34 CHAIRMAN THOMAS: All those in favor say
35 aye.

36
37 IN UNISON: Aye.

38
39 CHAIRMAN THOMAS: All those in favor say
40 aye.

41
42 IN UNISON: Aye.

43
44 CHAIRMAN THOMAS: Okay. It doesn't sound
45 like the ayes have it.

46
47 MR. LITTLEFIELD: How about the nays?

48
49 CHAIRMAN THOMAS: It's off the table. We

50 have 24 before us.

00368

1 MR. LITTLEFIELD: Mr. Chair, I object and
2 ask for a division of hands.

3

4 CHAIRMAN THOMAS: A show of hands has been
5 asked. All those in favor of taking it off of the table
6 say aye?

7

8 UNIDENTIFIED VOICE: Aye.

9

10 MS. WILSON: I'm confused.

11

12 CHAIRMAN THOMAS: Okay. That fails. All
13 those opposed to taking it off the table? Okay.

14

15 (No audible responses)

16

17 CHAIRMAN THOMAS: Okay, so that concludes
18 our proposals. Discussions are now closed regarding
19 proposals. That takes us to another part of our agenda
20 after a two-minute coffee break.

21

22 (Off record)

23

24 (On record)

25

26 CHAIRMAN THOMAS: Okay, we're going to go
27 right into agency and travel reports. Is the Department
28 ready, willing, to go on first? You're first on the list
29 here. Under Tab E, number 10, agency and travel reports.

30

31 MR. BROOKOVER: Mr. Chairman, Tom Brookover
32 with Fish and Game. We're willing to go first. Our
33 presentation will be brief. We have no report specifically
34 prepared for the Council at this time. However, we will
35 have some summary comments under Item 14.

36

37 CHAIRMAN THOMAS: Before you get started,
38 for the next round of these, I would like you to confer
39 with Robert Schroeder on how to put a report together,
40 because Schroeder's reports have never lasted less than
41 seven hours each time he brought it to us. So, that's what
42 we're used to, a seven-hour report from the Department.

43

44 (Laughter)

45

46 MR. BROOKOVER: Mr. Chairman, if that's
47 what you prefer; that's what we'll do.

48

49 CHAIRMAN THOMAS: No, I don't prefer that.

50 (Indiscernible - laughter) Please, go ahead.

00369

1 MR. BROOKOVER: Again, we have no formal
2 presentation prepared. I will defer to Brian Davis with
3 the Subsistence Fish Division and also allow him the
4 opportunity, if he has anything prepared; but, as far as
5 the Sportfish Division, we do not. Again, we will have
6 some summary comments for the Council at the conclusion,
7 under number 14 on the agenda.

8
9 CHAIRMAN THOMAS: Tom, how about we try
10 this? Would it be okay with the people that we have left
11 that if questions -- just curiosities -- surface here, that
12 we can inquire and give you a chance to say, I'm not able
13 to respond at the time. Would that work, just for the sake
14 of dialogue? You don't have to.

15
16 MR. BROOKOVER: Mr. Chairman, that would
17 work for me. I'm open for questions if there is anything.

18
19 CHAIRMAN THOMAS: Anybody have any
20 questions of Department now that's been killing you up 'til
21 now? John?

22
23 MR. LITTLEFIELD: About a week and a half
24 ago, I asked for a coho permit in Sitka; and it was denied
25 based on no regulation. Now, this regulation is in and,
26 assuming it's accepted by the Board, that allows a coho
27 permit, how long do you anticipate that process taking to
28 develop that permit?

29
30 MR. BROOKOVER: Mr. Chair, Mr. Littlefield:
31 I'll defer to Federal staff on that, because the action you
32 took today was, as I understand it, a Federal regulation.
33 Since you took the action that you did, my understanding is
34 that the provision in Federal regulations that prohibits
35 federal staff from issuing subsistence has been.....

36
37 CHAIRMAN THOMAS: We'll relay that to Bill
38 Knauer when he gets back from the phone. He's on the phone
39 right now. Bill Knauer will have that information.

40
41 MR. LITTLEFIELD: That's Section 26 of the
42 State regs that we were talking about, isn't it? That's
43 what I'm talking about.

44
45 MR. CASIPIT: No, this is the paragraphs
46 that appear in Federal regulations.

47
48 MR. LITTLEFIELD: Okay. All right.

49

MR. CASIPIT: And we would have Federal

00370

1 permits in place by the next fishing season.

2

3 MR. LITTLEFIELD: Okay.

4

5 CHAIRMAN THOMAS: Okay. Thank you. That
6 was a tough one for (indiscernible). We'll excuse you.

7

8 MR. BROOKOVER: Thank you, Mr. Chairman.

9

10 CHAIRMAN THOMAS: Anybody else from the
11 Department have anything they'd like to offer? I don't
12 want to get in the habit of having to draft you, now.
13 Forest Service. Science Lab. Cal?

14

15 MR. CASIPIT: Mr. Chairman, with your
16 indulgence, there are no personnel here from the Forestry
17 Sciences Lab today.

18

19 MR. MARTIN: That's Schroeder, isn't it?

20

21 MR. CASIPIT: Yeah, that is Bob Schroeder.

22

23 CHAIRMAN THOMAS: Well, the Department
24 should be able to handle that.

25

26 MR. MARTIN: Just saved you seven hours.

27

28 CHAIRMAN THOMAS: Okay. I think we'll be
29 ready for a plane in about ten minutes.

30

31 MR. CLARK: No, you're not.

32

33 MS. GARZA: Mr. Chairman?

34

35 CHAIRMAN THOMAS: Dolly?

36

37 MS. GARZA: One of the things on the agenda
38 was the Migratory Bird Treaty. Is there anyone here to
39 speak on it? And, if not, Harold, can you tell me whether
40 or not we can get seagull eggs, now?

41

42 MR. MARTIN: Mr. Chairman.

43

44 CHAIRMAN THOMAS: Harold?

45

46 MR. MARTIN: Dolly, in response to your
47 question, we met late last summer at Girdwood and Anchorage
48 and put the draft bylaws together. It broke up the
49 management areas into, I think, seven management areas.

50 They lumped us in with the, I believe, Copper River and

00371

1 Cook Inlet, because we don't participate in spring hunts of
2 birds. But, yes, there is a provision in there that
3 legalized the harvest of seagull eggs, duck eggs and goose
4 eggs. However, you can't harvest in Glacier Bay. That's a
5 sacred cow.

6

7 CHAIRMAN THOMAS: Dolly?

8

9 MS. GARZA: Mr. Chairman, that was done
10 this spring. Has that been enacted into regulation?

11

12 MR. MARTIN: Not yet.

13

14 MS. GARZA: And do you know what kind of
15 time line we're looking at?

16

17 MR. MARTIN: No, I don't, Dolly. I'm no
18 longer on the Migratory Bird Working Group. You could get
19 in contact with Mimi Hogan who's heading this whole thing
20 up.

21

22 CHAIRMAN THOMAS: Fred?

23

24 MR. CLARK: I'd just point out that in your
25 briefing book there are a couple of pages on the amendments
26 to the Migratory Bird Treaty with Canada that lays out a
27 little bit about history, the gulls, and the functions of
28 the management bodies, which they've now decided how
29 they're going to do the management bodies, the current
30 status of those management bodies and the status of
31 adopting the legal regulations. Just briefly, the status
32 of adopting the legal regulations is that the goal is to
33 have those regulations written and published in 2001. The
34 regulations will be in effect in the spring of 2002. So,
35 it's down the road a little bit to do that.

36

37 MR. MARTIN: It took us 12 years to get
38 these amendments passed.

39

40 CHAIRMAN THOMAS: As time permits during
41 the course of the day, we can revisit some of these as
42 questions happen. But, we've got to think about the
43 moment.

44

45 MR. MARTIN: Moving right along.

46

47 CHAIRMAN THOMAS: Moving right along.

48 Fred?

49

MR. CLARK: I'd just like to let the

00372

1 Council know that Dr. Robert Schroeder will not be here to
2 give a seven hour briefing to the Council on these
3 activities at the Forest Science Lab.

4

5 CHAIRMAN THOMAS: There wasn't enough time
6 in the weekend anyway, Fred.

7

8 MR. CLARK: I do that he's been working
9 diligently, at least on the traditional knowledge studies,
10 that we're funding at the recommendation of this Council.

11

12 CHAIRMAN THOMAS: Okay, anything else? We
13 can't nothing on the Forestry Lab. How about Park Service.
14 Are they here?

15

16 MR. CLARK: There are no representatives
17 from the Park Service here, Mr. Chairman.

18

19 CHAIRMAN THOMAS: How about tribes?

20

21 MS. GARZA: Wait. I have a question on
22 Park Service.

23

24 CHAIRMAN THOMAS: Okay.

25

26 MS. GARZA: And this is for Yakutat. I
27 have been contacted by George Ramos who's on the Alaska Sea
28 Otter/Sea Lion Commission, as well as Elaine Abraham.
29 There's several big issues in Yakutat, but one of them is
30 the potential listing of one area as a sea lion haul-out
31 site and the potential impact that that will have on the
32 ability for people to continue to put up tent sites in
33 traditional fishing areas. Have you seen that report,
34 Bert?

35

36 MR. ADAMS: (No audible response)

37

38 MS. GARZA: George brought it to us; and
39 the study, I think, was done in '98. And I had gotten some
40 information from the Park Service, but I'm still quite
41 ambiguous about it; and I think it's something that Yakutat
42 needs to be concerned about. It is on the Web, but I'll
43 send you a copy of it.

44

45 MR. ADAMS: Okay. Thank you.

46

47 MS. GARZA: And I think that we should try
48 and get somebody at the next meeting to talk about, because
49 Stellar sea lions are becoming such an issue that it will

50 start affecting subsistence uses. And the current position

00373

1 is: Well, it's not going to affect, you know, the
2 campsites that are in existence. But, it's been able to
3 affect major product fisheries and major commercial
4 fishermen. And, if it gets down to it, it may easily affect
5 you guys and you may not know that it's coming. It was a
6 Park Service report.

7

8 CHAIRMAN THOMAS: Thank you, Dolly.
9 Tribes?

10

11 (No audible response)

12

13 CHAIRMAN THOMAS: Give me a "T." Give me
14 an "R." Nothing from regional tribes?

15

16 (No audible responses)

17

18 CHAIRMAN THOMAS: Department Genetics?
19 Ditto that report?

20

21 MR. CLARK: Ditto.

22

23 CHAIRMAN THOMAS: Okay. That completes Tab
24 E. With the indulgence of the Council, I would like to go
25 back to some housekeeping work. We've had some request to
26 consider resolutions and this kind of thing from Hydaburg,
27 and I'd like to receive your guidance on how we should
28 respond to those. We'll take a short break so that people
29 can get these resolutions before them. Dolly?

30

31 MS. GARZA: Okay. There's a couple of
32 resolutions that, actually, the Council is requesting and
33 we might want to consider those before, because I don't
34 think they'll take as long.

35

36 CHAIRMAN THOMAS: Please give the Chair
37 some guidance.

38

39 MR. LITTLEFIELD: Mr. Chairman?

40

41 CHAIRMAN THOMAS: John?

42

43 MR. LITTLEFIELD: I have copies of ADF&G
44 Proposals 273 and 274 that I've distributed to all the
45 Board members; and I would like to have this Board take a
46 position on those, affirming those. Two seventy-three is
47 to tighten up the language on freshwater salmon guides.
48 Two seventy-four, basically, would require all salmon
49 gillnet fishermen to take all their fish and, also, stop

50 them from hydrating fish -- taking fish to the smokehouses,

00374

1 so we can get better data. I would think we would be in
2 favor of those type of actions. And I would hope the
3 Council would consider them. Would you like it in a
4 Motion?

5

6 MS. GARZA: One at a time.

7

8 MR. LITTLEFIELD: Mr. Chairman, I'd like to
9 make a motion that the Board indicate its support to the
10 Alaska Board of Fishery, affirmative, in Proposal 273.

11

12 MS. GARZA: Second.

13

14 CHAIRMAN THOMAS: Moved and second.

15 Discussion?

16

17 MS. WILSON: I need more, Mr. Chairman. I
18 need more explanation than what he just said.

19

20 CHAIRMAN THOMAS: John?

21

22 MR. LITTLEFIELD: Mr. Chairman, 273 is
23 basically at the bottom of page 184 and then continues on
24 to the top of 185. And this is kind of a housekeeping
25 measure, as I see it, to replace the word salt with fresh,
26 and marine with fresh, so that the saltwater charter vessel
27 logbooks that are currently done would also have to be done
28 on freshwater so that we would get that information. At
29 least that's the way I read it. Maybe there is some other
30 information on that available from ADF&G or someone?

31

32 UNIDENTIFIED VOICE: Which proposal?

33

34 MR. LITTLEFIELD: Proposal 273 is on the
35 floor right now.

36

37 MR. BROOKOVER: Mr. Chairman, Mr.
38 Littlefield: I'm sorry. I'm at somewhat of a loss. I
39 don't have a copy of the proposal and I'm not familiar with
40 it.

41

42 CHAIRMAN THOMAS: I don't read them anyway.
43 Two seventy-three, we're on the specifics now?

44

45 MR. LITTLEFIELD: Proposal 273. It's on
46 the bottom of page 184.

47

48 MR. BROOKOVER: Mr. Council, Mr.
49 Littlefield: Just after a real quick review of the

50 proposal, it appears to me that the intent of the proposal

00375

1 is to establish a freshwater reporting requirement similar
2 to the saltwater logbook reporting requirement in place.
3 Now, that's just the first glance at that; but that appears
4 to be the case to me.

5

6 MR. LITTLEFIELD: Marilyn?

7

8 MS. WILSON: Yes, thank you.

9

10 MR. LITTLEFIELD: That's the way I read it,
11 too. I didn't see anything hidden in there. Dolly is good
12 at catching that stuff, though.

13

14 MS. GARZA: Well, the only question I had
15 was whether or not it eliminated marine, or if it was in
16 addition to.

17

18 MR. LITTLEFIELD: No.

19

20 MS. GARZA: Because it says replace.
21 That's a new regulation, okay. I see that.

22

23 MR. LITTLEFIELD: A new regulation,
24 identical.

25

26 MS. GARZA: What is that from?

27

28 MR. LITTLEFIELD: That's Dick's hearing
29 aid.

30

31 UNIDENTIFIED VOICE: He doesn't listen to
32 us.

33

34 MS. GARZA: He doesn't hear it.

35

36 CHAIRMAN THOMAS: You have to wear this. I
37 didn't think it was funny at all.

38

39 MR. STOKES: You hurt me deeply, Mr.
40 Chairman.

41

42 CHAIRMAN THOMAS: No, no, no, I mean they're
43 blocking your -- what do you call that thing?

44

45 MS. WILSON: We're laughing with him.

46

47 CHAIRMAN THOMAS: No, they're not. You're
48 laughing at him.

49

MS. GARZA: I call for the question on the

00376

1 motion.

2

3 CHAIRMAN THOMAS: Question was called. All
4 those in favor say aye.

5

6 IN UNISON: Aye.

7

8 CHAIRMAN THOMAS: Those opposed?

9

10 (No opposing responses)

11

12 CHAIRMAN THOMAS: Motion carries. John?

13

14 MR. LITTLEFIELD: Mr. Chairman, I'd like to
15 offer the same adoption language on Proposal 274.

16

17 CHAIRMAN THOMAS: Okay, 274 is essentially
18 the same. Is there a second?

19

20 MR. MARTIN: Second.

21

22 CHAIRMAN THOMAS: Discussion?

23

24 MR. LITTLEFIELD: Mr. Chairman?

25

26 CHAIRMAN THOMAS: John?

27

28 MR. LITTLEFIELD: The way I read this, and
29 maybe we could ADF&G's comments because they were the
30 proposer -- to make sure everybody's clear -- salmon
31 gillnetters, in my knowledge, have been throwing a lot of
32 fish overboard. It especially happens in hatchery terminal
33 areas, but it also happens in other areas. I also know
34 they hydrate cohos, take those to the smokers, perhaps, and
35 we're not getting good data. That robs us of good data;
36 and it robs the communities of fish tax, everything. So, I
37 think that everybody would be in favor of this.

38

39 MS. GARZA: So you move to support Proposal
40 274?

41

42 MR. LITTLEFIELD: Yes, ma'am.

43

44 MS. GARZA: I'll second that motion.

45

46 CHAIRMAN THOMAS: It's been seconded
47 already.

48

49 MS. GARZA: Oh, okay.

00377

1 CHAIRMAN THOMAS: Discussion?

2

3 MS. GARZA: Oh, okay.

4

5 MR. MARTIN: Mr. Chairman, how are we
6 supporting it? By letter or resolution?

7

8 MR. LITTLEFIELD: Whatever is customary and
9 traditional of the court. I'm a newbie [sic].

10

11 CHAIRMAN THOMAS: We will seek advice from
12 our legal counsel, on the end over there, after it's all
13 done. We'll take our actions first and ask for help later.

14

15 MR. MARTIN: Thank you.

16

17 CHAIRMAN THOMAS: That sound fair?

18

19 MR. CLARK: Absolutely. There are a number
20 of different methods you could use: a letter from the
21 Chairman, any of that would work.

22

23 CHAIRMAN THOMAS: Okay. Further
24 discussion?

25

26 MS. GARZA: Call for the question.

27

28 CHAIRMAN THOMAS: Question has been called.
29 All those in favor say aye.

30

31 IN UNISON: Aye.

32

33 CHAIRMAN THOMAS: Those opposed?

34

35 (No opposing responses)

36

37 CHAIRMAN THOMAS: Motion carries.

38

39 CHAIRMAN THOMAS: When we get through this
40 point, I'm sure that the staff will be willing to help us
41 use the most appropriate approach in getting the optimum
42 results. Okay, anything else in housekeeping?

43

44 MR. KOOKESH: Do we need to act on 272?

45

46 MS. GARZA: Mr. Chairman?

47

48 MR. ADAMS: Under proposals?

49

MR. KOOKESH: Two seventy-two?

00378

1 CHAIRMAN THOMAS: We're done with
2 proposals, I thought.

3
4 MR. ADAMS: We're down to new business?

5
6 CHAIRMAN THOMAS: We're in --

7
8 MS. GARZA: Housekeeping.

9
10 CHAIRMAN THOMAS: Yeah, we're between E and
11 F.

12
13 MR. CLARK: Chapter E, Sub 1.

14
15 MS. GARZA: Mr. Chairman?

16
17 CHAIRMAN THOMAS: Dolly?

18
19 MS. GARZA: In terms of housekeeping, one
20 of the prompts that we kept getting last night when we were
21 going through the proposals was the need to establish
22 Federal fishery subsistence permits.

23
24 MR. CLARK: Mr. Chairman?

25
26 CHAIRMAN THOMAS: Fred?

27
28 MR. CLARK: The majority of the staff
29 recommendations included the idea that, in some cases,
30 there may need to be Federal subsistence permits; and the
31 Council's never really talked about that. So, what I was
32 suggesting: that, perhaps, the Council would like to bring
33 up the idea and talk about when you think a Federal permit
34 should be required as opposed to a State permit. We've
35 seen, in some places, where the Council has supported, even
36 in just the last day or two, having a Federal permit. In
37 other cases, the Council has talked about where it is
38 beneficial in some cases to have a State permit so
39 subsistence users can do one-stop shopping and not one-shop
40 stopping.

41
42 CHAIRMAN THOMAS: John?

43
44 MR. LITTLEFIELD: Mr. Chairman, directing
45 this to Fred: I think it would be obvious that we have to
46 prepare coho and chinook subsistence permits, because there
47 are none. For one, I need we think to prepare those as
48 soon as possible.

49

CHAIRMAN THOMAS: Further comment? Dolly?

00379

1 MS. GARZA: I'm not sure if the guidance is
2 to send a policy or a statement to Federal subsistence
3 requesting subsistence fishery permits, or if we would do
4 it proposal by proposal; but is has always been one of my
5 soapboxes that we should have separate subsistence
6 proposals. This came from the State subsistence days when
7 you would get someone up and say, well I represent all of
8 the sport fishermen in the state of Alaska, and there are
9 blah, blah number of them; and it included all of us
10 because we had to get a sport license in order to get cohos
11 or kings or whatever. And so, I think, you know, just from
12 a policy perspective, I really support that.

13
14 In terms of the logistics, although there are
15 probably some Natives who'd probably get really mad at me,
16 but I think in the long run it would be better off if we
17 can separate out so we have a feel for what the subsistence
18 harvests are. Not that we need to keep track of ourselves,
19 but it demonstrates how important it is.

20
21 CHAIRMAN THOMAS: I said the same thing,
22 only in somewhat different terms earlier, but I do concur
23 with that and I don't know if you've got anybody that
24 disputes that. I think we should take every opportunity to
25 update ourselves in making sure regulations and anything to
26 do with subsistence users are incorporated into the
27 language of any of our Federal management documents.

28
29 MR. CLARK: Mr. Chairman.

30
31 CHAIRMAN THOMAS: Fred.

32
33 MR. CLARK: Often what we are used to is
34 all of the requirements and stuff being published in our
35 booklets, the Federal regulations booklets. In a permit
36 system, often those requirements are on the permit rather
37 than in the book. I suppose we have the option to do both.
38 One thing that I'm a little concerned about is the
39 situation where we request a permit, but the Council
40 doesn't delineate what they would like to see on the permit
41 as the restrictions, or the requirements, on the permit.
42 So, I think we (indiscernible - simultaneous speech)

43
44 CHAIRMAN THOMAS: We'd want a blanket
45 permit. John.

46
47 MR. CLARK: It's just a concern. I just
48 wanted to let you know.

49

CHAIRMAN THOMAS: We're indigenous people.

00380

1 We don't want that identified, everything that we use, even
2 little chickens.

3

4 Dolly, you look like you're right on the verge of
5 something.

6

7 MS. GARZA: Well, I understand Fred's
8 concern, because if we say we want a permit system and then
9 it gets developed by administrative people, it could look
10 far more restricted than what we were thinking of. So, I
11 don't know if we would want to have some type of a
12 committee or have some type of communication so that if it
13 does get developed -- as it is developed -- we have the
14 opportunity to comment, meaningfully comment.

15

16 CHAIRMAN THOMAS: Would you like to offer
17 that under advisement now and consider it after you've had
18 some time to give it some thought? Or do you think that it
19 would be more prudent to do something now for a kick start?
20 A jump start? A push start?

21

22 MS. GARZA: Are there subsistence permit
23 processes developed in other regions? Are we just like
24 five steps behind?

25

26 CHAIRMAN THOMAS: Doesn't the Seward
27 Peninsula have such permits?

28

29 MR. CLARK: Mr. Chairman, I'm not that
30 familiar with the permitting systems in other regions.
31 However, you recall that Bill Knauer made a statement
32 earlier that with the State MOU negotiations that are going
33 on now, that the topic of permits is coming up on a regular
34 basis. So, they're in the policy-making stage right now,
35 the Federal Subsistence Board.

36

37 CHAIRMAN THOMAS: What's the status? Is
38 that a MOU or an MOA?

39

40 MR. CLARK: It's up to you to decide that,
41 Bill. You're the master of ambiguity in the English
42 language.

43

44 CHAIRMAN THOMAS: But, you made a reference
45 to MOU. You rest your case?

46

47 MR. CLARK: I think the technical language
48 now is MOA, and so I stand corrected.

49

MS. GARZA: Mr. Chairman?

00381

1 CHAIRMAN THOMAS: Dolly.

2

3 MS. GARZA: I would move that the Southeast
4 Regional Advisory Commission create a three-member ad hoc
5 committee that would be able to work with the Federal
6 and/or State if a permitting system process is developed,
7 or as we encourage a permitting system process be
8 developed?

9

10 MR. LITTLEFIELD: Second.

11

12 CHAIRMAN THOMAS: Moved and second. You
13 heard the motion. You heard the second. Discussion?

14

15 MR. STOKES: Question.

16

17 CHAIRMAN THOMAS: Before the question,
18 (indiscernible) is going to rap me on the head, could we
19 just outline the implications of the motion?

20

21 MS. GARZA: I guess, as the maker of the
22 motion, my intent is that if we need permits for this
23 summer, and if they're being developed, then I think that
24 we should have input as the users to make sure that the
25 permits are not too restrictive and basically for us. And,
26 if we don't ask to be on any kind of a task, or working, or
27 policy committee, then we won't be.

28

29 CHAIRMAN THOMAS: Okay.

30

31 MS. GARZA: Then, in the next meeting in a
32 year from now, we're all going to be mad.

33

34 CHAIRMAN THOMAS: I'm mad already.

35

36 MR. MARTIN: Mr. Chairman?

37

38 CHAIRMAN THOMAS: Harold.

39

40 MR. MARTIN: I think Fred brings out a very
41 important -- down through my years of working on
42 subsistence, I've heard from many people: Well, my permit
43 didn't say I couldn't do this. And I think it's important,
44 Fred, that we outline what you can do and what you can't do
45 on a permit.

46

47 MR. CLARK: Thank you, Harold.

48

49 CHAIRMAN THOMAS: Okay, the motion is to

50 develop an ad hoc committee. Any further discussion on the

00382

1 motion?

2

3 (No audible responses)

4

5 CHAIRMAN THOMAS: Anybody interested in
6 calling for the question?

7

8 MR. STOKES: I already did.

9

10 CHAIRMAN THOMAS: You did?

11

12 MR. MARTIN: Mr. Stokes did.

13

14 CHAIRMAN THOMAS: Again, if you're going to
15 make a sound, please make it audible enough for me to hear
16 it. The question has been called for. All those in favor
17 say aye.

18

19 IN UNISON: Aye.

20

21 CHAIRMAN THOMAS: Those opposed?

22

23 (No opposing responses)

24

25 CHAIRMAN THOMAS: The motion is carried.
26 We'll come back to the.....

27

28 MR. KOOKESH: Mr. Chairman.

29

30 CHAIRMAN THOMAS: Floyd.

31

32 MR. KOOKESH: Are we doing housekeeping
33 yet?

34

35 CHAIRMAN THOMAS: Yes.

36

37 MR. KOOKESH: May I have the floor?

38

39 CHAIRMAN THOMAS: Yes.

40

41 MR. KOOKESH: Mr. Chairman, I'd like to
42 believe that if we recognize that if there's a fishery out
43 there -- like if an issue is brought to us on a fishery,
44 and if that fishery is outside of our jurisdiction, I'd
45 like to believe that we as a Council.....

46

47 CHAIRMAN THOMAS: An Advisory Council.

48

49 MR. KOOKESH:yeah, as an Advisory

50 Council, if there is something that is outside of our

00383

1 jurisdiction that if there's a way that we can respond or
2 send a letter to the appropriate party and ask them to help
3 us in addressing this.

4

5 CHAIRMAN THOMAS: We do that. We do that.

6

7 MR. KOOKESH: Because, you know, I know we
8 tabled a motion earlier on a fishery, and my biggest
9 concern is conservation of the species. And, I'd like to
10 believe that if there's concerns out there, I'd like to
11 believe that if it's outside of our jurisdiction that we
12 should send the message from this Council, this Advisory
13 Council, and state that we would like to have this
14 addressed, or corrected, something to do to drastically
15 improve upon this, instead of allowing something just to
16 die off.

17

18 CHAIRMAN THOMAS: I agree with that
19 wholeheartedly. And the whole thing I'm enjoying right now
20 is the clear language that we finally arrived at at this
21 meeting. For the three days we've been here, we've done a
22 lot of hinting; we've done a lot of insinuating; we've done
23 a lot of guessing; we've done a lot of speculating, you
24 know? And we tried to show some results for that. And we
25 haven't. So, a candid exchange of speech is our best tool
26 and I appreciate what you just said. So, say what you
27 mean. Don't leave nothing to interpretation, because I
28 love to use interpretations. Okay, that's just a word of
29 advice for the Council.

30

31 Personally, I'm really anxious to address the
32 different circumstances and interests and concerns that
33 were brought to our attention from Hydaburg. I haven't
34 decided on an order yet. I'm intoxicated with authority,
35 so I'm going to exercise that and we are going to
36 (indiscernible) with the documents we've had from the
37 Honorable Steven Dilts.

38

39 MR. CLARK: Mr. Chairman? I thought you
40 might need a little time to think, so I was going to also
41 let you know that at some point -- we'll go ahead and
42 follow the procedure you're following now -- but, at some
43 point, staff would like to talk a little bit as a follow-up
44 to the permit discussion about Proposal 23 and the
45 recommendation.

46

47 CHAIRMAN THOMAS: We're going to do that.

48

49 MR. CLARK: Okay, very good.

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1 CHAIRMAN THOMAS: We're going to do that.

2 Thank you.

3

4 MR. DOUVILLE: I have a question,

5 Mr. Chairman.

6

7 CHAIRMAN THOMAS: Mike?

8

9 MR. DOUVILLE: This one's for you. In your
10 statement just a little bit ago, did that pertain to
11 proposals that were made, say, like to the Board of Fish,
12 or something?

13

14 MR. KOOKESH: No.

15

16 MR. DOUVILLE: Is that what you were
17 referencing? Does that include a situation like that?

18

19 MR. KOOKESH: One of the things I see is
20 that if something is outside our jurisdiction, and we have
21 no authority on it, and if there's an area, like I said,
22 outside of our jurisdiction, that we can't.....

23

24 CHAIRMAN THOMAS: How about give us a for
25 example?

26

27 MR. KOOKESH: Okay, the Klawock River.

28

29 CHAIRMAN THOMAS: Okay.

30

31 MR. KOOKESH: Why don't we make a statement
32 to Fish and Game to put in some very strong conservation
33 measures to address the problem? Because, we know where we
34 stand on the position that we would like. We need to have
35 some cooperative management here.

36

37 CHAIRMAN THOMAS: Okay, we did such, but we
38 didn't do it in a formal format. All right. If you
39 remember yesterday, I asked Mr. Doherty if there were any
40 conditions within the Department to try to ensure that the
41 troubled population of sockeye in the Klawock system could
42 have some help for making a turnaround from the Department?
43 And he listed some of the different conditions that they're
44 considering that are negative contributors that result in
45 that low return and escapement of that system; and I took
46 that as assurance that that was occurring. Am I close to
47 being right in that interpretation? See?

48

49 So, while we both have jurisdicth -- we know that.

50 But, they're listening, and they have no conflict with what

00385

1 we're asking. Dolly?

2

3 MS. GARZA: I guess the other concern I
4 have is that the Klawock proposal was specific to one
5 thing, and it became clear that it hadn't been supported by
6 Klawock; and so I wasn't willing to take action without
7 Klawock being here, or at least being aware of what was
8 going on. In terms of what needs to be done for
9 conservation, Klawock needs to sit down and think about it,
10 because it can likely include restrictions to subsistence.

11

12 CHAIRMAN THOMAS: That's true.

13

14 MS. GARZA: And, so, they need to figure
15 out what they need done and come back to us. And, if they
16 need our support, then we should give it. But, I don't
17 want to take any kind of action where I'm going to get
18 called up by Joanna Woods or someone and say, gee, we
19 didn't even ask for that, and look what happened to us
20 because of you? And, so, I think it's part of our
21 obligation as Council members, and I intend to check with
22 some Klawock people and say, okay, what do you want done?

23

24 CHAIRMAN THOMAS: John?

25

26 MR. LITTLEFIELD: Mr. Chairman, I differ
27 from Dolly's interpretation, and maybe I'll ask Floyd to
28 restate that. I inferred what he said to reach out and
29 close down the season on the other coast of Klawock, not
30 talking about these fish when they come in here -- that's
31 an option that is available to commercial fisheries; to
32 reach out and close down the sport fisheries, somewhere out
33 there, way outside of our boundaries, not inside Klawock --
34 reduce the interception. There are other fisheries that we
35 have in the Sitka area that are very low, and these others,
36 and I interpret that -- maybe I'll ask him to restate
37 that.....

38

39 CHAIRMAN THOMAS: If we're going to do
40 that, we've got to do it in a formal manner which will be
41 in the form of a motion so that it will identify a specific
42 action and language from this body. And we'll do that.
43 That's not a problem. But, we're not going to submit
44 something having people wonder where it came from or who it
45 represents.

46

47 Now, if you'll allow me to continue with my
48 housekeeping. And, please, no more unfriendly outbursts
49 from the Unit 4 representatives on this Council. One more.

50 Butch.

00386

1 MR. LAITI: Well, Mr. Chairman, I think if
2 anything -- it would probably be an informal setting --
3 probably to make a motion asking this Council to request
4 that the Alaska Department of Fish and Game close those
5 areas outside of Klawock that do have an effect on the
6 fishing.

7
8 CHAIRMAN THOMAS: We'll discuss that later.
9 We have to get into housekeeping, because I don't want to
10 leave here leaving a host community hanging from our
11 actions, and there's a good potential of that occurring if
12 we start getting into ambiguous discussion. So, we will
13 proceed with the documents we got from the Honorable Steve
14 Dilts, the esteemed Mayor of the municipality of the fine
15 City of Hydaburg, Alaska.

16
17 Okay, I make reference to the declaration,
18 Resolution number 00-08. Everybody got that? Good. Okay.
19 It calls: Now, therefore, do to the overly harsh fishing
20 conditions, extremely poor fish returns to our homeland of
21 the Haida People, the Hydaburg City Council declares this
22 season a disaster. Okay, so they're sending a declaration
23 to -- I don't know where it's going.

24
25 UNIDENTIFIED VOICE: To the Governor.

26
27 CHAIRMAN THOMAS: Huh? That doesn't say on
28 here.

29
30 UNIDENTIFIED VOICE: (Indiscernible - away
31 from microphone)

32
33 CHAIRMAN THOMAS: Okay. Thank you.

34
35 Okay, this is a little difference of protocol.
36 They have provisions on this page that would demonstrate
37 the action of this document. It has for and against,
38 abstain or absent, in response to; oppose; and no action-
39 table. It's got support without modification, and it
40 doesn't indicate a number of people participating on this.
41 But, I don't have a problem with that. What's the wish of
42 the Council?

43
44 (No audible responses)

45
46 CHAIRMAN THOMAS: The wish of the Council
47 is totally up to you, if that we reach a decision to do
48 something, we need to follow that up with a justification,
49 whether its acceptable or unacceptable, there's got to be

50 justification.

00387

1 Is Mr. Dilts here?

2

3 MR. DILTS: Yes.

4

5 CHAIRMAN THOMAS: Where are you at?

6

7 MR. DILTS: Right here.

8

9 CHAIRMAN THOMAS: How come you're hiding
10 behind that little guy? Your Honor: We're always happy to
11 be of assistance to eligible users, no matter what their
12 concern is. And we do have a certain amount of advantage
13 to offer, in some cases -- not all cases, but some cases.
14 But, in any case, we try each time. We don't always
15 succeed each time, but we're always willing to try.

16

17 MR. DILTS: Thank you.

18

19 CHAIRMAN THOMAS: So, what I would like
20 from you is: Do you have a specific request that you would
21 like us to do, or to attempt to do, with regards to your
22 letter to the Governor regarding the disaster situation?

23

24 MR. DILTS: Mr. Thomas, last month I was
25 appointed to a fish task force, myself and Ted.

26

27 CHAIRMAN THOMAS: Uh-huh.

28

29 MR. DILTS: That's at the ANB Hall in
30 Klawock. And, what was being discussed there is the
31 decline of our fish population and, also, economical need
32 of our fishermen. And, being that Hydaburg, Craig and
33 Klawock are fishing communities, if we can get support from
34 this Council to address the fish disaster resolution 00-08
35 that was signed by all of the City Council of Hydaburg. If
36 there's any way that you can assist us in getting
37 recognition.

38

39 CHAIRMAN THOMAS: But you'd like that to
40 address the intent.

41

42 MR. DILTS: And, also, the second part is
43 maintaining our marker to allow the fish to do their thing
44 up in the streams when the sockeye's here. If there's any
45 way that this Council can maybe even point out things to
46 the powers that be, that we are concerned about our
47 subsistence sockeyes that spawn and come back and go back
48 out into the Gulf and come back.

49

CHAIRMAN THOMAS: Could you and your staff

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1 take perhaps and give us numbers 1, 2 and 3 on Hydaburg
2 letterhead, addressed to this Council, for our endorsement?

3

4 MR. DILTS: Specifically to this Council?

5

6 CHAIRMAN THOMAS: Yes.

7

8 MR. DILTS: Yes.

9

10 CHAIRMAN THOMAS: And make a note on there
11 that this is going to proceed to the Governor.

12

13 MR. DILTS: Okay.

14

15 CHAIRMAN THOMAS: And, that way, we won't
16 use the wrong language in our endorsement.

17

18 MR. DILTS: Okay.

19

20 CHAIRMAN THOMAS: Could you do that?

21

22 MR. DILTS: Yes, sir.

23

24 CHAIRMAN THOMAS: Okay. Does that sound
25 workable to members of the Council? John? I'm talking to
26 the Council.

27

28 MR. LITTLEFIELD: No comment. It sounds
29 good to me, though.

30

31 CHAIRMAN THOMAS: Okay.

32

33 MR. ADAMS: Mr. Chairman?

34

35 CHAIRMAN THOMAS: Yeah. Bert?

36

37 MR. ADAMS: It sounds good to me as well.
38 And, one of the things that I brought up: I was concerned,
39 I guess, yesterday or the day before when we were here, was
40 the State calculates whether a community would qualify for
41 disaster funds or not. And, I'll take Yakutat as a for
42 instance and I think Tom over there can probably back me up
43 on that. We put in a disaster relief fund request with the
44 State and what they did is they took the whole community
45 employed, they took the State employees, the Federal
46 employees, private employees, you know, and we calculated
47 that, and came up with a per capita income for Yakutat of
48 \$38,000; and they wrote us a letter that says you don't
49 qualify for disaster funds.

00389

1 CHAIRMAN THOMAS: But you didn't appeal to
2 this body. That's where you screwed up.

3
4 MR. ADAMS: Sorry about that. But, what
5 I'd like to find out from Mr. Dilts, here, is how many -- I
6 know this is a fishing village? And I think you have an
7 address there as well?

8
9 MR. DILTS: Yes.

10
11 MR. ADAMS: But, you know, is there other
12 considerations that the Governor's office is going to take
13 into consideration when they start putting this together?
14 You know, is there Federal, State and other sources of
15 income in your community that's going to.....

16
17 MR. DILTS: I have an economical printout
18 here that says I'm an adviser to the.....

19
20 MR. ADAMS: Okay.

21
22 CHAIRMAN THOMAS: Okay. If you could just
23 summarize that. Just number each item of concern that you
24 have, bring it to us, and then we'll draft our own language
25 of endorsement according to what you provide us, and then
26 that will accompany any correspondence to the Governor's
27 office.

28
29 MR. DILTS: Yes, okay.

30
31 CHAIRMAN THOMAS: All right.

32
33 MR. DILTS: Thank you.

34
35 CHAIRMAN THOMAS: Does that conclude all of
36 the concerns that came from you?

37
38 MR. DILTS: Yes.

39
40 CHAIRMAN THOMAS: Okay. Thank you. I just
41 wanted to make sure we didn't leave nothing out.

42
43 MR. STOKES: The lady behind you has got
44 her hand up there.

45
46 CHAIRMAN THOMAS: Uh-huh?

47
48 MS. CARLE: I'd like to comment to this.

49

CHAIRMAN THOMAS: Okay. Your name?

00390

1 MS. CARLE: Jan Carle. And, I am the wife
2 of a commercial fisherman, and I think this -- I just
3 wanted to give a little more clarity to the resolution.
4 That was to support the commercial fishermen that, through
5 this season, it was low overall. It had nothing to do with
6 moving markers, whether they're fishing the whole Hetta
7 subsistence area being affected due to commercial fishermen
8 close in the Cordova Bay here.

9
10 My husband caught six fish when they had the
11 opening. Six sockeye. The very next day, there was 1,000
12 sockeye caught out of Hetta, subsistencely [sic]. And, I
13 just wanted to bring clarification to this resolution that
14 the city supported. It was to support the commercial
15 fishermen, it had nothing to do with moving markers, and it
16 was a cooperative effort, I believe, with Klawock, and I
17 believe Craig might have been involved, and Hydaburg. I
18 think that the Council needs a little more clarity rather
19 than just what Hydaburg City is submitting to you.

20
21 I know that Roseanne Demmert has worked a lot on
22 the project, and I just think that the Council shouldn't
23 act until they have the full picture of it, because it had
24 nothing to do with moving markers and it had to do with
25 supporting the commercial fisherman, that it was such a low
26 year. It had nothing to do with subsistence. It had to do
27 with applying for a disaster area for all the villages
28 around that were affected by a low season for commercial
29 seining, and I just would urge the Council to get more
30 information before any action is taken.

31
32 MR. ADAMS: Mr. Chairman?

33
34 CHAIRMAN THOMAS: Bert?

35
36 MR. ADAMS: In response to her explanation
37 here, I wonder if it would be possible if all of the
38 communities involved in this disaster relief situation
39 would be able to get together and come up with a document
40 that we can support?

41
42 CHAIRMAN THOMAS: Okay. I'm going to make
43 another executive decision. Is Steve still here?

44
45 MR. DILTS: Yes.

46
47 CHAIRMAN THOMAS: Steve, having heard that,
48 and to keep this Council from being put into an
49 embarrassing situation because of internal conflict within

50 the community, I would like the same information I asked

00391

1 from you with the endorsement of the affected organizations
2 and interest groups in this community to accompany that.

3

4 MR. DILTS: Okay.

5

6 CHAIRMAN THOMAS: That's going to take a
7 bit of compromise and discussion among you; but it looks to
8 me like that's the only fair approach from this Council
9 that we can offer.

10

11 MR. DILTS: Mr. Thomas, contrary to what
12 the HCA, Jan Carle.....

13

14 MS. CARLE: I'm not representing the HCA.

15

16 MR. DILTS: Yeah, she's here.....

17

18 CHAIRMAN THOMAS: Okay.

19

20 MR. DILTS: Resolution 00-08

21

22 CHAIRMAN THOMAS: Let's hold it right
23 there. I'm going to rule your comments out of order at
24 this time, and I want you guys to come together as a
25 community. When we hear from you, we want to know that we
26 hear from the people of Hydaburg.

27

28 MR. DILTS: Yeah.

29

30 CHAIRMAN THOMAS: That's all I'm asking.

31

32 MR. DILTS: Okay.

33

34 CHAIRMAN THOMAS: And I say that because I
35 have compassion. These are my people, too.

36

37 MR. DILTS: Yeah, yeah.

38

39 CHAIRMAN THOMAS: These are everybody's
40 people. Everybody here is really the same way.

41

42 MR. DILTS: Right, right.

43

44 CHAIRMAN THOMAS: So, come to us as a
45 community, let us know how we can help; and we'll do that.

46

47 MR. DILTS: Okay. Thank you, Mr. Thomas.

48

49 CHAIRMAN THOMAS: Thank you.

00392

1 MR. DILTS: That's what I want, too. Thank
2 you.

3
4 CHAIRMAN THOMAS: Thank you.

5
6 MS. CARLE: Thank you to the Council.

7
8 CHAIRMAN THOMAS: Yeah, I didn't want you
9 to get into an argument in front of us.

10
11 MR. DILTS: Right.

12
13 CHAIRMAN THOMAS: Because we've can't stand
14 blood shed.

15
16 MR. DILTS: Okay.

17
18 CHAIRMAN THOMAS: Okay, what else we got?
19 Yes?

20
21 MR. MALONEY: I would speak on this subject
22 myself.

23
24 CHAIRMAN THOMAS: Are you representing
25 Hydaburg?

26
27 MR. MALONEY: No, I'm.....

28
29 CHAIRMAN THOMAS: Mr. Maloney, I'm just
30 teasing you. Come on up.

31
32 MR. MALONEY: Yeah, my name is Tom Maloney.
33 I'm the Mayor of Yakutat. We put in a resolution to the
34 Governor for disaster for ourself. We put it in early,
35 before the season was over, on our salmon. We put it in on
36 crab. Mr. Adams brought it to my attention that it would
37 be now time to put it in for salmon, also. To give you a
38 good example of -- I went back and what Bert was saying,
39 when they did a census report in Yakutat, they ran around
40 the airport area, because they only had a short time, and
41 they got all the government entities there -- the Forest
42 Service, the Park Service, the Weather Bureau, FAA -- and
43 they came up with a figure of \$38,000 income for Yakutat.
44 We don't qualify for anything.

45
46 Three years ago, our commercial fishery made \$9,300
47 (indiscernible) with the price of fish over \$12,500. I'm
48 doubting my catch will go 11,000 this year. This is before
49 expenses. I would like to see a resolution passed through

50 all the communities of southeast Alaska and work as a whole

00393

1 between all of us to try and get, and bring it before the
2 Council, some -- you know, get the Council to pass
3 something that we can get disaster money for these outlying
4 areas. I want to talk to Steve here and see whatever they
5 write up, is to get a fax to Yakutat so the Assembly there
6 could also adopt something like that and bring it before
7 the Council here. But, I would really encourage all of the
8 communities to do the same, so that we could work as a
9 group.

10

11 CHAIRMAN THOMAS: Okay, bear in mind,
12 though, that the responsibility that we're going to take is
13 only going to occur if each community can assure us that
14 the message we get is a result of a community effort.

15

16 MR. MALONEY: Yes, sir.

17

18 CHAIRMAN THOMAS: Thank you.

19

20 MR. MALONEY: Thank you.

21

22 CHAIRMAN THOMAS: No applause. Applause is
23 ruled out of order. I got a note that says my plane is
24 leaving at 2:30.

25

26 MR. CLARK: That's what we're hoping.....

27

28 CHAIRMAN THOMAS: That's the only thing I
29 worried about now.

30

31 MR. CLARK: That's speculation at this
32 point, too, Mr. Chairman.

33

34 CHAIRMAN THOMAS: Oh, speculation, now see?

35

36 MR. CLARK: But that's what it looks like.

37

38 CHAIRMAN THOMAS: When you sent your
39 message I want it to come (indiscernible - background
40 talking). Mr. Fred Division, are we done with Tab E? Is
41 all the housekeeping done with?

42

43 MR. CLARK: It depends where you want to
44 put the discussion about Proposal 23. There's also
45 something that was distributed from Vicki LeCornu and I
46 thought she was going to address the Council but I don't
47 see her.

48

49 MS. PHILLIPS: She just wanted it on the

50 record.

00394

1 MR. CLARK: She just wanted it on the
2 record. Usually they say they want it on the record. So,
3 in Vicki's stead, I will submit this to the record with the
4 court reporter.

5
6 CHAIRMAN THOMAS: Okay.

7
8 MR. CLARK: Mr. Chairman? I guess my
9 suggestion would be to have a brief discussion on Proposal
10 23 before going onto Tab F, so that we can conclude the
11 Council's business.

12
13 CHAIRMAN THOMAS: I didn't hear much of
14 that, but let's go for it.

15
16 MS. WILSON: Twenty-three.

17
18 CHAIRMAN THOMAS: Twenty-three, okay.

19
20 MR. LITTLEFIELD: Okay, 23.

21
22 MS. WILSON: Page 31?

23
24 MR. CLARK: Page 31. Cal Casipit will
25 begin the discussion.

26
27 MR. CASIPIT: Thank you, Mr. Chairman. My
28 name is Cal Casipit, subsistence staff biologist for the
29 Forest Service, Alaska Region. I would hope you would
30 excuse me if I miss something during your motions when you
31 passed your recommendation -- the steelhead regulation --
32 for Prince of Wales Island. I had recorded that you
33 suggested one fish per week, 26 to 36 inches, or greater
34 than 40 inches on Prince of Wales Island. I just wanted to
35 know if the Council had a specific gear in mind for that.

36
37 MR. DOUVILLE: Would you repeat, excuse me.

38
39 CHAIRMAN THOMAS: Yeah, repeat.

40
41 MR. DOUVILLE: We can't hear you that well
42 for some reason.

43
44 CHAIRMAN THOMAS: I can't hear you worth a
45 damn.

46
47 MR. CASIPIT: I'm sorry. What I had
48 recorded here as a Southeast Regional Council
49 recommendation is that the regulation would read one fish

50 per week, 26 through 36 inches, or greater than 40 inches

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1 on Prince of Wales Island. I did not remember or record if
2 the Council had indicated a methods and means or the gear
3 that would be used for that. I mean, is that all the gear
4 that's listed in the general regulations, or is there a
5 specific gear only that the Council wanted?

6

7 MR. CLARK: The staff recommendation is on
8 page 39 if that helps, too, on what your recommending.

9

10 MR. CASIPIT: It also appears on 31, too.

11

12 MR. LITTLEFIELD: Did we authorize spears?

13

14 MR. CASIPIT: That's the question. I
15 didn't know if it was rod and reel, spears, dipnets.

16

17 MR. LITTLEFIELD: Yep, I thought it was
18 spears; but I don't know.

19

20 MR. CLARK: Spears only?

21

22 CHAIRMAN THOMAS: Spears, also. John?

23

24 MR. LITTLEFIELD: Mr. Chairman, I think the
25 discussion was spears were added because the State
26 questioned afterwards how we were going to enforce spearing
27 a 37-inch fish, given we had a window; and, basically, and
28 realistically, any fish above 26 inches that's speared is
29 dead. You don't throw it back. So, that's why I remember
30 the spears were added, but I don't know what else.

31

32 CHAIRMAN THOMAS: A good explanation for
33 that is that a spear is more selective than any other gear
34 type.

35

36 MR. LITTLEFIELD: What if it's an inch too
37 short is what they were saying.

38

39 MR. CLARK: Or too long?

40

41 CHAIRMAN THOMAS: Spears don't catch them
42 too short.

43

44 MR. CLARK: Mr. Chairman.

45

46 CHAIRMAN THOMAS: Fred?

47

48 MR. CLARK: Spears can catch them too long,
49 so, the regulation that you've recommended has up to 36

50 inches, and then a gap, and then larger than 40 inches.

00396

1 So, that means, if you spear a fish that's between 36
2 inches and 40, then that makes you automatically a
3 criminal.

4

5 CHAIRMAN THOMAS: Well, then, we
6 automatically turn ourselves in.

7

8 MR. CLARK: I just wanted to make sure that
9 the Council was aware of that.

10

11 CHAIRMAN THOMAS: Yeah. So, everybody's
12 going to carry their own electrical device so they can
13 appropriately address the authorities?

14

15 MS. WILSON: Mr. Chairman?

16

17 CHAIRMAN THOMAS: Marilyn?

18

19 MS. WILSON: When we talk about the method
20 of getting the fish, it seems like we should have a
21 customary traditional method, because the customary
22 traditional method down here is by spear. So, it would
23 alleviate all this talk about the different methods.

24

25 CHAIRMAN THOMAS: I yield to the wisdom of
26 the Council.

27

28 MS. WILSON: But, anyway, that's just
29 beside the point, because I think we did the spears.

30

31 CHAIRMAN THOMAS: That's a good point.
32 That's a good point. Mike?

33

34 MR. DOUVILLE: Mr. Chairman, I guess I need
35 some guidance. Are we revisiting this to make further
36 decision on it? If so, I could offer some advice as to the
37 size limit, and I don't know about gear.

38

39 CHAIRMAN THOMAS: Why did we come back to
40 23?

41

42 MR. CLARK: Because staff just wanted
43 clarification.

44

45 CHAIRMAN THOMAS: Okay, clarification.
46 Apparently, we don't know what we're doing with it yet; but
47 we've got an open field ahead of us, and any comments I
48 would appreciate.

49

MR. DOUVILLE: If we're going after ones to

00397

1 eat, if anybody makes that comment, I would recommend that
2 there be no size limit and say steelheads.

3

4 MR. LITTLEFIELD: Bring it back on the
5 table and make it 26 inches or over.

6

7 CHAIRMAN THOMAS: Do I hear some
8 discussion?

9

10 MS. RUDOLPH: Do we have a motion on the
11 floor, Mr. Chair?

12

13 CHAIRMAN THOMAS: No, we've got lots of
14 disruption is what we got.

15

16 MR. MARTIN: Mr. Chairman.

17

18 CHAIRMAN THOMAS: Harold.

19

20 MR. MARTIN: I also expressed concern on
21 this particular proposal. When you determine a size, 26 to
22 30, and you're only using rod and reel, I feel that what we
23 did is we just approved a hook and release, because I hope
24 you catch a 26-inch fish on your first cast.

25

26 MR. DOUVILLE: Mr. Chairman.

27

28 CHAIRMAN THOMAS: Mike?

29

30 MR. DOUVILLE: If this is a subsistence
31 proposal, which I'm assuming that it is, then if you want
32 to go get a fish to eat that, you know, you would go and
33 catch whatever size suits your taste. There should be no
34 size restriction. If you want a four-pounder, fine. It
35 you want one that's six, well that would be okay, too.

36

37 MR. MARTIN: I agree with you. That was my
38 concern.

39

40 CHAIRMAN THOMAS: Okay. Are you clear now?
41 Patti?

42

43 MS. PHILLIPS: Mr. Chair, in my notes I
44 show that whatever method you can to catch it.

45

46 CHAIRMAN THOMAS: Those are your notes?

47

48 MS. PHILLIPS: You know, that gal from
49 Craig said she needed a dipnet, because she wasn't very

50 good with a spear.

00398

1 CHAIRMAN THOMAS: Well thank you for taking
2 notes. We're going to put some weight in Patti's notes.

3

4 MS. PHILLIPS: Thank you.

5

6 CHAIRMAN THOMAS: Cal?

7

8 MR. CASIPIT: Mr. Chairman, I now have down
9 any method.

10

11 CHAIRMAN THOMAS: You what?

12

13 MR. CASIPIT: Based on what Patti has said,
14 I have any method here as your recommendation.

15

16 CHAIRMAN THOMAS: Okay. Thank you. And, I
17 would like to encourage the Council to follow the practice
18 of the Chairman when harvesting these resources. Please
19 take a tape measure with you, and a scale, and a recording
20 book that you bring back with you. Please. Dolly does
21 that already, too, I know. So, that concludes our action
22 on 23. Anything else?

23

24 MR. MARTIN: Mr. Chairman, I call for the
25 orders of the day.

26

27 CHAIRMAN THOMAS: Orders of the day have
28 been called, so let me see what they are.

29

30 MR. MARTIN: (Indiscernible)

31

32 CHAIRMAN THOMAS: Proposals, do we have any
33 proposals to change fish, to change Federal subsistence
34 wildlife regs. Do we have any to consider, to develop?

35

36 MR. CLARK: Mr. Chairman, that's the
37 question of the day. This point is just to open it up, to
38 put open season on proposals to change the Federal
39 regulations for wildlife. There are a few pages behind Tab
40 F that have proposal forms, all the information that you
41 need. So, now is the time for people to start talking with
42 people around the region to develop any ideas for changing
43 Federal regulation for subsistence hunting, trapping.

44

45 CHAIRMAN THOMAS: Do the members of the
46 community get that? Now is the time to think about
47 developing regulations that you want to see changed having
48 to do with wildlife. Is there a deadline?

49

MR. CLARK: October 27th.

00399

1 CHAIRMAN THOMAS: October 27th. That's
2 what -- a week and a half?

3

4 MS. GARZA: Two weeks.

5

6 CHAIRMAN THOMAS: Two weeks. Okay. How
7 about other new business?

8

9 MS. GARZA: Wait, wait.

10

11 MR. LITTLEFIELD: The election of officers.

12

13 CHAIRMAN THOMAS: The election of officers.
14 Fred.

15

16 MR. CLARK: I'd like to open the floor for
17 nominations for Chairman.

18

19 CHAIRMAN THOMAS: Fred is presenting
20 officers for election.

21

22 MR. CLARK: The floor is now open for
23 nominations for Chairman. Mr. Littlefield.

24

25 MR. LITTLEFIELD: Mr. Chair, I'd like to
26 nominate Ms. Garza.

27

28 MS. GARZA: Ms. Garza declines. It's
29 because you didn't call me Haida princess.

30

31 MR. ADAMS: I'd like to nominate Bill
32 Thomas.

33

34 MR. CLARK: Bill Thomas?

35

36 MR. MARTIN: Mr. Chairman, I move
37 nominations cease.

38

39 MR. CLARK: It's been moved that
40 nominations cease.

41

42 MR. STOKES: I second it.

43

44 MR. CLARK: It's been seconded.
45 Nominations are done. With nobody running against him, Mr.
46 Bill Thomas is Chairman. I yield the running of the
47 elections back to Chairman Thomas.

48

49 CHAIRMAN THOMAS: Thank you very much. I

50 will have further comments after we complete our selection

00400

1 of officers. Thank you, Fred, for presiding. Nominations
2 are now open for Vice-Chair.

3

4 MS. WILSON: Mr. Chairman?

5

6 CHAIRMAN THOMAS: Marilyn?

7

8 MS. WILSON: I would nominate Dolly Garza.

9

10 CHAIRMAN THOMAS: Dolly Garza is nominated
11 for Vice-Chair. Do I further nominations?

12

13 MR. LITTLEFIELD: I move the nomination be
14 closed.

15

16 MR. ADAMS: Second.

17

18 CHAIRMAN THOMAS: It's been moved and
19 seconded that nominations be ceased.

20

21 MS. GARZA: Is that for Haida Princess
22 Dolly Garza?

23

24 CHAIRMAN THOMAS: Haida princess.

25

26 MS. GARZA: I want that on my card, too.

27

28 CHAIRMAN THOMAS: You got it. You got it.
29 All those in favor say aye.

30

31 IN UNISON: Aye.

32

33 CHAIRMAN THOMAS: Give a round of applause.

34

35 (Applause)

36

37 CHAIRMAN THOMAS: Okay, our next office is
38 for treasurer. We do have a secretary position in our
39 officer line up, and that office is an esteemed position.
40 They are responsible for declaring quorums and all of this,
41 so nominations are now open for the office of Secretary.
42 Do we hear any nominations?

43

44 MS. GARZA: Mr. Chairman, I'd like to
45 nominate Harold Martin.

46

47 CHAIRMAN THOMAS: Harold Martin's been
48 nominated. Seconded?

49

MR. MARTIN: Harold Martin declines.

00401

1 CHAIRMAN THOMAS: Harold Martin declines.

2

3 MR. MARTIN: I appreciate the confidence,
4 but I'm the new kid on the block. I need to know what's
5 going on.

6

7 CHAIRMAN THOMAS: All you've got to do is
8 copy what's going on here. Nominations are now open for
9 Secretary. Marilyn?

10

11 MS. WILSON: Mr. Chairman, I nominate
12 Patricia Phillips.

13

14 MS. PHILLIPS: I decline.

15

16 CHAIRMAN THOMAS: Patti Phillips nominated;
17 Patti Phillips declining.

18

19 MS. PHILLIPS: Thank you.

20

21 MS. GARZA: Mr. Chairman, I'll nominate
22 Dick Stokes.

23

24 CHAIRMAN THOMAS: Dick Stokes has been
25 nominated.

26

27 MR. STOKES: I decline. I can't hear.

28

29 CHAIRMAN THOMAS: You can't what?

30

31 MR. STOKES: I nominate Marilyn Wilson.

32

33 CHAIRMAN THOMAS: Marilyn Wilson has been
34 nominated.

35

36 MR. MARTIN: Mr. Chairman, I move that
37 nominations cease.

38

39 MR. STOKES: I'll second that motion.

40

41 CHAIRMAN THOMAS: Okay, continuing with our
42 railroad, closed nominations has been called. All those in
43 favor, say aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN THOMAS: The Chair would like to
48 express his deep-felt gratitude and appreciation for the
49 sacrifice that Marilyn has subjected herself to in this

50 very responsible, esteemed position -- a pillar of the

00402

1 Council, the pride of her nation, the princess of her
2 community, the love of her husband.

3

4 (Applause)

5

6 CHAIRMAN THOMAS: For myself, I'm really
7 flattered every time I have a chance to work with people in
8 this arena. All of you are aware that I have mobility
9 limitations. I can't play basketball for more than two
10 hours, and you folks have been very tolerant of that, very
11 supportive in every way and understanding; and I appreciate
12 that. I appreciate the time I've had to learn the process,
13 to learn the people we represent and to be able to keep
14 this Council working in a productive manner. I keep
15 telling people in other regions that anybody that's a
16 member of this Council is capable of doing what I'm doing.
17 I'm not doing this because I'm the only one that can. I'm
18 just doing it because of your folks' vote of confidence and
19 sense of flattery.

20

21 But, I work hard at it. I do my best job at it, at
22 all levels, and I'm proud to do so. And I just want to
23 thank you for that. Thank you. Dolly?

24

25 MS. GARZA: Mr. Chairman, I also appreciate
26 the vote of confidence as Vice-Chairman, and I much
27 appreciate that position, because I feel like I can
28 contribute well as Vice-Chairman. I also support Bill as
29 Chairman. I think with the proposals that we have going
30 for us that Bill can represent us well as the Regional
31 Council Chairs go to Anchorage and fight with the Federal
32 Subsistence Board. Bill has the relationship with those
33 people up there; and I think since this is the first year
34 that we will be submitting proposals regarding subsistence
35 fisheries that have a major impact, that we do need that
36 familiar face, and I know that Bill can often run that
37 Council so that they agree with everything he says and
38 that's what we need this year. But thank you for the
39 support as Vice.

40

41 CHAIRMAN THOMAS: Thank you, Dolly.

42

43 MS. WILSON: Mr. Chairman?

44

45 CHAIRMAN THOMAS: Marilyn.

46

47 MS. WILSON: My turn to make a speech of
48 thank you. (Tlingit) I'll enjoy working for this Council.

49

CHAIRMAN THOMAS: Thank you. So, that

00403

1 takes care of our elections. Time and place of the next
2 meeting. Dolly?

3

4 MS. GARZA: Mr. Chairman, I would like to
5 remind the Council that at our last meeting in Douglas that
6 we were invited by Jack Lorgen (ph), Sitka tribal member,
7 to be there this spring; and we did, at least informally,
8 accept that invitation and, in part, that invitation was to
9 be able to be in Sitka to personally thank and honor Herman
10 Kitka for serving on our Council for so many years and for
11 standing so strong for us. Herman has been ill. He is in
12 better shape now, and I think that we need to honor that
13 invitation.

14

15 CHAIRMAN THOMAS: Okay, so our next meeting
16 place is Sitka. When?

17

18 MS. GARZA: Well, it shows the window only
19 goes to March 24th, but herring eggs really won't start
20 moving in until the first part of April, so I'm not sure if
21 we can get an extension or if we all are going to be there
22 before herring eggs are looking really sad.

23

24 MR. CLARK: You'll just have to handle the
25 proposals really slowly.

26

27 CHAIRMAN THOMAS: Kah wan tann (ph).

28

29 MR. LAWSON: Nels Lawson, Kah wan tann
30 (ph), herring fisherman, or herring egg harvester, from
31 Sitka. The last three or four years, the herring harvest
32 has taken place about March 20th or 22, during that week.
33 That's for your information, Mr. Chairman.

34

35 CHAIRMAN THOMAS: Don't leave us hanging.
36 Does it look like a good possibility they'll be there when
37 we're there? If we hear on the 24th?

38

39 MR. LAWSON: We probably will have our
40 herring harvest this spring, Mr. Chairman.

41

42 MS. GARZA: That was Forest Service
43 answering, not Kah wan tann (ph).

44

45 CHAIRMAN THOMAS: Bureaucracy at its best.

46

47 MS. GARZA: Mr. Chairman?

48

49 CHAIRMAN THOMAS: Dolly?

00404

1 MS. GARZA: So, can we overlap with
2 Southcentral?

3
4 MR. CLARK: We can, but Fish and Wildlife
5 Service doesn't like it.

6
7 CHAIRMAN THOMAS: So.

8
9 MR. CLARK: If the Council really wants to,
10 we can make it happen. It's not as much of a problem as it
11 used to be, because we had staff who were Fish and Wildlife
12 Service employees who handled several Councils, including
13 the Southcentral Council. That's no longer the case, so we
14 can overlap with Southcentral now.

15
16 CHAIRMAN THOMAS: And we're just not going
17 to be influenced or pushed around by them anymore.

18
19 MS. GARZA: Can we meet on the 24th?

20
21 CHAIRMAN THOMAS: If Fred says we can.

22
23 MR. CLARK: We'll make a special request to
24 the Office of Subsistence Management, but it does have the
25 window closing on the 23rd.

26
27 CHAIRMAN THOMAS: We've yielded to them and
28 their window for staff analysis. So, I think we have a
29 marker on them. I think a request for extension is in
30 order. And, would the Vice-Chair like to work with Fred on
31 that project.

32
33 MS. GARZA: Yeah. Mr. Chairman, I would
34 move that we target March 22nd, 23rd and 24th, the week of
35 March 19th.

36
37 CHAIRMAN THOMAS: Any objections?

38
39 (No audible responses)

40
41 CHAIRMAN THOMAS: Hearing no objections,
42 it's all right.

43
44 MS. GARZA: Mr. Chairman?

45
46 CHAIRMAN THOMAS: Dolly?

47
48 MS. GARZA: Just to let the Council know
49 that there will be a request to have a future meeting in

50 Yakutat. I have been contacted by several of the Yakutat

00405

1 people, so they will have their ANB send us a letter.
2 They'll have their boys send our boys a letter of invite.

3

4 CHAIRMAN THOMAS: They don't want us there
5 in the wintertime.

6

7 MS. GARZA: Okay.

8

9 CHAIRMAN THOMAS: They want us there in the
10 fall time. That correct?

11

12 MR. ADAMS: We'll take you anytime.

13

14 CHAIRMAN THOMAS: We can't get there
15 anytime.

16

17 MS. PHILLIPS: Mr. Chair?

18

19 CHAIRMAN THOMAS: Patti?

20

21 MS. PHILLIPS: I want to raise the concern
22 that since we've moved back our fall meeting to as late as
23 we can, we've run into the fall equinox weather, that we
24 may want to consider flip-flopping the meetings. Also,
25 we've moved our winter meeting more closer to the spring
26 when the weather is getting better.

27

28 CHAIRMAN THOMAS: That's a good point, and
29 what I'd like to do to support that is: We always get
30 contacted the last on when these windows are here, and
31 we're subject to other regions. So, I think we should
32 develop a calendar as soon as we can and get it to the
33 office as notification this is where and when the Regional
34 1 will meet, because we've always been late in taking that
35 action. You're right. I don't know what equinox is, but I
36 like it.

37

38 MS. PHILLIPS: Well, the reason we moved
39 back our fall meeting was because some of the people are
40 still fishing.

41

42 CHAIRMAN THOMAS: Nobody here. Nobody here
43 is in that category, is there? Bert? Are you still
44 fishing by October?

45

46 MR. ADAMS: We're done around the first of
47 October, that's the first week of October.

48

49 MS. PHILLIPS: Well, it affects me, also.

00406

1 CHAIRMAN THOMAS: Are you a fisherman?

2

3 MS. PHILLIPS: Yes.

4

5 CHAIRMAN THOMAS: Oh, well, what are you
6 saying about the equinox then? If you're going to fish up
7 until the equinox, we've got to live with the equinox.

8

9 MS. GARZA: Okay, in the future, do you
10 want to meet earlier or later?

11

12 MS. PHILLIPS: Well, I want to keep it the
13 way it is, but I want to change it so that the spring
14 meeting is where you go out into the remote sites.

15

16 CHAIRMAN THOMAS: The reason we don't do
17 that is because -- well, I shouldn't say the remote sites.
18 We do.

19

20 MR. CLARK: Mr. Chairman.....

21

22 CHAIRMAN THOMAS: In the wintertime, we're
23 trying to keep our meetings where the jetliners land. All
24 the way from Acapulco to Fairbanks.

25

26 MR. CLARK: Mr. Chairman?

27

28 CHAIRMAN THOMAS: Fred?

29

30 MR. CLARK: I'm going to support what
31 Patti's saying. The way the Fish and Wildlife Service
32 wants us to do it is to meeting in population centers for
33 what they call the winter meeting, that we call the spring
34 meeting, because the weather is so about there still. So,
35 we've gone along with that. So, we've had our spring
36 meetings in kind of population locations; but it does make
37 more sense, I think, to have our fall meetings, like this
38 meeting, in places that are more easily accessible for more
39 people.

40

41 CHAIRMAN THOMAS: So, next fall we'll be in
42 Pelican.

43

44 MS. PHILLIPS: You're invited.

45

46 CHAIRMAN THOMAS: We're all staying at
47 Patti's.

48

49 MS. GARZA: So then, we're not doing what

50 your suggesting.....

00407

1 MS. PHILLIPS: No, yeah. If you want to
2 come to Pelican, it would have to be in the spring.

3
4 MR. MARTIN: Any hearing aids there?

5
6 MS. PHILLIPS: We do.

7
8 CHAIRMAN THOMAS: Okay, we'll have time to
9 discuss that. It's hard to do business in a rural setting,
10 because we are in a rural mentality.

11
12 MS. PHILLIPS: We get a lot of
13 contributions when we go out to these sites.

14
15 MR. CLARK: Mr. Chairman? Do we have any
16 invitations for the next fall meeting?

17
18 CHAIRMAN THOMAS: No.

19
20 MR. CLARK: Because if you wanted to get
21 that lined up now, then you could already get in on the
22 calendar for next year.

23
24 CHAIRMAN THOMAS: Yakutat?

25
26 MR. ADAMS: We'll take it.

27
28 CHAIRMAN THOMAS: Yakutat.

29
30 MR. CLARK: Do you have some dates in mind?

31
32 MR. ADAMS: Pardon?

33
34 MR. CLARK: Do you have some dates in mind?

35
36 MR. ADAMS: No, probably the same time.....

37
38 CHAIRMAN THOMAS: Well, let's get with it.
39 Okay, let's stand at ease for a couple of minutes while we
40 look at our dates.

41
42 Okay, the window for our next fall meeting in
43 Yakutat is October 9th, 10th, and 11th.

44
45 MS. GARZA: That's not a window.

46
47 CHAIRMAN THOMAS: That way, it gets people
48 away from home on Monday, let's them travel on Friday, and
49 there's nothing personal at any bureaucrats.

00408

1 MR. CLARK: October 9th, 10th and 11th in
2 Yakutat.

3
4 CHAIRMAN THOMAS: I don't want to see
5 another exodus like today.

6
7 MR. CLARK: Make it so.

8
9 CHAIRMAN THOMAS: Okay. So, that's it,
10 October 9th, 10th and 11th in Yakutat in the fall. For
11 springtime, it's going to be in Sitka.

12
13 Okay, ladies and gentlemen, as a practice of this
14 Council, before we adjourn we like to make time for
15 comments to be offered by anybody in attendance; and your
16 comments could be anything from your love life to people
17 you hate, and we'll start with the public. Would anybody
18 from the public like to make any comments regarding
19 anything at all?

20
21 MS. GARZA: Hydaburg's caucusing back
22 there.

23
24 CHAIRMAN THOMAS: Is this a Hydaburg going
25 on? It don't even have to be about business. Just talk to
26 us. Tell us how nice we are.

27
28 MS. BURGESS: That's just exactly what I'm
29 going to do.

30
31 CHAIRMAN THOMAS: Okay.

32
33 MS. BURGESS: We really appreciate the fact
34 that you folks have come here for your fall meeting. It is
35 good to see all of our people at work and the people that
36 you work with and the people that work for you. I am here
37 on behalf of the Hydaburg Cooperative Association. We
38 really appreciate the fact that we were able to sit in on
39 something like this, because we have never had the pleasure
40 of this before. So, I think the people that have come and
41 have listened daily and watched you in action, and Bill --
42 thank you for being Bill. It's a pleasure to see you full
43 of business, and full of a little bit of guff on the side.
44 That makes a good ward, I think. And we would really like
45 to thank all of you for coming to our little community, and
46 letting us watch you at your best.

47
48 CHAIRMAN THOMAS: Thank you. We were
49 anxious to show off.

00409

1 MS. GARZA: Just one point, and I think I
2 made it yesterday, but I also want you to know, is that we
3 appreciate being here and we have, as a Council, wanted to
4 be invited here, and so there must have been a
5 miscommunication, because we've been waiting to be invited
6 and we did not mean to not be here for so long. And so,
7 you can, through Haida Cooperative or ANB, send us an
8 invite and we'll work it in our schedule to come back.
9 It's a beautiful community.

10

11 MS. BURGESS: Thank you very much.

12

13 CHAIRMAN THOMAS: Thank you. Anybody else
14 from the public? I said public.

15

16 MS. EDENSHAW: I thought you told me
17 yesterday I was public.

18

19 CHAIRMAN THOMAS: You were yesterday.

20

21 MS. EDENSHAW: What am I today? Nevermind,
22 I don't want to know.

23

24 (Laughter)

25

26 MS. EDENSHAW: Jolene Edenshaw, Hydaburg.
27 I would like to thank you folks for being here, also, and
28 I'm really appreciative that you gave me the opportunity to
29 speak to you and change a couple of your minds on a couple
30 of your agenda items. I really appreciate it.

31

32 Thank you very much.

33

34 CHAIRMAN THOMAS: Thank you. Anybody else
35 from the public? Hoosey (ph), come up here, you're going
36 to be drafted. You can come up here and talk to me.

37

38 MS. GARZA: You remember your plane's at
39 2:30.

40

41 CHAIRMAN THOMAS: My plane's at 2:30, Hoose
42 (ph).

43

44 MR. CLARK: And we haven't had lunch yet.

45

46 MR. SANDERSON: Robert Sanderson, I won't
47 take very long, I just want to make a few observations.
48 You know, I'm glad that you folks are all here. I've
49 worked with many of you folks, and this Council before

50 Tlingit and Haida, SeaAlaska Corporation and other

00410

1 government and State agencies. It's always good to see
2 people back (Indiscernible - simultaneous speech)

3

4 CHAIRMAN THOMAS: You forgot ANB.

5

6 MR. SANDERSON: You know, I've listened to
7 some of this stuff here, you know, and some of the stuff
8 that involves Hydaburg, I look at different than many
9 people, because you look at the overall economy of this
10 town and how the town is going to survive. What's going to
11 happen five years from now, 10 years from now, what will it
12 be like?

13

14 Some of the biggest impacts we've had is from
15 Federal and State policy. We've had some terrible
16 experiences with the Bureau of Indian Affairs about 20
17 years ago that still come back to haunt us. Limited entry
18 has killed us. We've had 18 seine permits a few years ago,
19 we have too left. It's worse in other communities. When
20 you look at the resource -- and the resource, to me, is
21 fairly abundant here -- but the money in that resource and
22 all of those outside the common from somewhere else, you
23 know, the permits all migrated to Petersburg from all these
24 different districts and they've expanded and we've
25 declined. All of us have, Hoonah on down.

26

27 I look at it a little different. Our timber supply
28 is being depleted. Village corporation will be out of
29 timber. I think we'll hold on a little longer than most,
30 because I see Alaska's massive selection just that's
31 surround the villages. Sooner or later, we're going to be
32 hit with how do you survive as a community? And, more and
33 more, I notice that people are getting more and more
34 subsistence fish. More than I can recall when I was
35 younger.

36

37 It's some places, you know, that we want to be
38 involved in this; and some of the management decisions in
39 some of those areas that are key to us. I keep going back
40 to Hetta. There's other places that never had the chance
41 to do this. But we do have something that we've undertaken
42 this year. Years ago I was involved in a historic site
43 investigation for SeaAlaska. We went to 1,100 places. At
44 that time, we inventoried about 60 around Hydaburg and
45 maybe 30 at (indiscernible). We've expanded that since
46 that time, and we're doing a study now on all 90 places and
47 some are very significant to this community. We're typing
48 it, getting it prepared this year so that when any of these
49 discussion ever come up again, you have a place that we can

50 refer to. Every bay is described. Every stream is

00411

1 described, and all the different characteristics of the
2 land base and the stream and their significance with this
3 community. So, we'll have something that we can work on,
4 you know, if I'm not around.

5
6 I think it was rather urgent in a way, because out
7 of those 90 sites I was last informed we are left alive on
8 35 of those sites. All of the elders have died. You have
9 a big age gap in this town. No men. There's a 12-year
10 gap. No men at all, you know, between the age of 75 to 87.
11 They're all gone. And there's a great deal of knowledge
12 lost there. That was Sylvester Field's generation.
13 They're gone, every one of them.

14
15 But, I'll get back to (indiscernible). I hope that
16 I can attend some of these meetings sometime again; and,
17 again, it's always good to see people here. I wasn't here
18 the whole time, but many here always like to welcome people
19 to visit our community.

20
21 I do thank you folks, very much.

22
23 CHAIRMAN THOMAS: Thank you, Robert.
24 Robert's been a real pillar in this community for many
25 years, and there's nobody in this room that knows more
26 State and Federal people in strategic positions than he
27 does. And I'm sure those of us that know Robert really
28 appreciate the energy he's used over all the years to work
29 as hard as he has for the people of Hydaburg. We're always
30 happy to see him. Thank you. Anybody else from the
31 public?

32
33 Okay, agency. Any agency? Anybody want to say
34 anything? Winnie?

35
36 MS. KESSLER: It's Winnie Kessler with the
37 Forest Service. Again, I wanted to thank everybody for
38 affording the opportunity to be here. When I accepted this
39 job, I knew that subsistence management would be one of the
40 most important parts of my responsibilities; and so I've
41 tried to read everything I could about what it's about and
42 regulations and everything I could put my hands on. But,
43 it required coming here and really observing what goes on
44 to fully understand or, at least -- I won't say fully
45 understand -- to make a significant leap in my
46 understanding of what it's all about, and I just want to
47 thank all of you.

48
49 CHAIRMAN THOMAS: Thank you for being here.

50 Any other agency people?

00412

1 MR. BROOKOVER: Thank you Mr. Chair. Tom
2 Brookover with Alaska Fish and Game, Sitka. First, I'd
3 also like to say that I appreciate the opportunity to
4 participate in this process. It's a new one to me, and I
5 thank the Chairman and the Council for providing us with
6 that opportunity. My first blush is that it's an
7 interesting process and a good process, and I think it's
8 done some good things. Like I said, I'm just beginning to
9 understand the Council's job, the Federal staff's role, and
10 our role as well in this process. I look forward to
11 continuing to learn about this whole thing.

12

13 I want to let the Council know that we support your
14 actions, we being the Department. I work for Sportfish
15 Division, but I think I can speak for the Department in
16 this case. Your actions to provide and maintain a
17 subsistence user priority of the fishery resources in this
18 State. And I think the action we've taken tonight, or
19 during this meeting, does that.

20

21 We do have a couple of concerns that result from
22 Council action that I would also like the Council to note.
23 It's our feeling that some of the recommendations adopted
24 by the Council for subsistence methods and means and
25 harvest lines pose, what in our eyes, may be potentially
26 significant risks to stock health for some species in
27 southeast Alaska. Populations of cutthroat and rainbow
28 trout and steelhead in this region are generally small.
29 They're highly susceptible to overharvest and stock
30 declines. The same can be said, to some extent, for
31 populations of coho salmon in this region which vary in
32 abundance widely throughout the region. Some systems are
33 small. Escapements for some systems, particularly in the
34 area that you acted on, we number it in the order of tens
35 of fish or low hundreds of fish.

36

37 And I understand that actions taken by the Council
38 generally allow for larger harvest limits and more liberal
39 methods and means than those currently allowed under
40 existing State subsistence and sport regulations, and I
41 support that. But not on an area-wide basis, in this case.
42 Our assessment is that the regulations approved by the
43 Council on an area-wide basis will potentially put the
44 number of cutthroat, rainbow trout and steelhead
45 populations at risk in this region from overharvest and
46 stock declines. While we support the Council's intent to
47 provide for subsistence use, and recognize there is a need
48 for larger harvest limits and more liberal methods and
49 means than currently exist, we continue to feel that set

50 provisions should be supported on a site-specific basis

00413

1 where we have information that stocks can support those
2 more liberal methods and means.

3

4 A second concern we had, that the Federal staff
5 echoed, was that it's our assessment that the Council
6 action didn't limit the methods and means for steelhead.
7 You know, we heard that this morning, and if the Council
8 doesn't intend to restrict gear, that does present a
9 potential conflict with the adoption of slot limits in
10 combination with lethal gear, because it could cause
11 unintentional and illegal harvest of fish between 36 and 40
12 inches in this case.

13

14 Further, as we support the discussion we heard
15 earlier on harvest reporting and permitting. We understand
16 that Council is going to put a subcommittee to address
17 these issues, and support the Council in that action. We
18 would be a willing participant in that process, if the
19 Council so chooses; and we'd like to be a participant in
20 that process. I guess, again, I'd like to make us
21 available anytime the Council so chooses.

22

23 Again, I appreciate being involved in the process.
24 I have a lot to learn, and we're a willing player in the
25 process and encourage the Council to give us a call if
26 there is anything we can do.

27

28 CHAIRMAN THOMAS: I think you did an
29 outstanding job while you were here. We appreciate that.
30 You're going to find that we're not going to stray too much
31 from the action we've taken. We've done this historically
32 from the time we started. And, there is a built-in
33 provision between the agencies of the Federal and the
34 State. If, at any given time, a specific site is being in
35 jeopardy by continued harvest of numbers that the system
36 can't support, they pick up the phone, they talk to each
37 other, they call me and they say we need to either close
38 this or we need to make an adjustment. I'll say go for it,
39 and that's the end of it. So, that's how easy it is.

40

41 Our job here is to provide continued access, and to
42 do it in a responsible way. You mentioned the potential
43 risks. Those risks are never generated by subsistence
44 users; and, so, we want the world to know that and we want
45 to be good partners in this equation of survival. Thank
46 you very much.

47

48 MR. BROOKOVER: Thank you, Mr. Chairman.

49

CHAIRMAN THOMAS: Dolly?

00414

1 MS. GARZA: Mr. Chairman, I also would like
2 to voice that I'm really grateful that Fish and Game has
3 come here with a very positive attitude. We've had Fish
4 and Game subsistence meetings that were not very positive,
5 and so it is a real shift. And it's important that we do
6 work together. In terms of the concerns that you raised,
7 it is certainly not the intent of any Council member to
8 cause harm to any stocks, and we realize that there will
9 have to be adjustments made; but, from the Council's
10 perspective, I mean, this is our first stab at saying,
11 okay, this is what we need as subsistence users. In some
12 instances, those levels may mimic sport; and, in other
13 instances, we will find that the subsistence need is
14 greater than what has been harvested by sport and then
15 we'll have to work things out there. But we have to take
16 that into consideration. That's brought before us probably
17 at every meeting by Vicki LeCornu, is that the current
18 harvest levels don't necessarily reflect what the needs
19 are. And that's what we're trying to bring into being by
20 passing these types of proposals.

21
22 But, it is a learning process. This is a first
23 time for us, and this is a first time for you, and I think
24 the process has gone really well for these last couple of
25 days. And I appreciate your guys' support.

26
27 MR. BROOKOVER: Thank you.

28
29 CHAIRMAN THOMAS: Kind of, anyway.

30
31 MS. PHILLIPS: Mr. Chair?

32
33 CHAIRMAN THOMAS: Patti.

34
35 MS. PHILLIPS: Thank you for your candor.
36 I'm concerned about the areas that you mentioned that have
37 small stocks and could be easily overharvested, and I would
38 recommend that either the Fish and Game submit their own
39 proposal or get to us a list of those sites that are in
40 danger of being overharvested.

41
42 MR. BROOKOVER: Mr. Chair, Ms. Phillips:
43 Thanks. I'll take that into consideration. Part of the
44 concern stems from just the number of systems we've got to
45 deal with and an inability to assess literally thousands of
46 coho streams in the region. There is no way, physically,
47 to monitor thousands of coho systems in the region within
48 the next decade. And, so, that inability and lack of
49 information is one of the real limiting factors in this

50 case. But, I hear you as far as identifying stocks of

00415

1 concern; and we'll plan to do that.

2

3 CHAIRMAN THOMAS: That's why we do what we
4 do is because of what you've just said. It's because what
5 we do has a tendency to place more focus on accuracy on the
6 data regarding any system. So, thank you, again.

7

8 MR. BROOKOVER: Okay.

9

10 CHAIRMAN THOMAS: Anybody else?

11

12 MS. WILSON: Mr. Chair? This probably has
13 nothing to do with it, but we can't do anything at this
14 forum here, or you, as a Fish and Game. But, I would
15 wondering if all of us could start thinking about -- you
16 say there's no way we could monitor all these streams. You
17 know, this is where the traditional ecological knowledge
18 comes in, from the people who live here and live around
19 here. And it seems like we should incorporating the
20 knowledge that the people have, or else have the local
21 people go out and work these streams and get the report.
22 Instead of all the biologists going out there, have the
23 regular people go out and give a report on how much fish is
24 in there or this kind of thing.

25

26 CHAIRMAN THOMAS: Yeah, make room for us
27 regulars.

28

29 MS. WILSON: That was just something I
30 wanted to bring up.

31

32 MR. BROOKOVER: Mr. Chairman, Ms. Wilson:
33 I appreciate that, and I agree with you in that local
34 people can supply a lot of knowledge. A lot of times the
35 reports of information from people supply us with some of
36 the minimal tools that we do have for knowledge on the
37 system, and we do look forward to working through some of
38 these cooperative projects with local people and in that
39 way as well. So, thank you.

40

41 MS. WILSON: Thank you.

42

43 CHAIRMAN THOMAS: Thank you. Cal.

44

45 MR. CASIPIT: Yes, thank you, Mr. Chairman.
46 I would like to thank Marilyn for that observation. That
47 is one of the areas that we are really trying to focus our
48 fisheries resource monitoring program in, is incorporating
49 local knowledge and incorporating local people in helping

50 us to come up with the information to make good decisions.

00416

1 And I really appreciate Marilyn for bringing that up.

2

3 CHAIRMAN THOMAS: Further agency comments?
4 Dale? Come on up here.

5

6 MR. KANAN: Yeah, I thought I'd time this
7 just right for lunch. My Dale Kanan, and I'm the District
8 Ranger in Craig and I'm also the Federally appoint inseason
9 string manager, or fisheries manager, for Prince of Wales
10 Island. And I guess as I've listened, especially to the
11 steelhead discussion, our first concern in the Federal
12 program will be healthy populations. That will be our
13 first concern before there is any harvesting or consumptive
14 uses; and then I guess I would hope that on systems where
15 there are concerns that we would receive information early
16 enough to make significant changes ahead of time if we have
17 systems that can't support the amount of harvesting that's
18 anticipated.

19

20 The issue for me before I restrict a subsistence
21 harvest, of course, is going to be ask whether or not there
22 are other harvests or mortalities occurring due to a sport
23 or commercial harvest on those stocks. As I read Title
24 VIII, my understanding is that I am to first eliminate
25 those harvests prior to restricting the subsistence
26 harvests. Other than that, welcome to sunny Prince of
27 Wales Island.

28

29 Thank you.

30

31 CHAIRMAN THOMAS: Thank you. Okay,
32 assuming that takes care of agencies, Council. We'll start
33 with Patti.

34

35 MS. PHILLIPS: Thank you.

36

37 MS. GARZA: Just a quick note before?

38

39 CHAIRMAN THOMAS: A quick note before.

40

41 MS. GARZA: They did prepare lunch and it's
42 probably like getting to a point where we need to go and
43 eat. So, if we could ask our Council to be short-winded,
44 we will show respect to our guests by show up on.....

45

46 CHAIRMAN THOMAS: Our hosts.

47

48 MS. GARZA: Our hosts on a late, but not
49 too late, time.

00417

1 CHAIRMAN THOMAS: You're right. So now
2 that you've used up my precious time from Patti.

3

4 MS. PHILLIPS: Thank you, Mr. Chair. For
5 the record, in the Tongass National Forest I support
6 alternative measures to logging. Some of the alternative
7 measures I would support combine adaptive ecosystems
8 management with acceptable practices, given the social and
9 environmental objectives: subsistence uses, view,
10 watershed protection, wildlife corridors and habitat
11 conservation plans. These include select tree logging;
12 shelter wood -- a method that leaves 30 percent of the
13 trees unharvested; variable retention, leaves structural
14 elements of the forest intact; patch cut, a clear-cut no
15 larger than one hectare.

16

17 A scientific advisory committee needs to be
18 established specializing in conservation biology. A
19 balance in the representation of interests is necessary to
20 ensure that self-interest is kept in check and in
21 perspective. Build flexibility into timber sale plans so
22 that managers can be responsive to the results of
23 monitoring. When highly critical information is missing,
24 agencies should withhold permits until the information is
25 obtained. Incorporate an adaptive management strategy that
26 would clearly state the range of possible adjustments and
27 the circumstances under which actions would be triggered.

28

29 It is important to maintain buffer zones to protect
30 the diversity of wildlife. If necessary, a more in-depth
31 analysis to minimize and mitigate effects of coarse logging
32 practices. It is important that the footprint logging
33 leaves behind is reasonably controlled.

34

35 Salmon fishing is a valuable, forest-dependent
36 industry in Alaska and, in some coastal communities, has
37 historically been the only industry. Sediment washed down
38 from poorly managed forests can destroy estuaries, drown
39 out crab and shrimp nurseries, lead to or exacerbate
40 flooding of coastal areas and kill salmon production
41 entirely. Poor forestry practices in the past have
42 stripped protective vegetation from salmon producing
43 streams, elevated water temperatures to the point where
44 salmon die, and channelized river systems so badly that
45 they may take generations to naturally recover. In many
46 cases, the health of the forested watersheds determines the
47 health of our near shore fisheries and the economic future
48 of our communities.

49

For this reason, stringent road building standards

00418

1 need to be in place to maintain high quality fish and
2 wildlife habitat, and funding to lengthen any timber sale
3 plan to safeguard stricter logging standards set for
4 roadbuilding. The U.S. Forest Service need to provide
5 solid ongoing support for research in order to provide for
6 the better understanding of the effects of habitat
7 degradation.

8

9 I firmly believe the U.S. Forest Service must
10 include timber harvest alternatives to lessen the impacts
11 to communities and local resources, and the U.S. Forest
12 Service required to be more cautious in making decisions
13 concerning timber sale areas.

14

15 Thank you.

16

17 CHAIRMAN THOMAS: Thank you.

18

19 MR. KOOKESH: I don't have a written speech
20 like that.

21

22 CHAIRMAN THOMAS: Well, then, we'll move
23 onto John, then.

24

25 MR. ADAMS: Yeah, he's trying to catch a
26 plane. What I'd like to say, though, is just to thank the
27 Mayor for welcoming us to his community; and to thank Vicki
28 LeCornu for inviting us; and for us coming to this
29 community and participating; and, also, having the
30 community residents come here; and, also, to have them find
31 out what role we all play here. I believe it's very
32 enlightening. I think they're tuning in like how I'm
33 tuning in. I've only been on this Board for one year, but
34 I believe that we all begin to realize what role we play
35 and what we can do to make a difference.

36

37 After sitting on here for one year, one of the
38 things that I strongly believe in is inseason monitoring
39 and stock assessments. I believe that's the direction we
40 need to go, and I believe that's a direction we shouldn't
41 stop going. Again, thank you very much for inviting us to
42 your community.

43

44 CHAIRMAN THOMAS: John?

45

46 MR. LITTLEFIELD: Thank you. I have 18
47 pages here, but I will defer and make a oral speech
48 instead, Chairman. First, I'd like to thank the community
49 of Hydaburg for inviting us, and all the people that

50 testified, including the Mayor of Yakutat and the public.

00419

1 Your input is vital to me, and it's vital to every member
2 of this Board. Some of the decision that were made were
3 directly made on your input. And I would like to thank the
4 Fish and Game for providing us with documents. I have some
5 other requests, and I'll leave it at that. One more thing:
6 As a newbie out here -- I'm new to protocol -- but I would
7 like to thank the Council for putting up with me, and I'll
8 learn more and be better the next time.

9

10 Thank you.

11

12 CHAIRMAN THOMAS: That's the last time I'm
13 putting up with you. Mike.

14

15 MR. DOUVILLE: I would like to thank the
16 people of Hydaburg for having us here; the staff; the Fish
17 and Game; and all you people who provided us with all this
18 information. These proposals are simple to make, but they
19 require a lot of research. I would like to thank Bill for
20 his guidance. I'm relatively new on the Council, and it's
21 a learning process for me. I represent this District;
22 however, I would like to encourage any subsistence users if
23 they see something they would like to change, and if I can
24 help you in any way -- if you see something, don't be
25 afraid to make a proposal. Certainly, it will be
26 considered. If something you see is not right in your
27 mind, I encourage you to make the proposal.

28

29 Thank you.

30

31 CHAIRMAN THOMAS: Thank you. Richard?

32

33 MR. STOKES: I, too, would like to thank
34 the community of Hydaburg for inviting us here and their
35 participation. Also, both State and Federal agencies,
36 especially Fred and Cal for all their work and help, and
37 for my fellow Council people, thank you. I'd like to thank
38 Bill. We've been friends for quite some time. When I was
39 out with him and a group who were gathering seaweed at
40 Boulder Point and the two ladies that he was rowing to
41 shore apparently thought he didn't know what he was doing,
42 because they were both trying to tell him how to row.

43

44 And then, after that, we went down to Louise Cove
45 and did a little deer hunting, and the fog set in. We got
46 turned around, and Bill said: Let's do like the white man
47 do. How's that? We shoot three times and wait. So, he
48 shot three times and waited and nothing happened. He shot
49 three more times. Still, nothing happened. And I said,

50 Bill, shoot again. He said, I can't. I said why not? He

00420

1 said, I'm all out of arrows.

2

3 CHAIRMAN THOMAS: True story. Bert?

4

5 MR. ADAMS: Thank you, Mr. Chairman. I,
6 too, would like to thank the community of Hydaburg for
7 allowing us to come into your community and enjoy the fine
8 meals and the good hospitality. I'd like to share with you
9 something that kind of came to light here with me about
10 four or five years ago.

11

12 When I was going to college, I took this Indian Ed
13 101 class, and our instructor was a Native American. Our
14 first day of class, he drew a big circle on the board, and
15 in that circle he wrote the word nature. And then he drew
16 on the outside of the circle arrows that pointed to the
17 lines of the circle. And then he gave -- well, there was
18 about 35 or 40 of us in the classroom -- he gave us 15 or
19 20 minutes to come up with what we felt and how that
20 represent it. So, after that 15 or 20 minutes of
21 deliberating was over, he opened it up for a discussion,
22 and he got, you know, 35 or 40 different answers. And,
23 after we had an opportunity to share, you know, what our
24 concept was, he gave us his. He said: You know, long
25 before the outside influences came, we as Native Americans
26 lived within that circle. And he explained: Because we
27 lived within that circle, we lived with nature. Because we
28 lived with nature, we understood the laws of nature.
29 Because we understood the laws of nature, we obeyed the
30 laws of nature. Because we obeyed the laws of nature,
31 nature provided us with everything that we needed. And
32 went on to challenge us, as students within that class,
33 that whatever it is -- it might take us our whole lifetime
34 -- but we need to figure it out and start living within
35 that circle again.

36

37 And he went on to explain those arrows on the
38 outside. He said that those were the outside influences
39 that eventually came, and their purpose was to come in the
40 circle and conquer it. And when they eventually did, it
41 caused this culture clash -- this upset of our way of life
42 that we are still trying to recover from today. And his
43 challenge was that we should spend the rest of our days, or
44 whatever it might take, to figure out how we can start
45 living within that circle of nature again. Then, when we
46 did discover that, then we have an obligation to share that
47 with other people as well. As I got more and more involved
48 in the affairs of my community, and the region and the
49 State, you know, I was thinking about that one day, and

50 that lightbulb turned on.

00421

1 And, to me, that is probably the greatest challenge
2 that we have -- as far as I'm concerned -- is to try to
3 figure out how we can start living within that. He says
4 that when we interfere with the laws of nature -- and our
5 forefathers taught us this as well -- when we upset the
6 balance of nature, bad things happen. However, when we
7 learn how to obey and abide by those rules, then we can
8 begin to receive the blessings that are in store for us.
9 So, to me that's a challenge that I think that we all have.

10

11 I want to express my appreciation to Jolene
12 Edenshaw for coming here and being here almost every day.
13 She brought to us some concerns that we probably could have
14 made some bad decisions for this community. She helped us
15 understand and got us on the right track, and I think
16 that's one of the main reasons why we have these meeting in
17 various communities every year. And I want to encourage
18 the Council members to encourage people in their regions to
19 come and attend these meetings so that we don't do
20 something that is going to be detrimental to our people and
21 a subsistence way of life.

22

23 I look forward to seeing you all in Yakutat a year
24 from now. Thank you.

25

26 CHAIRMAN THOMAS: Marilyn?

27

28 MS. WILSON: Thank you, Mr. Chairman. You
29 didn't leave me much time.

30

31 CHAIRMAN THOMAS: Time's up.

32

33 MS. WILSON: I want to thank the community
34 of Hydaburg and especially Jolene and Bob Sanderson for his
35 wise history and knowledge that he gave us, and also
36 Jolene's knowledge. It's very important for us to get all
37 this information. I also wanted to thank our Federal
38 people sitting over there, Fred and.....

39

40 MR. CLARK: Cal.

41

42 MS. WILSON:Cal. I was thinking
43 Caspison [sic]. And all the information we get and all the
44 work we do together, it seems to be getting better every
45 year. I wanted to let the people that live here know that
46 they should send proposals in if they need to see a
47 regulation change; but, also, you can also run for this
48 Council. Anybody could run for this Council. You just
49 apply. And you can get all this information from the

50 Forest Service or from your region. Mike, you can get it

00422

1 from him.

2

3 I enjoyed being here. Thank you.

4

5 CHAIRMAN THOMAS: As of a minute ago, they
6 announced they were going to do us lunch in five minutes,
7 so I'll let you guys to your own devices. Dolly?

8

9 MS. GARZA: I agree with all the thanks and
10 kudos, and I want to especially thank the Boys and Girls
11 Club because they did give up their activities in order for
12 us to meet here, and we should be supporting our youth.
13 And, again, apply for the Council. We are not happy that
14 we only have one person from Prince of Wales, although I'm
15 sure that Mike can do the job. And, for the ad hoc
16 committee on permit making, you haven't announced who would
17 be on it, but I would like to be on it. And that's it.

18

19 Thank you.

20

21 CHAIRMAN THOMAS: Okay, I'll make that
22 announcement after our comments. Again, thank you to the
23 Council members, thank you to the Department, to the Mayor
24 of Yakutat, to all those in attendance. You guys gave me a
25 good chance to watch your game faces, your fun faces, and
26 all this kind of thing; but you helped us through some
27 difficult processes with some difficult challenges. I
28 think we made it through. I think we'll prevail. I think
29 we'll wind up with a common goal and a common achievement.

30

31 Everybody have the safe flight home. Thank you
32 very much. We're adjourned.

33

34 (Off record)

35

36

(END OF PROCEEDINGS)

00423

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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, do hereby certify:

THAT the foregoing pages numbered 342 through 422 contain a full, true and correct Transcript of the VOLUME III, SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by Susan Reilly on the 14th day of October 2000, beginning at the hour of 9:00 o'clock a.m. in Hydaburg, Alaska;

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

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

DATED at Anchorage, Alaska, this 26th day of October 2000.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 4/17/04