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SOUTHEAST ALASKA FEDERAL SUBSISTENCE
REGIONAL COUNCIL MEETING

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VOLUME I

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Sitka, Alaska

13

March 17, 2004

14

9:00 o'clock a.m.

15

16

17 COUNCIL MEMBERS PRESENT:

18

19 John Littlefield, Chairman

20 Bertrand Adams

21 Michael Bangs

22 Michael Douville

23 Dolly Garza

24 Donald Hernandez

25 Eric Jordan

26 Harvey Kitka

27 Floyd Kookesh

28 Mary Rudolph

29 Michael Sofoulis

30 Richard Stokes

31

32 Herman Kitka, Member Emeritus

33

34 Regional Coordinator, Robert Schroeder

35

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P R O C E E D I N G S

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(Sitka, Alaska - 3/17/2004)

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(On record)

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CHAIRMAN LITTLEFIELD: I'd like to call the meeting to order and welcome everyone here that's attending. It's been the custom of the Regional Advisory Council since I've been a member that we have an invocation and I'd like to ask Richard Stokes from Wrangell to give the invocation.

MR. STOKES: The last time my brother Bert told us a little story, I would like to give a little story this morning. When we were nomadic people wandering around, Interior of Alaska, they came to this great mighty river that disappeared under an ice field in a big hole in the ice, and when the people stayed there until the game was depleted, it was decided that someone would go down through the hole in the ice and see what was down below.

And one of the elders and his wife floated down in a raft, and they were gone for many, many, many weeks. They were given up for dead. Everyone except the nephew, we being nomadic people, he said, my uncle is a survivor. And every day he'd go out up on the mountain and look over the ice field, and one day after many weeks he saw two little specs and he recognized his uncle.

There was great rejoicing in the camp. He said down through the hole in the ice there's a land of plenty. There's clams and cockles, ducks and geese, salmon, seaweed, everything your heart desires. So the mass migration of our people went down through the hole. That was the Stikene River.

This was the introduction of our people into Southeast Alaska.

After they stayed at the mouth of the river for a given length of time there was another migration, they went south and they became the Tongass people, the others went out on the west coast of Prince of Wales and they're in Klawock. Others came up this way. My grandfather told me that even to the island that smokes, which is right out here. And then many went up into Lynn Canal area and the people of Klawock were lonesome for their relations so they went up into Lynn Canal and they found that their village had not been named yet and they

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1 named it Klukwan and beyond that there was another village
2 they named Klukshu.

3

4 Now, that's my recollection of what I've
5 been told. And the mass migration of the Kix-saa-di, they
6 originated in Canada, what is now Canada, and their emblem
7 is a frog. And my grandfather told me that there was a
8 three frog head representing the migration of the three --
9 of the clans coming to Southeast.

10

11 Let us bow our heads in prayer.

12

13 Our Dear Heavenly Father, we thank you for
14 the privilege, we call upon you this
15 morning. We pray that you will have your
16 way, we request your divine presence with
17 us this morning. We ask you to give us
18 the wisdom and the knowledge to act on
19 these problems that are before us.

20

21 We give you the praise in thy name.

22

23 Amend.

24

25 CHAIRMAN LITTLEFIELD: Thank you, Richard,
26 for that story as well as the invocation.

27

28 The next item on the agenda -- does
29 everyone have an agenda out in the audience, I know the
30 Council has theirs. Okay, the next item is the roll call,
31 establishment of quorum, Secretary, Bert Adams.

32

33 MR. ADAMS: Thank you, Mr. Chairman. Roll
34 call is as follows:

35

36 Richard Stokes. Are you here Mr. Stokes?

37

38 MR. STOKES: Yes.

39

40 MR. ADAMS: Mary Rudolph. She's probably
41 not here yet. Patricia Phillips. She's not here yet.
42 Michael Douville.

43

44 MR. DOUVILLE: Here.

45

46 MR. ADAMS: Thank you, Michael. Harvey
47 Kitka.

48

49 MR. KITKA: Here, sir.

50

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1 MR. ADAMS: Thank you. Bertrand Adams is
2 here. Floyd Kookesh.

3
4 MR. KOOKESH: Here.

5
6 MR. ADAMS: Donald Hernandez.

7
8 MR. HERNANDEZ: Here.

9
10 MR. ADAMS: I want to welcome a new member,
11 Eric Jordan.

12
13 MR. JORDAN: Here.

14
15 MR. ADAMS: Another new member Michael

16 Sofoulis.
17
18 MR. SOFOULIS: Here.

19
20 MR. ADAMS: Welcome. John Littlefield.

21
22 CHAIRMAN LITTLEFIELD: Here.

23
24 MR. ADAMS: Another new member on board,

25 Michael Bangs.
26
27 MR. BANGS: Here.

28
29 MR. ADAMS: Welcome Michael. And last, but

30 not least, Dolly Garza.

31
32 DR. GARZA: Here.

33
34 REPORTER: Okay, wait.....

35
36 CHAIRMAN LITTLEFIELD: Now, maybe we should
37 discuss the protocol on the mikes. There are some new
38 members here. I have the ability to cut anybody off but as
39 soon as you're done speaking, please turn your mike off
40 because it interferes and we always need to have the mike
41 on for the court recorder, she's going to record every word
42 you say so be careful what you say.

43
44 (Laughter)

45
46 CHAIRMAN LITTLEFIELD: So anyway, that's
47 how we do that, please make sure that your mike is on when
48 you speak and I think we missed the last three names, did
49 we -- did you get them?

50

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1 REPORTER: Yes.

2

3 CHAIRMAN LITTLEFIELD: Okay, thank you.

4 Mr. Kookesh.

5

6 MR. KOOKESH: And speak into the mike. Not

7 just turn on the mike, speak into the mike.

8

9 CHAIRMAN LITTLEFIELD: Speak into the mike.

10 Can you hear me all right?

11

12 (Council nods affirmatively)

13

14 CHAIRMAN LITTLEFIELD: Okay, the next item

15 is welcome and introductions.

16

17 MR. ADAMS: Mr. Chairman.

18

19 CHAIRMAN LITTLEFIELD: Bert.

20

21 MR. ADAMS: I would just like to, for the

22 record, you know, declare that a quorum is present.

23

24 CHAIRMAN LITTLEFIELD: Thank you. A quorum

25 is present. The meeting of the Southeast Alaska Regional

26 Council is in order.

27

28 The next item is welcome and introductions,

29 it says John Littlefield, but first we have some special

30 guests. One of them is Herman Kitka, Sr., who is a Board

31 member emeritus, served for years on the Council and I

32 would like to give him the opportunity first to come

33 forward and address the Council and welcome the members to

34 town.

35

36 Mr. Kitka.

37

38 MR. H. KITKA: I would like to welcome all

39 of you as you will be discussing our subsistence. I am the

40 leader of the Kaagwaantaan here in Sitka. The organization

41 that ruled our people for thousands of years.

42

43 And we're very interested in what you folks

44 are going to be doing for our subsistence use. I know a

45 lot of people say that we're at fault in depleting the

46 resources, but, you know, there's only a thousand Indians

47 that subsist in Sitka. Prior to the Western culture coming

48 among us we numbered up in the 18,000 in Sitka area alone

49 and when the White man came they found Southeast Alaska the

50 land of plenty. It was under the control of the

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1 Kaagwaantaan. We made the regulations on how to live on
2 our land and it's very important to our people,
3 subsistence.

4

5 So remember when you make a ruling, don't
6 try to cut any of our subsistence out of our lives.

7

8 Our whole identity depends on it.

9

10 And I served on the panel from the time it
11 was formed until I got sick. I stayed in the hospital for
12 months, I resigned. Even though I resigned and sent a
13 letter in, the Board ruled that they make me an honorary
14 lifetime member, so actually I'm still a member with you
15 folks.

16

17 I thank you all for coming to Sitka to work
18 out our problems with subsistence. And I welcome you to my
19 organization, Kaagwaantaan is the largest organization
20 among the Tlingit people in Southeast.

21

22 With this I'll leave you. Thank you.

23

24 CHAIRMAN LITTLEFIELD: Thank you, Mr.
25 Kitka. As he mentioned, he is a Member Emeritus of the
26 Board and I would like to note for the record that I used
27 him, as I do all the time for a resource, but on Friday he
28 actually attended a meeting with me, a teleconference with
29 the Forest Service, where we used his counsel to come to a
30 decision on a Special Action Request for goats by the Sitka
31 Tribe which you'll be hearing about later in the meeting.

32

33 So he's still an active member, I always
34 use his counsel and I appreciate your words. Thank you.

35

36 We also have the Chairman of the Sitka
37 Tribe of Alaska present, Mr. Woody Widmark. Would you like
38 to address the Council and welcome.

39

40 MR. WIDMARK: Good morning, Mr. Chairman.
41 Board members. I wanted to welcome all you, besides what
42 Mr. Kitka said, welcome to Sitka. I've been privileged to
43 address the Board at a couple of meetings on fisheries, one
44 in Yakutat and one in Hoonah, and I know that Sitka Tribe
45 has been pretty active over the couple of years. But I'm
46 trying to think who brought this nice weather here today,
47 I think maybe it's the RAC.

48

49 I also wanted to welcome our guests or
50 other tribal leaders from Southeast Alaska and I hope you

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1 have fruitful meetings here in the next couple of days. I
2 hope we have a nice herring run, too.

3

4 Thank you.

5

6 CHAIRMAN LITTLEFIELD: Thank you, Chairman
7 Widmark. Next would be Carol Goularte from the Forest
8 Service District Ranger of Sitka.

9

10 MR. GOULARTE: Thank you, Mr. Chairman. I
11 want to welcome all of you here to Sitka. I want to also
12 let you know that you inspire me so much by the
13 collaboration and the many groups of people that work
14 together to come to this and to meet the needs of Southeast
15 Alaska. And with that inspiration I have learned so much.
16 I've been here a couple years now and I hope that you enjoy
17 Sitka and I hope that we continue to collaborate on many
18 different opportunities and issues that come before us and
19 will be here on and off throughout the session, and later
20 on will be giving you an update on the Shoreline
21 Environmental Impact Statement.

22

23 Thank you.

24

25 CHAIRMAN LITTLEFIELD: Thank you. The next
26 person would be Liz Roberts from the Park Service.

27

28 MS. ROBERTS: Mr. Chairman. Welcome from
29 Sitka National Historical Park and the National Park
30 Service. We at the Park Service certainly respect and
31 understand the importance and the significance of
32 subsistence to the Alaska Native Cultures and to the
33 Alaskan way of life.

34

35 Sitka National Historical Park is not a
36 subsistence park as per ANILCA, however, we are the oldest
37 park in Alaska. We were established in 1910 to commemorate
38 the historic battle in 1804 between the Tlingit Indians and
39 the Russians.

40

41 Here at Sitka we have the forte site which
42 is a little over a hundred acres and it includes trails
43 through the rain forest and totems that were collected in
44 1904 for a St. Lewis expedition and were later returned and
45 erected in Sitka. We also have a visitor's center there,
46 and the visitor center includes the Southeast Alaska Indian
47 Cultural Center, which has ongoing demonstrations and
48 education to perpetuate the Alaskan arts here in Southeast
49 Alaska. That includes woodcarving, metal carving and
50 weaving. And one of our weavers is Teri Rofkar and she

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1 actually weaves with goat hair that's collected locally in
2 the mountains here.

3

4 And we also have the Russian Bishop's
5 house, which helps to preserve the Russian heritage in
6 Alaska, it's one of four surviving buildings of the Russian
7 period that's left in North America.

8

9 We would certainly welcome everybody.
10 We're going to have the visitor center open for you from
11 5:00 to 6:00 this evening, if anybody's interested in
12 coming over and viewing our little museum there. And
13 hopefully we'll have maybe some of the studio artisans
14 available, or, if not we can at least show you their
15 studios. So if anybody's interested, we welcome you to
16 come on down to the park, it's down at the end of Lincoln
17 Street. Just head on down this direction.

18

19 Thank you.

20

21 CHAIRMAN LITTLEFIELD: Thank you, for your
22 welcome. It's my understanding we may try to tour that
23 facility. I would like to also -- I just got word that a
24 longtime elder who worked there for many years has walked
25 into the forest and that's Louie Menard. And so at this
26 time, if I could ask my older brother, Mr. Adams, to say a
27 few words for our brother.

28

29 MR. ADAMS: We'll just take a few seconds
30 and be silent for awhile.

31

32 (Moment of Silence)

33

34 MR. ADAMS:

35

36 Our Father in Heaven, we acknowledge the
37 fact that a brother of ours has passed
38 away this date. We pray for thy comfort
39 of you with his family, thy peace and
40 quiet will be upon them as they go through
41 the mourning period and that they will
42 send him into the spirit world with ease
43 and peace.

44

45 We are thankful leaders and artists,
46 Father, that dwell among us and this was
47 one of the best, and we ask you to accept
48 him now and that thy spirit will guide and
49 direct him and his family.

50

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1 In the name of the Lord and Savior, Jesus
2 Christ.

3
4 Amen.

5
6 CHAIRMAN LITTLEFIELD: Next item on the
7 agenda is the review and adoption of the agenda. Normally
8 what we do here is approve the agenda as a guide and we're
9 not locked into this exactly and can be changed at the
10 request of members.

11
12 So a motion to adopt the agenda as a guide
13 would be in order.

14
15 MR. KOOKESH: Mr. Chairman, I'll make a
16 motion to adopt the agenda as a guide.

17
18 CHAIRMAN LITTLEFIELD: Is there a second.

19
20 MR. ADAMS: I'll second it, Mr. Chairman.

21
22 CHAIRMAN LITTLEFIELD: It's been moved and
23 seconded to adopt the agenda as a guide. Are there any
24 changes to the agenda at this time.

25
26 Dr. Garza.

27
28 DR. GARZA: Mr. Chairman, thank you. It's
29 my understanding we're going to hear a couple of the TEK
30 reports, is that on the agenda?

31
32 DR. SCHROEDER: Through the Chair. We will
33 be hearing TEK reports when we're done with the proposals.
34 We anticipate a report from Judy Ramos of Yakutat and then
35 from Sitka Tribal members, Helen Dangel and possibly Robi
36 Craig for Sitka and Angoon.

37
38 CHAIRMAN LITTLEFIELD: Thank you. I believe
39 those are going to be under Item 10; is that correct?

40
41 DR. SCHROEDER: That's correct.

42
43 CHAIRMAN LITTLEFIELD: Okay. Any other
44 additions or changes to the agenda. Mr. Kookesh.

45
46 MR. KOOKESH: Mr. Chairman, do we have it,
47 concerning our discussion yesterday to talk about written
48 material that will be reviewed by the Assistant Regional
49 Director, is that here?

50

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1 CHAIRMAN LITTLEFIELD: That is not on the
2 agenda, and let's put it on Item D, 14, discussion of
3 Council correspondence. Is that your wish?

4
5 MR. KOOKESH: (Nods affirmatively)

6
7 CHAIRMAN LITTLEFIELD: Mr. Kookesh.

8
9 MR. KOOKESH: And one other point that we
10 need to discuss is concerning the process -- to lay out a
11 process for discussing community input on all the
12 proposals.

13
14 CHAIRMAN LITTLEFIELD: We will make that
15 Item C, that would be community involvement in the RAC
16 process; is that correct?

17
18 DR. SCHROEDER: (Nods affirmatively)

19
20 CHAIRMAN LITTLEFIELD: Any other changes to
21 the agenda at this time.

22
23 (No comments)

24
25 CHAIRMAN LITTLEFIELD: Are you ready for
26 the question.

27
28 MR. ADAMS: Call for the question, Mr.
29 Chairman.

30
31 CHAIRMAN LITTLEFIELD: The question before
32 you is to review and adopt the agenda as a guide. All
33 those in favor, please signify by saying aye.

34
35 IN UNISON: Aye.

36
37 CHAIRMAN LITTLEFIELD: All those opposed,
38 same sign.

39
40 (No opposing votes)

41
42 CHAIRMAN LITTLEFIELD: The motion is
43 adopted. The agenda is approved as a guide. I'd like to
44 remind you that we can change this if a Council member
45 needs something, to go ahead and get that to us and we will
46 add to the agenda at the beginning of each day or at each
47 session.

48
49 DR. SCHROEDER: Mr. Chairman.

50

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1 CHAIRMAN LITTLEFIELD: Dr. Schroeder.

2

3 DR. SCHROEDER: Just in terms of the order
4 in which we cover proposals, we'd like to hold discussion
5 of Proposals 3 through 15 for first thing tomorrow morning.
6 We have Gary Edwards, Federal Subsistence Board member who
7 will be arriving tonight and we would like him present for
8 discussions of deer planning and those proposals.

9

10 CHAIRMAN LITTLEFIELD: That is to make a --
11 if I understand you correctly, you're asking for a special
12 order to make Proposals 3 and 15 a discussion item at 9:00
13 a.m., Thursday.

14

15 DR. SCHROEDER: Yes, Mr. Chair, that's
16 correct.

17

18 CHAIRMAN LITTLEFIELD: Is there any
19 objection to that by the Council?

20

21 (No Council objection)

22

23 CHAIRMAN LITTLEFIELD: So ordered. At 9:00
24 a.m., tomorrow morning we will be discussing Proposals 03
25 through 15.

26

27 The next item on the agenda is welcome and
28 introductions, which we kind of went over -- or passed over
29 that part -- or distributed over that, you can't say
30 passed. I'd like to welcome you also to Sitka. I'm born
31 and raised, my name is John Littlefield, born and raised
32 here in Sitka.

33

34 And I would like to thank the previous
35 speakers, especially Mr. Kitka, Ms. Goularte, the District
36 Ranger, Ms. Roberts and the Chair of STA, Woody Widmark for
37 welcoming us.

38

39 I also extend my invitation, welcome to
40 you. I'm certain that most of you have been before. We
41 have three new Board members this time, this is their very
42 first meeting. Mr. Sofoulis, I will let him pronounce that
43 correctly when he gets his chance. Mr. Bangs. And Mr.
44 Jordan. Also Dr. Garza and I were reappointed in this
45 cycle, so there are five members. And each of us will be
46 given a turn to introduce yourself but I just wanted to
47 welcome you and say hope you enjoy your stay in Sitka and
48 it's a productive meeting.

49

50 So with that we'll start with Mr. Adams,

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1 and each of you can give an introduction of where you're
2 from and anything you want to basically.

3

4 MR. ADAMS: Good morning. Thank you, Mr.
5 Chairman. My name is Bertrand Adams, Sr., I am from
6 Yakutat. I am a commercial fisherman, a subsistence user
7 and sport guide.

8

9 It's always good to come to Sitka because
10 I was born here. As I mentioned on the little trip
11 yesterday, I kind of pointed out the area where I came into
12 this life. I also attended Mt. Edgecumbe, graduated from
13 there from high school and then I attended Sheldon Jackson
14 as well.

15

16 So if I ever were to move away from my home
17 I would probably move to Sitka, I regard it as my second
18 home, and it's always a pleasure to be here.

19

20 I want to also welcome the new members of
21 the RAC. It's a great organization, we've got some great
22 people here, and I think you'll find that out as you go
23 through the meetings today.

24

25 So thank you, Mr. Chairman, it's good to be
26 here.

27

28 MR. KOOKESH: My name is Floyd Kookesh, I'm
29 from Angoon. I'm a commercial halibut fisherman. I'm also
30 a sport fisherman, and also a charter guide. I've lived in
31 Angoon all of my life. And I've been a RAC member since
32 1999.

33

34 And I also want to take this time to thank
35 Bert for taking the position of being the new Secretary.

36

37 (Laughter)

38

39 MR. ADAMS: Yes, thank you.

40

41 MS. RUDOLPH: I'm Mary Rudolph from Hoonah.
42 I've been on this Board, I think since 1995, and I am going
43 to be stepping down this year. I've enjoyed working with
44 the group. I see a lot of new faces. I've been sick for
45 the last two meetings, so I feel I should let more new
46 faces come in.

47

48 I've always enjoyed having the discussions,
49 the comments being made by the Council and I've always felt
50 that we were going to accomplish something. It's been a

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1 joy working on here. I serve on the Hoonah Indian
2 Association as a Board member. I serve on other
3 committees. And I congratulate the new ones that got in
4 and hopefully you'll make more of a difference than I did,
5 and, I again will be missing everybody as I finish my last
6 meeting, next meeting.

7

8 Thank you.

9

10 MR. DOUVILLE: I'm Mike Douville from
11 Craig. I'd like to thank Sitka for having us, Sitka
12 Tribes, you set the standard for Native organizations.

13

14 I'm a full-time commercial fisherman. I
15 own several permits. I'm also a registered fishing guide
16 and a subsistence user from Craig.

17

18 DR. GARZA: Good morning. My name is Dolly
19 Garza, I'm originally from Ketchikan where I live right
20 now. I'm Haida and Tlingit. Haida on my mother's side. I
21 am a poor Ketchikan urbanite who wishes to have subsistence
22 status. We have an ailing economy and people who need to
23 return to the land, both, because of culture as well as
24 because of food needs and so that's one of my missions
25 being on this Council.

26

27 I'm also a professor with the University of
28 Alaska, Marine Advisory Program, so marine education is my
29 job. One of my things -- I'm going to put an ad in here,
30 one of the things I'm doing is trade adjustment assistance
31 workshops for commercial salmon fishermen, so if you know
32 someone who hasn't done that workshop, they have their
33 application, they have to do it before June 30th, they can
34 talk to me about when I'll be to their communities or when
35 the next workshop will be held.

36

37 Thanks.

38

39 MR. STOKES: My name is Dick Stokes, I'm
40 from Wrangell. But my roots are here in Sitka. According
41 to Tlingit tradition, Mr. Herman Kitka is my nephew. And
42 my Tlingit name is Saa-Taan. My uncle was in charge of the
43 Taan-Hi, which is the Sea Lion House, while here in Sitka.

44

45 So my brother over here welcomed me home
46 this morning.

47

48 Thank you, Harvey.

49

50 MR. JORDAN: Thank you, Mr. Chairman. It's

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1 with great honor and humility that I accept this
2 appointment. I am here because John Littlefield and Harvey
3 Kitka asked me to apply. I come from 17 generations of
4 American farmers on my mother's side, and hundreds of
5 generations of Norwegian fishermen on my father's side.

6

7 My father came to Alaska as a herring
8 fisherman in 1940 and returned with my mother to troll
9 salmon out of Wrangell in 1946. I grew up living a
10 subsistence lifestyle and have continued that lifestyle as
11 a fisherman and conservationist since 1976 in Sitka,
12 Alaska.

13

14 Thank you.

15

16 MR. KITKA: Thank you, Mr. Chairman. My
17 name is Harvey Kitka. I'm the son of Herman Kitka who
18 spoke earlier. And hopefully I can follow somewhat in his
19 tradition and help safeguard subsistence lifestyle and
20 welcome you to the meeting.

21

22 Thank you.

23

24 MR. BANGS: Thank you, Mr. Chairman. My
25 name is Mike Bangs and I live in Petersburg. I have lived
26 there for a little over 20 years. I originally moved to
27 Alaska to pursue the subsistence lifestyle that I grew up
28 in the Pacific Northwest. I ended up becoming a commercial
29 fisherman and raising my family here. And I am still real
30 active in subsistence uses, but this seat is designated as
31 a commercial seat, but I want to emphasize that my reason
32 for participating and wanting to be on this Council is to
33 protect the subsistence rights of all rural peoples.

34

35 Thank you.

36

37 MR. SOFOULIS: Thank you. My name is Mike
38 Sofoulis. I was born and raised in Juneau, Alaska, I still
39 live there. I've been working on fishing boats since I was
40 14 years old. I still commercially fish. And for the past
41 15 years have been guiding bear hunters in Unit 4 and Unit
42 1(C).

43

44 Thank you.

45

46 MR. HERNANDEZ: My name is Don Hernandez.
47 I live in Point Baker. I first moved here to Alaska, I was
48 in Petersburg 28 years ago and I lived there for 10 years
49 and moved out to Point Baker where I felt very fortunate to
50 get fully involved in the subsistence lifestyle, which I

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1 really love. I find myself back in Petersburg for the
2 winters now for my son to go to high school there, so it's
3 kind of a bit of a change for me.

4

5 And I am a commercial fisherman and I hold,
6 have some halibut IFQ and a gillnet permit, and that's it

7

8 CHAIRMAN LITTLEFIELD: I'd like to thank
9 the Council. We have one more member who is not here this
10 morning, and that is Patty Phillips and she is from
11 Pelican. The weather has been pretty bad, as you know, for
12 the last few days, she's having trouble getting here, she's
13 still trying to and we hope that she can make it.

14

15 At this time I would like to turn it over
16 to Dr. Schroeder and he will introduce himself, as well as
17 go through the Federal Staff and then we will ask the State
18 ADF&G, and we'd like everybody to introduce themselves.

19

20 Dr. Schroeder.

21

22 DR. SCHROEDER: I'm Bob Schroeder. I'm the
23 Southeast Alaska Regional Advisory Council coordinator, and
24 I also serve as the anthropologist for this region in
25 dealing with customary and traditional use proposals and
26 other proposals that require that input.

27

28 Perhaps best would be for Federal Staff, if
29 we could start going around and if people could introduce
30 themselves and give their agency and say what work they do
31 in this process.

32

33 MR. SUMINSKI: Good morning, Mr. Chairman.
34 Council members. My name is Terry Suminski. I'm a
35 subsistence fisheries biologist with the U.S. Forest
36 Service, Sitka and Hoonah Ranger Districts. I'm sitting in
37 today for Cal Casipit who is the regional Staff biologist
38 for subsistence.

39

40 Thank you.

41

42 MR. MEYERS: Good morning, Mr. Chair and
43 Council. My name is Marty Meyers. I'm the law enforcement
44 coordinator for subsistence for the Forest Service working
45 out of the regional office in Juneau.

46

47 MR. JOHNSON: My name is Dave Johnson. I'm
48 the Southeast team member wildlife biologist and also the
49 coordinator for the Tongass National Forest.

50

00016

1 MR. LAPLANT: Good morning, Mr. Chairman.
2 Council members. My name is.....

3
4 CHAIRMAN LITTLEFIELD: Turn the mike on.
5

6 REPORTER: I got it, go ahead.
7

8 MR. LAPLANT: Mr. Chairman. Members of the
9 Council. My name is Dan LaPlant, I'm with the Office of
10 Subsistence Management in Anchorage and I work on wildlife
11 proposals.

12
13 CHAIRMAN LITTLEFIELD: Can you hear?
14

15 REPORTER: Yeah, got it.
16

17 MR. USTASIEWSKI: I'm Jim Ustasiewski. I'm
18 an attorney with the U.S. Department of Agriculture, Office
19 of the General Counsel in Juneau.

20
21 MS. PETERSHORE: Good morning. My name is
22 Lillian Petershore. I work with the Forest Service in the
23 Regional Office. I'm the tribal government relations
24 specialist.

25
26 MR. CAPRA: Good morning. My name is Jim
27 Capra. I'm the subsistence coordinator for Glacier Bay
28 National Park and the acting District Ranger out of Yakutat
29 for Glacier Bay and Wrangell-St. Elias.

30
31 MS. RAMOS: Good morning. My name is Judy
32 Ramos. Right now I'm the tribal planner for Yakutat
33 Tlingit Tribe and anthropologist for Yakutat Tlingit Tribe
34 and I'll be doing a TEK presentation.

35
36 CHAIRMAN LITTLEFIELD: Right now we're
37 doing the Federal Staff and then we'll come back to Ms. See
38 to lead off with the State.

39
40 DR. SCHROEDER: Don't be shy.
41

42 MR. KESSLER: Hi. I'm Steve Kessler with
43 the Forest Service. I'm the regional subsistence program
44 leader for the Forest Service. I also serve on the Inter-
45 Agency Staff Committee. I would also like to say that our
46 Regional Forester Denny Bschor did have every intention to
47 be at this meeting. Three weeks ago his mother-in-law
48 passed away and so his schedule had to be adjusted and
49 unfortunately he was not able to come to this meeting. He
50 had intended to be on the field trip and to the meeting.

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1 He did commit that, if at all possible, he will be at your
2 next meeting of the Southeast RAC.

3

4 MR. MCBRIDE: Doug McBride, Office of
5 Subsistence Management, Fishery Information Services,
6 Anchorage.

7

8 MR. RIGGERS: I'm Brian Riggers. I'm the
9 acting District Ranger at Wrangell.

10

11 MR. BALDWIN: Good morning. I'm John
12 Baldwin. I'm the District Ranger at Hoonah, U.S. Forest
13 Service.

14

15 MR. LARSON: Good morning. My name is Bob
16 Larson. I am with the Forest Service in Petersburg as a
17 fisheries biologist.

18

19 MR. PARSLEY: My name is Chuck Parsely. I'm
20 a biologist in the Hoonah Ranger District, U.S. Forest
21 Service.

22

23 MR. JACK: Good morning. My name is Carl
24 Jack. I'm a Native Liaison for the Federal Subsistence
25 Board, Inter-Agency Staff Committee member for the Chair.

26

27 MR. COFFIN: I'm Ken Coffin. I'm a
28 biologist with the Sitka Ranger District, U.S. Forest
29 Service.

30

31 MR. PEARSON: Ken Pearson. Law enforcement
32 for the Forest Service stationed in Ketchikan.

33

34 MR. BRAINARD: Jim Brainard. Wildlife
35 biologist Petersburg Ranger District with the Forest
36 Service.

37

38 MR. MORAN: Good morning. My name is Matt
39 Moran. I'm a wildlife biologist in the Yakutat Ranger
40 District for the U.S. Forest Service.

41

42 MR. EASTLAND: Good morning. I'm Warren
43 Eastland. I'm the wildlife biologist for the Bureau of
44 Indian Affairs and I'm a member of the Inter-Agency Staff
45 Committee.

46

47 DR. SCHROEDER: And I think we're missing
48 one Federal Staff member.

49

50 MS. HERNANDEZ: I'm Melinda Hernandez. I

00018

1 just recently started working in subsistence with Bob.

2

3 MS. MCKINLEY: Diane McKinley, National
4 Park Service, subsistence program.

5

6 DR. SCHROEDER: Thank you. Is that all the
7 Federal Staff members.

8

9 (No comments)

10

11 DR. SCHROEDER: Thanks for your
12 introductions. And, perhaps, Marianne, you could lead off
13 for the State.

14

15 MS. SEE: It will be shorter.

16

17 (Laughter)

18

19 MS. SEE: I'm Marianne See, assistant
20 director with the Division of Subsistence for Fish and
21 Game. And I help represent the Department's position,
22 which frequently is a collaborative effort between
23 different divisions.

24

25 We have representatives here from both the
26 Divisions of Wildlife Conservation and Subsistence, and
27 I'll let them introduce themselves.

28

29 MR. TUREK: Good morning, Chair, Council.
30 I'm Mike Turek with the Alaska Department of Fish and Game,
31 Division of Subsistence. I'm the regional supervisor for
32 the Southeast Region out of the Douglas Office.

33

34 MR. RABE: Good morning. I'm Dale Rabe
35 with the Alaska Fish and Game, Wildlife Conservation
36 Division and I'm the management coordinator out of the
37 Douglas Office.

38

39 CHAIRMAN LITTLEFIELD: Are there any
40 others.

41

42 MS. SEE: We've got two more.

43

44 MR. MOONEY: Good morning. My name is Phil
45 Mooney, I'm the area management biologist here in Sitka
46 with the Alaska Department of Fish and Game.

47

48 MR. LARSEN: Good morning. My name is Doug
49 Larsen. I'm the regional supervisor of Douglas for the
50 Alaska Department of Fish and Game, Division of Wildlife

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1 Conservation. And for those of you who may have known or
2 know Kim Titus, when Kim moved over to our headquarters
3 office that opened up his position and that's the position
4 I'm currently in, so to give you a point of reference.

5

6 Thank you.

7

8 DR. SCHROEDER: Thanks, Doug. Could we
9 have tribal representatives introduce themselves.

10

11 MR. PETERSON: Good morning. My name is
12 Richard Peterson. I'm president of the Organized Village
13 of Kasaan on southern Prince of Wales Island.

14

15 DR. SCHROEDER: And.

16

17 MR. SEE: My name is Michael See. I'm here
18 representing the Hoonah Indian Association of Hoonah.

19

20 MS. MCCAMY: Good morning. I'm Pam McCamy
21 from the Organized Village of Kasaan. I'm on the IRA
22 Council and a subsistence user.

23

24 MR. LORRIGAN: Good morning. My name is
25 Jack Lorrigan. I'm the biologist for the Sitka Tribe of
26 Alaska.

27

28 On behalf of the Staff of Sitka Tribe,
29 welcome to Sitka. And since I have your rapt attention,
30 we're having a raffle for Uncle Bill, see me about details,
31 we've got good stuff.

32

33 Thank you.

34

35 DR. SCHROEDER: And could we have members
36 of the public introduce themselves.

37

38 MR. ROBERTS: I'm Claire Roberts. I work
39 at Sitka National Historical Park. And I'm here on behalf
40 of the Superintendent who is in the hospital unable to
41 attend. I'm just here as a public person.

42

43 MR. HANSON: Good morning. My name is Joel
44 Hanson. I'm just here as a private individual, as well,
45 I'm a 25 year resident of Southeast Alaska and spent most
46 of my time in the Wrangell area. I'm a subsistence user.
47 I currently work for The Boat Company. I'm an Alaska
48 liaison and a captain.

49

50 CHAIRMAN LITTLEFIELD: Are there any other

00020

1 members, yes, I see one present, the court reporter.

2

3 REPORTER: My name is Tina and I'm the
4 court reporter for the meeting, or Salena as some of you
5 know me by.

6

7 CHAIRMAN LITTLEFIELD: Would you turn your
8 mike on please.

9

10 (Laughter)

11

12 REPORTER: I'm speaking into this little
13 external mike.

14

15 CHAIRMAN LITTLEFIELD: She will remind you
16 that you need to turn on your mike because I like I said,
17 everything is on the record.

18

19 Here we have one new tribal representative
20 that just came in, John, for the record, could you go ahead
21 and introduce yourself, maybe you could use Mr. Johnson's
22 mike.

23

24 MR. MORRIS: My name is John Morris, Craig
25 Community Association, Prince of Wales Island.

26

27 Thank you.

28

29 CHAIRMAN LITTLEFIELD: We start at 9:00
30 o'clock John.

31

32 MR. MORRIS: Sorry.

33

34 CHAIRMAN LITTLEFIELD: It's good to see you
35 and I'm glad all of you could make it. The next item on
36 the agenda is.....

37

38 MR. ADAMS: Mr. Chairman.

39

40 CHAIRMAN LITTLEFIELD: Mr. Adams.

41

42 MR. ADAMS: I didn't hear Terry or Marty
43 over there introduce themselves.

44

45 CHAIRMAN LITTLEFIELD: They were very quiet
46 but they did introduce themselves. The law is usually very
47 quiet and unobtrusive.

48

49 (Laughter)

50

00021

1 MR. ADAMS: So much to say for your
2 secretary.

3
4 (Laughter)

5
6 CHAIRMAN LITTLEFIELD: Okay. Maybe I could
7 expand for a minute on what Jack Lorrigan mentioned. There
8 are a number of fundraisers going on while we're here in
9 town. It has been a tradition of the Council that usually
10 the Council attends fundraiser that are put on in the
11 communities that we go to. While it's not required, we
12 hope that you do attend. Today, I know of one fundraiser,
13 which would be at the ANB Hall and it's sponsored by the
14 Kix-saa-di, it will be at noon and it's deer stew, herring
15 eggs, that type a deal, it's \$7 a plate, starting at noon
16 at the ANB Hall. And they're raising funds for the 200
17 year celebration, as was mentioned by Ms. Roberts, 200 year
18 celebration of the 1804 Battle at the Park.

19
20 The fundraiser for the previous Chairman,
21 Bill Thomas, is going to be Thursday evening at 6:00 p.m.,
22 and as was mentioned earlier, we're going to have a lot of
23 donations that were given. There's some of them over here
24 on the table right now. A halibut hook by Mr. Douville.
25 And there is a drum by my wife. And we're going to
26 hopefully have a nice turn out for him because he was
27 really important to this Council in the formation, he was
28 here from the very beginning and kind of shaped and molded
29 what this Council is today.

30
31 So there'll be more of those. I will
32 announce them as I get further information from, I believe
33 the Kaagwaantaans are having a fundraiser on one of the
34 days for lunch, but for today if you would like to attend
35 there is the one at the ANB Hall.

36
37 The next item on the agenda are Council
38 reports, which during this period the members are from
39 somewhere, even though we are a rural Advisory Council, you
40 have to be from somewhere so we assume that that person is
41 best able to express what the concerns of their village or
42 city constituents are. So when we come back in we're going
43 to again here from each Council member that wishes to
44 speak, some may not wish to, but if they have concerns
45 we'll allow them to bring those up. And before we do that,
46 I'm going to take about a 10 minute break, allow you to get
47 a cup of coffee and we'll come back in here, it's 10:00
48 o'clock.

49
50 (Off record)

00022

1 (On record)

2

3 CHAIRMAN LITTLEFIELD: Let's come back to
4 order.

5

6 (Pause)

7

8 CHAIRMAN LITTLEFIELD: Okay, we're back to
9 order. I originally said we were on Council reports, but
10 we skipped over five. So at this time a motion to adopt
11 the previous minutes shown on Tab A is in order.

12

13 DR. GARZA: Move to adopt.

14

15 CHAIRMAN LITTLEFIELD: Second.

16

17 MR. KOOKESH: Second.

18

19 CHAIRMAN LITTLEFIELD: Okay. It's been
20 moved and seconded to adopt the minutes shown under Tab A
21 for October 6th through the 8th, are there any additions or
22 corrections to the minutes.

23

24 MR. ADAMS: Mr. Chairman.

25

26 CHAIRMAN LITTLEFIELD: Mr. Adams.

27

28 MR. ADAMS: Just a spelling correction on
29 the report that I made, you know, about the story of Raven,
30 Akwe is spelled A-K-W-E, okay?

31

32 REPORTER: (Nods affirmatively) Thank you.

33

34 MR. ADAMS: Thank you.

35

36 CHAIRMAN LITTLEFIELD: Any other
37 corrections or additions to the minutes.

38

39 (No comments)

40

41 CHAIRMAN LITTLEFIELD: Under the minutes,
42 Item 11, the Council resolutions and letters, I would like
43 to have Staff give us an update later on in the meeting on
44 Items A through G, where we stand on those.

45

46 Any other additions, corrections or
47 information changes.

48

49 (No comments)

50

00023

1 CHAIRMAN LITTLEFIELD: Are you ready for
2 the question.

3
4 DR. GARZA: Question.

5
6 CHAIRMAN LITTLEFIELD: The question's been
7 called. The motion before you is to adopt the minutes
8 under Tab A of October 6th through 8th, all those in favor,
9 please signify by saying aye.

10
11 IN UNISON: Aye.

12
13 CHAIRMAN LITTLEFIELD: All those opposed,
14 same sign.

15
16 (No opposing votes)

17
18 CHAIRMAN LITTLEFIELD: The motion has
19 carried, the minutes are adopted. We're now on Item 6,
20 which is the Council reports, and I would like to ask Dr.
21 Garza to lead off for the Council so that you have an
22 example of how to present yourself.

23
24 Dr. Garza.

25
26 DR. GARZA: Thank you, Mr. Chairman. I
27 will speak primarily to Ketchikan concerns, although I
28 surely have others.

29
30 I would first like to start by thanking
31 Herman Kitka for all the guidance he has given me. I lived
32 in Sitka for 14 years and Herman was very important on this
33 Council in bringing new issues forward and forcing them by
34 just adamantly supporting subsistence causes and trying to
35 bring them forward. So I'd like to state that first.

36
37 It was a big issue for me to move from
38 Sitka, which is just a beautifully located community, just
39 has a very strong tribal basis, very strong subsistence, a
40 very nice community where people who disagree still will
41 walk out and shake hands and be good to each other, and
42 moving to Ketchikan, that is twice the size, is considered
43 an urban community and the diversification in there is much
44 more fragmented and so it definitely shows in the proposals
45 that come out of Ketchikan. But there is one thing that I
46 do see strong support for in Ketchikan and that is simply
47 that Ketchikan should be a rural community, and I just will
48 not stop stating that over and over. It has a very strong
49 Native community. Ketchikan Indian Community numbers, I
50 think, at least 2,500, very large community. Saxman is

00024

1 right there.

2

3

4 Even in the non-Native population in the
5 meeting that was held through the ISER report on
6 rural/urban status, the city planner, the fishermen that
7 represented other users in Southeast, the business people
8 there stated clearly that Ketchikan is a rural community.
9 We are small relative to communities in the United States.
10 The city planner stated that many of the US agencies don't
11 consider any community in Alaska urban, we don't have the
12 millions of people that makes it a metropolis.

12

13

14 The other thing is simply that the
15 Ketchikan economy is very poor. There's one store after
16 another closing. Unemployment is very high. People need
17 the deer that they're harvesting. They need the fish that
18 they're catching. They need seaweed. They need berries.
19 So those needs are cultural from the Native perspective.
20 They're community from people who have lived there for 40
21 years whose family came over a hundred year ago. And even
22 of the newer population that come up looking for jobs and
23 find that there are none and they need simply to subsist,
24 and so that is one of my concerns, surely.

24

25

26 The other area, the Unuk River, has been a
27 concern over the last couple of years and I would like to
28 report, Mr. Chairman, that I think things are running
29 rather smoothly now. People are no longer afraid that they
30 can buy hooligans from the boats that go up and work so
31 hard to bring those fish down and get relatively little for
32 all of their efforts. And if the Unuk boat were coming in
33 I'd probably leave this meeting and go back to Ketchikan.
34 But it is good to know that the Council was very helpful in
35 straightening out that process, and that was one thing that
36 our Chairman Bill Thomas worked also diligently on.

36

37

38 One of the concerns that I know we will
39 hear in the next couple days from Prince of Wales is on the
40 Karta River. We have issues with the declining stocks and
41 we have Kasaan people here who have not been involved with
42 this process and they need assistance from us, as Council
43 members, on how to be involved with the Fisheries
44 Monitoring Projects, how to figure out how to make their
45 salmon stocks stronger. And so I hope that we, as Council
46 members, can assist them individually or listen to their
47 concerns and figure out how collectively we can assist.

47

48

49 The other issue, of course, is the Prince
50 of Wales deer. It has been a contentious issue, and I am
51 hoping that we're close to something that, although be

00025

1 loved by nobody will be acceptable by all, and sometimes
2 that's the best kind of resolution that you can find. If
3 someone's very happy about the outcome that means that
4 someone's very unhappy about the outcome, and sometimes if
5 you find something where both sides walk away saying, geez,
6 we really didn't get what we wanted, then you're actually
7 meeting some of the needs of both sides, and I hope we will
8 consider that as we go through the Prince of Wales
9 proposals in the next two days.

10

11 That's it, Mr. Chairman. Thank you.

12

13 CHAIRMAN LITTLEFIELD: Thank you for that
14 concise report. That's how you do it, I guess, so Mr.
15 Douville.

16

17 MR. DOUVILLE: I don't have anything at
18 this time.

19

20 CHAIRMAN LITTLEFIELD: Okay, that's fine.
21 Mr. Kookesh, did you have anything that you wanted to add.

22

23 MR. KOOKESH: Yes, Mr. Chairman, there's a
24 couple of things I'd like to do. I think I mentioned it
25 before, as I'm sitting on this Council, is I don't know how
26 many communities are still villages. As the former mayor
27 of our community we always consider ourselves cities, and
28 using the word, village, to me is something we're not
29 anymore. Maybe at one time we were, but I believe when we
30 do these reports I believe there should be community and
31 regional concerns because we can address them both.

32

33 But to speak to our community, we're all
34 aware of what all of our communities are going through as
35 Ms. Garza here so eloquently explained, there is problems
36 and I'm sure they won't go away today.

37

38 But to address what's going on in our
39 community. We don't really see many proposals coming to
40 this floor for one -- to speak to an issue that we have in
41 our community, which is the Kanalku, Kanalku closure. The
42 Kanalku closure is a closure that was implemented by the
43 residents where we ceased, probably over 90 percent ceased
44 fishing Kanalku in order to give that stock a chance to
45 rebuild itself. It was something done by the residents, we
46 didn't look for anyone's help, and I was part of that
47 process. And now we're beginning another process on May
48 13th, we're going to have four Comm Fish managers coming to
49 Angoon and we're going to have a meeting on continuing the
50 closure of Kanalku and to get a report of its status and

00026

1 also to -- and this is a community meeting. We're also
2 going to meet and talk about the limits for Mitchell Bay,
3 the limits for Kanalku, the limits for Sitkoh Bay and
4 Basket Bay, which are the other streams we're starting to
5 target in order to protect Kanalku, but it's very important
6 to maintain or continue to keep Kanalku closed, and this is
7 a community-wide effort, it's not being done by anybody
8 other than us. And we're thankful that Comm Fish is coming
9 over to talk to us. And we're happy to work with them
10 because we believe that's the proper route to be going down
11 as a community.

12

13 And at the same time we're also going to
14 talk about our brown bear problem and that's a real big
15 issue because it relates to our dump. Either get rid of
16 the dump -- in order to solve the bear problem you have to
17 get rid of the dump, but you can't do that, so we're going
18 to talk to that.

19

20 And those are the issues in the community.

21

22 On a regional wide concern. When I read
23 Title VIII it talks about region-wide representation, and,
24 you know, no disrespect to anybody from the other
25 communities that sit on here, but it would seem that if
26 we're going to do region-wide representation, that we
27 shouldn't all have all of our board from one community. It
28 would seem better if we spread this out. You know, no
29 disrespect to the gentleman from Sitka, but I'd really like
30 to see us having a broader outreach of different
31 communities sitting here.

32

33 Thank you.

34

35 CHAIRMAN LITTLEFIELD: Mr. Adams, would you
36 like to add anything.

37

38 MR. KOOKESH: Two minutes.

39

40 MR. ADAMS: Thank you, Mr. Chairman. I'm
41 just kind of come off of the report that I made last year.

42

43 We're still concerned about the designated
44 moose hunting issue. You know, all it takes is just one
45 person to foul it up for everyone else, and as I related,
46 you know, last year that there was this person who was able
47 to hunt for his family, himself, and a couple other people
48 and he had five moose hanging in his shed, and wasn't
49 taking care of it. I know this personally because it was
50 right next door to me. And so we'd like to address that.

00027

1 The tribe submitted a proposal, actually they passed it
2 last year when this thing happened, but it wasn't submitted
3 until, you know, until after the first of this year so we
4 probably won't see anything happen, you know, until our
5 next meeting.

6

7 We did address the same issue at the SRC
8 meeting I attended in February. And they made a
9 regulation, you know, one family will be allowed to be only
10 one moose per family, and a person could go out and
11 designate hunt for another individual, but they're going to
12 keep the responsibility for the person who went and got the
13 permit and the designated hunter will go out and hunt for
14 him, but that person that he's hunting for is going to have
15 to still be responsible. Go get the permit, designate
16 someone to go out and shoot the game for him, and then the
17 responsibility for turning in that permit would have to be
18 for the person who is being hunted for. Not only that, but
19 the game needs to be taken to that person that's being
20 hunted for, in order -- and then it's going to be that
21 person's responsibility to take care of it. And I think
22 we're probably going to see a similar proposal, you know,
23 like that come through here probably next year.

24

25 We're still concerned about the ATV issue
26 on the forelands of Yakutat, the Yakutat forelands. And I
27 think the Forest Service is doing a pretty good job, you
28 know, at trying to make the ATVs, you know, going into the
29 swampy areas as limited as possible there. In fact,
30 they're building, you know, some trails and roads for ATVs
31 to go through.

32

33 We're still having problems with the cruise
34 industry. I appreciated the Council's support last year
35 for our issue. Right now we're trying to deal with them to
36 -- you know, the agreement that we made, previously was
37 already passed and now there's no way that we can -- we
38 know that they are disturbing seals as they go into
39 Disenchantment Bay during the pupping season which is from
40 May through July. And there is scientific data that backs
41 that up. Right now we're trying to work with them to use
42 a designated route to go into the Bay and then come back
43 out the same way. We're also going to put some cameras,
44 you know, in strategic points in the Bay so that we'll be
45 able to monitor them. And we're trying to get them to fund
46 it as well, and they look like they're receptive to that
47 because they want to find out as much as we do, you know,
48 whether they are causing any disturbances in Disenchantment
49 Bay or not.

50

00028

1 My friend, Mr. Kookesh, here brought forth
2 an issue that I think is really important and that's a
3 problem, you know, that I've seen also at the SRC's and
4 that's community participation. I've tried real hard as a
5 member of that group to encourage, you know, the people of
6 that area. The reason why we have meetings in different
7 communities is so that we can take the issues, you know, to
8 the people that are most affected. And very few of those
9 individuals, tribal leaders and government people, you
10 know, within the community, you know, are not participating
11 as well as I would like them to. So we're working on that
12 kind of issue. It's a thing that's pretty rampant I guess
13 throughout all of the regions.

14
15 When I first got appointed to the SRC, you
16 know, our Chairman was Bill Thomas and then when I came
17 back and gave a report he wanted to know how come I wasn't
18 elected Chairman right off the bat, and so I told him, you
19 know, it takes a little bit of time and training and so
20 forth but I'm very happy to say that at this last meeting
21 I achieved that goal, so I am the Chairman of the SRC.

22
23 Another issue that I think is really
24 important is where does a proposal start? You know, in my
25 mind's eye, I see a proposal starting from a community,
26 from an individual, an organization, or such, and then it
27 works its way up the ladder and then comes down to us for
28 final approval and -- for approval and then, you know, it
29 goes up to the Federal Subsistence Board for approval and
30 be made into a regulation or not. I really would like to
31 emphasize, you know, the importance of community
32 involvement, when a proposal begins in a community they
33 really should have hearings in the community so that
34 everyone knows what is happening in their own areas.

35
36 I was fortunate enough last week or was it
37 a week or so ago to have a meeting with Mr. Matt Moran,
38 from the Forest Service biology department and Salmon
39 Enhancement Board biologist from the city and borough,
40 which we will be going through a proposal here, today, for
41 adoption. But, you know, I'd like to see more involvement
42 of the community, this just three government agency
43 meeting, but, you know, if we could educate the populous,
44 you know, the citizens of the community about what's really
45 happening, you know, I think that's really important, and
46 that's what I feel, you know, what community involvement
47 means.

48
49 The Hubbard Glacier is a problem that's
50 always before us. I don't know how many of you are

00029

1 familiar with the fact that it's on the move again and it
2 looks like they're saying mid-summer it's going to close
3 off, you know, Russell Fjord. You know, if that happens
4 then Russell Fjord's 30 miles long, about three miles is
5 going to rise from the run-off from the glacier and the
6 rain and so forth and it's going to spill out into the
7 Situk River and it's going to change the Situk River from
8 freshwater fed lake into a glacier river. And it's also
9 going to expand it to about three times its size and
10 there's going to be a tremendous amount of economic
11 backlash as a result of that because the Situk River is, as
12 we all know, you know, one of the most productive rivers in
13 the world. So the community is working real hard -- or
14 trying to work hard and smart to try to figure out what to
15 do when that happens. We've got a couple of Native
16 allotments on that path, if it floods over, plus some grave
17 sites. But you can't fight nature. You know, there's some
18 people who think if it blocks off again, you know, let's
19 blast it back out of there, some scientists believe that if
20 it closes again that it will be a permanent one so if it's
21 something permanent we'll have to deal with.

22

23 Thank you, Mr. Chairman, that's all I have.

24

25 CHAIRMAN LITTLEFIELD: We went past you,
26 Ms. Rudolph. We're on city and community concerns, Item 6,
27 would you like to add anything for Hoonah.

28

29 MS. RUDOLPH: I pretty much have the same
30 concern as Bert and Floyd here on the subsistence
31 participation by the -- especially for our tribe. And
32 there is a proposal that comes through that sometimes we're
33 not aware of.

34

35 And one of the things, before I left, I
36 spoke with the Mayor and the Hoonah Indian Association
37 President, and talked with them about the wanton waste of
38 deer from out of towners that come in and just take what
39 they need and throw the rest of the deer away, and I know
40 it's not by our tribal members because one of the ones that
41 benefited out of our tribal members who go out hunting,
42 whether it be for seal or deer or fish, they always manage
43 to bring up some for -- a lot of the tribal members will
44 bring up a lot to the elders and then share what they've
45 got, so the wanton waste is still really being abused in
46 the way of throwing a lot of the deer away and just taking
47 what they need.

48

49 And I would like to find out how we can do
50 more of participation from the villages. I know some have

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1 come into town and have hardly gotten a response, and like
2 I've always said, we always usually wait until we've lost
3 everything before we try to grasp on to the tail end of it.
4 And it's trying to figure out how to get the tribal members
5 to go, there is a selected few that will move forward and
6 kind of do things and do it on their own without the tribal
7 members knowing, but I would like to see more of the tribal
8 members getting involved.

9

10 Right now, with Glacier Bay, we are working
11 hand in hand with Glacier Bay, we're working with Tomie Lee
12 and Wayne Howell and getting our foot in the door. We've
13 accomplished a lot more than we ever thought we would. And
14 the tribal members are pleased and moving forward on this.
15 And the last few years we had a lot of our elders die, and
16 a lot of them that had visions of maybe putting their foot
17 back in Glacier Bay where they would want to die in their
18 home land and to actually get to where we're at now is a
19 blessing and, yet, a painful blessing because so many of
20 them have not lived long enough to see what we're
21 accomplishing.

22

23 And moving out of this Council after my
24 next meeting is something I'm going to dearly missed
25 because I've worked so much and watched so many changes
26 from the very beginning. I attended the first meeting here
27 in Sitka and watched them as they moved forward and we told
28 our concerns and it really bothers me to see a lot of our
29 tribal members backing away from this. It's almost the
30 frustration of, well, we've tried it and we've seen it and
31 we've seen what it's done and I'm hoping that in the near
32 future that the ones that do come into this Council, that
33 they'll have a better understanding of working with the
34 tribe. Maybe they'll have the magic word that's going to
35 get the town people to participate with their concerns, and
36 just watching all the rules and regulations right now.

37

38 I just kind of feel that it's really not
39 going to be happening because for myself, I'm sad to be
40 leaving but kind of glad to be leaving because of all the
41 paperwork they're going to expect of you, but like I've
42 said I've enjoyed working with the Council prior to now and
43 hopefully get to meet the rest of you later on.

44

45 Thank you.

46

47 CHAIRMAN LITTLEFIELD: Thank you. We'll go
48 over here, Mr. Hernandez.

49

50 MR. HERNANDEZ: Thank you, Mr. Chairman. I

00031

1 have nothing to report at this time. Any others, Mr.
2 Kitka, Mr. Bangs. Mr. Bangs first.

3

4 MR. BANGS: Thank you, Mr. Chairman.
5 Although I've just been recently appointed, there has been
6 a few questions that came up to me by the Petersburg Indian
7 Association and some other people in the town that came
8 about from the subsistence fishery on the Stikene.

9

10 Anyway, what it came down to was that it
11 was resolved but it brought up the question of how you
12 designate or how you address a proposal, by geographical or
13 by a particular town or residents of a community. And so
14 that brought up the question of how should proposals be
15 addressed or brought to the Council.

16

17 And then the other question that came up
18 was what happens when these communities form boroughs, or
19 are Wrangell and Petersburg combined or they each form
20 their own borough and encompass a lot larger population.

21

22 So anyway, these were some of the concerns
23 that were brought to me and we were wondering how the
24 Council could address those, and if it changed the
25 population could it put us in a situation where Dr. Garza
26 is troubling with, the population restrictions of
27 Ketchikan, brings to those people who rely on subsistence.

28

29 So, I'm not saying that any of these are
30 going to happen, I'm just saying that these things may or
31 should be thought of when we talk about these proposals.

32

33 And one other thing that we're struggling
34 with as well is the participation part. And the main thing
35 that came to mind was where are the children? Where are
36 the young adults? I mean look around.

37

38 That's all I have, thank you.

39

40 CHAIRMAN LITTLEFIELD: Okay. For an
41 explanation there are probably several vehicles to do this,
42 one of the other Council persons had already requested that
43 we add the community participation under new business.
44 That would be one of the ways to do that. And the other is
45 we prepare an annual report that is submitted, and that is
46 the other vehicle for getting those concerns on the table.
47 If you would wish to add those under new business we can do
48 that and discuss them at the Council level. So those are
49 the two vehicles, and, again, this agenda is as a guide.
50 If any Council member feels that they would like to have

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1 these discussed under new business, we can do that.

2

3 Mr. Kitka, do you have anything to add.

4

5 MR. KITKA: Thank you, Mr. Chair. We, in
6 Sitka, and I have talked to some people around the town at
7 the different meetings that I attend and they had some
8 concerns about, one of the ones was the deer and the new
9 proposals coming out, and I believe our biologist will
10 speak on this a little later.

11

12 But one of the other proposals that is
13 coming out and we're watching it is for the proposed road
14 system that eventually may go into Sitka, so we're watching
15 Prince of Wales Island the things they have to do because
16 we know that it's going to come to us. And as this fast
17 ferry comes into play, we know it will affect all other
18 communities in Southeast, so I think we will all have to
19 watch it very closely for our subsistence rights and
20 purposes.

21

22 We also had a meeting the other night, the
23 herring issue, and even though this isn't a Federal thing,
24 it could come down to it in certain ways. Mostly we're
25 looking at our concern with law enforcement, the branches
26 as such. And we're hoping that we can get with this
27 Federal enforcement officer and have him come and talk with
28 our herring committee at some point.

29

30 There's some people here from -- I don't
31 know if they're in the audience now from the Marine Mammal
32 Commission that would like to have a talk with the group
33 later on.

34

35 And like Floyd, I believe that proposals
36 for subsistence and things should come from the community.
37 I really strongly support this idea. I don't really think
38 Staff should be bringing proposals to us and saying this is
39 what we're proposing. I believe it should come from the
40 communities and, if not, we need to start some workshops to
41 educate the communities in how to write them.

42

43 Thank you, that's all I have.

44

45 CHAIRMAN LITTLEFIELD: Mr. Jordan.

46

47 MR. JORDAN: Thank you, Mr. Chair. I, of
48 course, fully agree with Harvey on his perspective.

49

50 And in addition to that I have what I call

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1 the four H's of concern herein Sitka right now.

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1. Halibut. I think the halibut resource in Sitka Sound available to subsistence fishermen in our local area management plan is still suffering from localized depletion. And I think whatever this council can do to support research, which is one of the mandates of that plan and information on what is happening with our halibut resource is real important.

2. Herring. I agree with Harvey. While the resource appears healthy, the history of the fishery both here and herring fisheries worldwide inform us of the need for constant vigilance to sustain that resource.

3. Habitat. The third H. There's no doubt in my mind that the extensive clear-cutting 20 to 40 years ago has and is impacting our deer populations and hunting opportunities here in Sitka. Vigilance to conserve the high volume old growth forest critical to deer and other wildlife survival is still required.

4. Holistic Experience associated with subsistence. As I have heard many times subsistence is way more than just the harvesting and eating of the resource, it's a cultural experience. And part of that experience is the quality of the harvesting experience. And the increasing impact of guided sportfishing on that experience is of concern to me here in Sitka. We have dealt with that with two task forces, the Redoubt Sockeye Lake Task Force dealt with that issue there. The Sitka Halibut Local Area Management Plan dealt

00034

1 with that. I see future concerns
2 for shell fish, our clamming beds.
3 I see concerns for that, the
4 shrimp and crab. And I'm also
5 concerned about the impact on our
6 freshwater harvesting experience
7 and resource as guides in the
8 local area increasingly use our
9 freshwater resources. I must say,
10 having said that the Guide
11 Association here in Sitka have
12 been very good to work with. But
13 it's a concern I have.
14

15 I also wanted to, if you'll allow me,
16 briefly, Mr. Chairman, to address something Floyd said
17 about the concern with members from Sitka. I notice that
18 a lot of the members around here in introductions have
19 Sitka ties and their roots and.....
20

21 CHAIRMAN LITTLEFIELD: It's herring season,
22 everybody has Sitka ties.
23

24 (Laughter)
25

26 MR. JORDAN: And, you know, maybe there's
27 something of the people that live in Sitka that they become
28 especially concerned and active in protecting their
29 subsistence opportunities and resources. But more concern
30 than the Sitka presence, I notice a high degree of nomadic
31 presence. And in the interest of full disclosure that I
32 personally have lived in Wrangell, Ketchikan, Petersburg,
33 Juneau, Kasaan, Bay, and Hole in the Wall. I've spent
34 months fishing out of Kake, Port Alexander, Hoonah,
35 Ketchikan, Pelican. And I personally have fished in the
36 rivers and bays from Beam Canal and Bradfield Canal, out on
37 Prince of Wales, Hydaburg, Klawock. And I've shot deer in
38 the woods of Petersburg, Juneau, Kake, Angoon, Tenakee and
39 Sitka.
40

41 I, think, Floyd, we've got to maybe have
42 special concern for some of these nomadic subsistence
43 users. Presence of them on this Committee might be
44 something to discuss later.
45

46 CHAIRMAN LITTLEFIELD: That was at least
47 two more H's, Hole in the Wall and Hydaburg, you forgot
48 Home Boy. Anyway, thank you that was very good.
49

50 Richard.

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1 MR. STOKES: Thank you, Mr. Chairman. We'd
2 like to report a victory, so to speak. That we do have a
3 subsistence sockeye season this year on the Stikene River.
4 And I want to thank the Council's support for this, and Dr.
5 Garza's continued support and also Cal Casipit. They were
6 right behind us all the way.

7
8 I know Petersburg was concerned that we
9 left them out. But we did not leave Petersburg out. The
10 first six years they were included, along with Kake. And
11 just to let you know a little bit about it, Petersburg,
12 they were not a community the turn of last century. They
13 were part of the Stikene tribes country, that creek right
14 across from Petersburg, that was one of the Wrangells
15 better streams. But I got several calls from Petersburg,
16 some were good, and some were not so good. They were
17 concerned why.

18
19 Our main concern now in Wrangell is the
20 deer population. Several of the hunters came to me and
21 they wanted to have a horn restriction. They were, in fact
22 just before I came over they said, well, see what you can
23 do. They weren't happy when I told them that in the
24 biologists wisdom they said that the button deer were
25 already a year and a half old. But apparently a lot of
26 those fellows haven't hunted, even though they are trained
27 and educated in biology.

28
29 I know for a fact that the early fawns by
30 fall season have small horns and little buttons. And I
31 know the young kids go out with their parents and I'm sure
32 that a little two or three year old can't shoot a rifle.
33 But I came in behind one hunter last year who had nine
34 button deer and he had his kids with him. I don't think
35 any of them were over six years old. And he said, oh, my
36 kids got them, but I would like to see button deer taken --
37 ruled not harvestable.

38
39 That's all I've got right now.

40
41 CHAIRMAN LITTLEFIELD: Thank you. Are
42 there any other Council that wish to add anything to that.
43 Like I said earlier there's a couple of vehicles for that.
44 One of the things that we talked earlier about was the
45 community participation which we have already added under
46 Item C. One of the things that I noticed there is we added
47 correspondence as Item B, well, we're going to discuss that
48 under Item 7 and so we're going to go ahead and strike a
49 line through that. Are there any of these issues that the
50 Council has talked about that they would like to add under

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1 new business.

2

3

(No comments)

4

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CHAIRMAN LITTLEFIELD: Any Council.

6

7

(No comments)

8

9

CHAIRMAN LITTLEFIELD: Okay, it's not too late to bring them up if you decide to later, we can discuss those, some of those issues.

12

13

The only thing that I can add to what was already discussed is Sitka is one of those communities that's over 7,500 people. And so it's going to have to demonstrate like it did 10 years ago that it is a rural community to continue their rural status. That is a concern of the local assembly as well as most of the people in town. So that's the only other thing I would like to add as we -- I'd also like to note for the record that the Council has supported Ketchikan's rural status, so I just want to make that clear that we have gone on record with that before.

24

25

Are we ready for seven?

26

27

(Council nods affirmatively)

28

29

CHAIRMAN LITTLEFIELD: Okay, we're going into Item 7 which is the Chair's report and there are five items under that, A, B, C, D, and E. Item A is the .805c letter which is a response from the Federal Subsistence Board to the actions that the Council took at the previous meeting. If you'll look on Page 25, and if you haven't read it I'll give you a minute or two to look that over, and if see if anybody has any questions about that. Each of you should have received a copy of this from OSM. And as was mentioned earlier, the Petersburg -- we took care of that at the Federal Subsistence Board level by adding Petersburg back in. But I'd like to also note for the record that when we did that at that meeting, it was done purposely, the intent was to limit the participation as the State asked us to do to a smaller level. But one of the things that I've learned there, and I believe I've mentioned it before, and we have to watch this, is when we do C&T determinations, is that they tend to be exclusive, they're going to exclude rural residents who would normally have the subsistence rights without a C&T designation. So we have to be real careful about that and make sure that they're inclusive because I think that's the lesson that

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1 the Federal Subsistence Board gave to us, that, be as
2 inclusive as possible when you're doing C&T designations.

3

4 Are there any questions on this .805c
5 letter, I'm not going to run through this thing.

6

7 (No comments)

8

9 CHAIRMAN LITTLEFIELD: Okay, I don't hear
10 any so we'll go to B, which is the Council correspondence,
11 which we just moved from the new business.

12

13 As we talked about in the minutes, on Item
14 11 of the minutes, which is on Page 23 of your Board book,
15 the Council took action on A through G, resolutions and
16 letters which are under the correspondence, and I guess I
17 will turn this over to Dr. Schroeder on Council
18 correspondence and what we can do with those in response to
19 those items on Item 11 in the minutes.

20

21 DR. SCHROEDER: Mr. Chairman, we had some
22 probably frank and charged discussions about Council
23 correspondence after the last meeting. In previous years
24 the Council would pass resolutions and direct the regional
25 coordinator to then come back with a draft of letters
26 expressing the Council intention.

27

28 CHAIRMAN LITTLEFIELD: Mr. Kookesh, you had
29 a question.

30

31 MR. KOOKESH: Who is we? We, you said, we,
32 who is we?

33

34 DR. SCHROEDER: Oh, okay. Discussions took
35 place concerning Council correspondence between, the main
36 participants were Federal Staff, that would be me as the
37 Council coordinator, Steve Kessler is our Staff Committee
38 person, Tom Boyd, Ann Wilkinson, Don Rivard, and a number
39 of other people in the Anchorage office, and the Council
40 participated through the Chair and through Bert Adams and
41 it may be that Dolly Garza was on for a number of these
42 discussions about the role of Council correspondence.

43

44 In previous years, we, meaning the Council
45 and the coordinator would prepare correspondence for
46 Council signature after meetings and those would be sent
47 out by the Chair. The general correspondence load hasn't
48 been particularly heavy in recent years, but it served a
49 role of expressing the Council opinion on a number of
50 issues.

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1 I remember a couple of years ago, as an
2 example, the Council wanted to express its views on what
3 the new halibut regulations would include and allow, and a
4 working group spent some time drafting a letter that was
5 then sent to the North Pacific Fisheries Management
6 Council. Also the Council has expressed itself earlier on
7 the question of Council composition.

8
9 So this was basically in line with the way
10 the Council had previously acted. This time things had
11 changed a bit and a new policy is under development by
12 Office of Subsistence Management and the Federal
13 Subsistence Board which will put limits on the
14 correspondence that the Council sends out.

15
16 Drafts were prepared for most of the items
17 found on Page 23 in Section 11. These were not transmitted
18 in letter form because of this new policy direction.

19
20 Some of the concerns raised by the Council
21 were brought through the process. I know that the Federal
22 Subsistence Staff -- let's see, their concerns about
23 possible changes in halibut were transmitted to the North
24 Pacific Fisheries Management Council through Office of
25 Subsistence Management. There was some meetings that were
26 being held very soon after our October meeting. I'm just
27 looking through and see.....

28
29 CHAIRMAN LITTLEFIELD: We ought to go right
30 from the top on down.

31
32 DR. SCHROEDER: Okay. So the first, the A,
33 which was talking about maintaining the current methods and
34 means and bag limit regulations for halibut. We were not
35 able to send a letter on that. Pete Probasco who attends
36 the North Pacific Fisheries Management Council meetings
37 relayed the Council concerns.

38
39 I'm not sure what happened concerning the
40 inclusion of Naukati as a community eligible for
41 subsistence halibut fishing. I don't believe the North
42 Pacific Fisheries Management Council took action on that.

43
44 C, was also relayed to Pete Probasco for
45 him to represent the Council concerns to the North Pacific
46 Fisheries Management Council.

47
48 D, was a concern based on what would be
49 allowed and not allowed with customary trade for processed
50 fish. The Council wished to get clarification from the

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1 Department of Environmental Conservation on customary trade
2 for processed fish. That request, to my knowledge, wasn't
3 put through to the Department of Environmental
4 Conservation.

5
6 Perhaps we should spend a moment or two
7 talking about what is taking place with respect to
8 customary trade this year.

9
10 CHAIRMAN LITTLEFIELD: It's next on the
11 agenda.

12
13 DR. SCHROEDER: We have that on the agenda.

14
15 CHAIRMAN LITTLEFIELD: It's next on the
16 agenda.

17
18 DR. SCHROEDER: Okay. E, was a
19 controversial letter concerning Bill 1466, which was the
20 Accelerated Land Transfer Act, which was a Senate Bill
21 submitted by our Senator Lisa Murkowski. That letter that
22 was prepared with Council involvement asked for increased
23 public process around finalization of this bill. We
24 weren't able to proceed with that.

25
26 F, was a resolution. And the Forest
27 Service is proceeding with the reprinting of the
28 Subsistence Lifeways of the Tlingit People. We were heard
29 there and the support was important. Staff have been
30 working with Madonna Moss and others to provide a new
31 introduction to that work, and hopefully perhaps by the
32 next Council meeting we may have a new addition of that TEK
33 work that was done quite some years ago.

34
35 On G, this would be something else that was
36 frankly caught up in this issue of Council correspondence,
37 so, although there's a resolution -- a resolution was
38 passed by the Council, that exists as part of our record
39 and is reflected in our minutes, we were not able to send
40 a letter off to support our position as requested by our
41 Yakutat member.

42
43 So that's about what I can say about this.
44 I'm not sure whether -- there may be other Federal Staff
45 who can add to this. The status, as I mentioned yesterday
46 in the training, the Office of Subsistence Management is
47 working on a policy for correspondence, and we've seen
48 various drafts of this policy but they're simply drafts at
49 this point, so we don't have anything specific to comment
50 upon there.

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1 If this is an issue this should be
2 discussed either now or some other time in our meeting to
3 let the Office of Subsistence Management know the direction
4 that the Council would wish to proceed with correspondence.
5 Namely, I think it would be useful to get on the record how
6 you see your role in communicating with other organizations
7 and agencies.

8

9 Thank you.

10

11 CHAIRMAN LITTLEFIELD: Okay, to summarize
12 if you look at those A through G, basically none of them
13 went out in a written format. Pete Probasco, who, at the
14 time was serving in a different role, did relay our
15 comments to the North Pacific Fisheries Management Council
16 but he was at the meeting and we told him what we wanted to
17 do and he took those concerns, prior to this resolution
18 being written, which we had intended to send as a follow up
19 to the North Pacific Fisheries Management Council.

20

21 Lillian Petershore was at our meeting, we
22 told her that we supported it.

23

24 So these were oral instructions from the
25 Council, as well as the protocol for the Yakutat Tlingit
26 Tribe. All of these things were done in the minutes and
27 the will and the intent of the Council is apparent, but we
28 never went any farther than that. We were not allowed to
29 put it on paper and I was not allowed to sign it.

30

31 So I guess I want to open this up for
32 Council discussion. Maybe you don't want to discuss it, I
33 need to find out what you would like me to do.

34

35 Council comments.

36

37 MR. JORDAN: Mr. Chair.

38

39 CHAIRMAN LITTLEFIELD: Mr. Jordan.

40

41 MR. JORDAN: Mr. Chair, are you scheduling
42 that we deal with this right now then or are you asking for
43 comments of where you want that on the agenda, I'm trying
44 to wonder, my inclination is if you want to take it up
45 right now, now would be as good a time as any.

46

47 CHAIRMAN LITTLEFIELD: That's my intent. I
48 think now is the time. We're on that, let's take care of
49 it. If the Council wishes we can move it to new business,
50 but I think it's old business, and something we should take

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1 care of.

2

3

Council. Dr. Garza.

4

5

DR. GARZA: Thank you, Mr. Chairman. I think this has been one of the more frustrating hurdles that we've stumbled across of late. It seems like the Council has been running fairly smoothly and as we listen to comments from Council members and have worked with community members, I think we have done some good things, and they do require that we make our concerns known to other agencies, to State, to Federal, to non-profits, to whoever. And I think that many of them are grateful to get our comments, because with the subsistence halibut, they do want to know what the communities are thinking.

16

17

You know, we worked with the LUD-2 lands, I mean when people are impacted by the number of trees that are whacked out of their backyard, then that's something that we should be able to respond to and let people know on a broader basis that those are concerns of the subsistence people in Southeast Alaska. And so it's quite difficult when you have concerns like these that we brought up and we felt that we had addressed and then we found out that they were not taken care of.

26

27

So in the process from our last meeting to this meeting, I guess it's been very confusing because it seems like we are once again getting direction from an agency when, in fact, our direct relationship is to the Secretary of the Interior, and so maybe we need to get it clarified a little there.

33

34

You know, the concern I have always had is the Federal agencies, while they're doing their best, and I think generally support subsistence do get a separate set of things that they must do and those directions that they get aren't always in favor of or to the benefit of subsistence people. And to have our wishes squashed by a Federal process that may or may not be law and may or may not actually be a legal requirement is really unfortunate, and so there needs to be some clarification.

43

44

But I find that it's very disappointing.

45

46

CHAIRMAN LITTLEFIELD: Thank you. Other

47 Council.

48

49

MR. KOOKESH: Mr. Chairman.

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1 CHAIRMAN LITTLEFIELD: Mr. Kookesh.

2

3 MR. KOOKESH: Mr. Chairman, it was
4 mentioned by Bob that this is a new policy under
5 development.

6

7 DR. SCHROEDER: (Nods affirmatively)

8

9 MR. KOOKESH: And as I sat here and
10 listened to what went on yesterday during our work session
11 and what's going on today, I kind of get the impression
12 that before we make a decision, I'm kind of getting a
13 feeling that maybe we should be looking out onto the floor
14 to see if what we're going to do is going to be all right,
15 and I have a problem with that.

16

17 I believe it's my understanding in talking
18 with Mr. Chairman that we have a relationship, and it's to
19 work with the Staff, but it's not for the Staff, in my
20 position, to be telling us what we're supposed to be doing,
21 especially if this is a policy under development.

22

23 My concern here is having to look to the
24 audience for direction when we're trying to make a
25 decision. I'm kind of affected by that. It makes you
26 wonder what we're doing here.

27

28 CHAIRMAN LITTLEFIELD: Other Council
29 comments. Mr. Douville.

30

31 MR. DOUVILLE: Thank you, Mr. Chairman.
32 Under D, it's just a simple request for clarification, I
33 don't see why we should be denied access that makes our
34 decision-making process more clear. I don't understand
35 where we're going here. I think that we need to have some
36 lines clearly drawn so we understand where we're at so we
37 can make proper decisions.

38

39 Thank you.

40

41 CHAIRMAN LITTLEFIELD: Other Council.

42

43 MR. ADAMS: Mr. Chairman.

44

45 CHAIRMAN LITTLEFIELD: Mr. Adams.

46

47 MR. ADAMS: I really don't know how to
48 approach this, I'm getting my thoughts put together on it
49 but I'll make my best stab at it.

50

00043

1 I think, you know, that everything begins
2 from the bottom and works its way up. And in my protocol
3 proposal, you know, for the cruise ship industry, that
4 issue began in the community of Yakutat, and it caused a
5 deep concern for the residents of that community when the
6 cruise industry began to enter into the Bay. And we were
7 warned by our elders to watch it real closely when in the
8 first year there were 39 ships going into the Bay, and then
9 it accelerated up to 180-some ships last year. And they're
10 anticipating even more this year, I'm not sure. And so the
11 tribe was able to negotiate with the industry to fund a
12 seal study to enter data and do some research as to how
13 much disturbance was caused in the Bay, and so we found out
14 that they were. And so we brought this, we developed a
15 protocol to work with the industry on and all we were doing
16 was asking support, you know, from this body and other
17 bodies as well, to take care of this issue, because we felt
18 it was really important.

19
20 There's a man by the name of Felix Cohen
21 who was an expert in Indian Law and he wrote this comment
22 in a magazine called the Indian Report way back in 1947.

23
24 He said: Not all who speak of self-
25 government mean the same thing by the
26 term. Self-government is derived, rather
27 from some throne in Heaven or in
28 Washington and it is derived from those
29 who are most affected by it.

30
31 In other words, if we want to have a say in
32 what's happening in our communities and our areas, you
33 know, it comes from us. We make our issues known, you
34 know, to a body like the local government, the tribe, and
35 they address it and then it works its way up the ladder
36 until somehow or another it is resolved.

37
38 And I think that this process is being
39 undermined, you know, when we have to answer to how we are
40 going to address these things. And I really feel, you
41 know, that we need to stick and focus on that idea, that
42 everything begins from the bottom and works its way up.

43
44 Let me give just a small short report on
45 Item No. E, I think it is, yeah, the accelerated land
46 transfers.

47
48 I agree that the concern was that there was
49 not enough public comment on this. Last year when Senator
50 Murkowski held a hearing in Anchorage, I think it was

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1 August 6th of last year, at the library there in Anchorage
2 and there were very few people who were invited to attend
3 to testify and there was only one tribal person, who wasn't
4 even representing a tribe, an individual from the Auke Bay
5 Tribe in Sitka -- not Sitka, but Juneau, and the rest were
6 all invited people from the State and Federal agencies.
7 And when Senator Murkowski found out that the tribal
8 leaders had no knowledge of this bill, then she opened the
9 door and made it available for us to send in some
10 amendments. So we were able to organize a group, a working
11 group that represented about 150 tribes in Alaska, and we
12 began to offer some amendments to this bill. The most
13 important thing that we were concerned about was the Native
14 allotments because if the Federal government transferred
15 those, you know, whatever land over to the State and to the
16 village corporations, there was a lot of Native allotments
17 that were going to be affected by it, and that would have
18 been erased right off the map, other than the ones that are
19 probably pending and already certified. But there were
20 closed allotments that Native organizations were trying to
21 get reopened that would never have happened, the Veteran's
22 allotments would never have had an opportunity to go any
23 further, and then the slow space in how a lot of these
24 allotments were being probated, you know, was a concern.

25
26 So we managed to get these amendments in to
27 her in a proper time. In February of this year, Congress
28 had this bill and Ed Thomas, you know, from Tlingit-Haida
29 Central Council went and testified on our behalf. And, you
30 know, this really made a big difference in how Congress was
31 able to address these things because it looks like it's
32 good news, you know, for some of those Native allotments
33 that have been closed without due process and so forth.

34
35 But I just wanted to share that with you
36 because I know that it was a concern to Don about the
37 process of public hearing. We know that it wasn't enough
38 but we did our part, you know, in trying to make this bill
39 an acceptable one.

40
41 But I really think, you know, that we need
42 to stand our ground here, Mr. Chairman, and work on this
43 issue. Because I sat in on a teleconference and I asked
44 Tom Boyd, you know, how long will it take for them to come
45 back with a development program for us and his reply was
46 not before this meeting, maybe after, but that caused some
47 great concern to me because, you know, we need to address
48 this as soon as possible and I think the sooner the better,
49 right here.

50

00045

1 Thank you.

2

3 CHAIRMAN LITTLEFIELD: Other Council. Mr.
4 Hernandez.

5

6 MR. HERNANDEZ: Yeah, Mr. Chairman. I want
7 to thank Mr. Adams for taking actions as a result of my
8 concerns raised at that last meeting, I appreciate that.

9

10 And I think, you know, it's good to point
11 out that that forum we have of community concerns at the
12 beginning of the meeting, our concerns are not always going
13 to directly address things that this Council is charged to
14 deal with, and I think if we're going to keep that forum as
15 a part of these meetings, I think it's important to keep in
16 mind that, you know, for my own self, I don't really feel
17 comfortable coming before the Council with a problem or
18 concern if I'm not prepared to try and do something about
19 it. And I think we need to have that leeway to at least
20 voice our concerns to various agencies that some of these
21 situations are concerned with.

22

23 I think I view it as sort of a courtesy
24 issue. It may be true that some of the actions we ask for
25 or bring to the attention of various agencies are not the
26 expressed charge of this Council, but I think just as a
27 courtesy issue, those concerns ought to be listened to by
28 whoever we choose to address them to.

29

30 Thank you.

31

32 CHAIRMAN LITTLEFIELD: Other Council. Dr.
33 Garza.

34

35 DR. GARZA: Mr. Chairman, thank you. And
36 so I think that one item, in terms of the accelerated issue
37 is just a prime example of where action was needed on a
38 timely basis and fortunately it was done through individual
39 effort, but that letter should have been sent, it's just
40 that simple.

41

42 And so I guess if the agencies are in the
43 process of developing this policy then I think that, since
44 we can't write them a letter anymore, maybe we need to pass
45 a resolution that states our disappointment with the
46 initiation of this process, without consideration of the
47 Councils and input from them. And just make it clear that,
48 you know, without that capability we can't effect decisions
49 that negatively are impacting subsistence and the
50 communities that rely on so many of the Southeast resources

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1 out here, looking at possible solutions, even on an ad hoc
2 basis from this moment forward until some policy comes out
3 and possibly beyond that policy is going to be for the need
4 of us as Council members to bring our concerns forward as
5 resolutions, and if we have resolutions passed then we can
6 do with them as we need, and it may be as an individual
7 that we take that resolution forward as you would with AFN.
8 The AFN passes resolutions and then it's basically up to
9 the community or the organization to take that resolution
10 to the State or Federal agency and say this is the intent
11 of AFN, help us.

12

13 And then also as was the issue with the
14 rural/urban status in Ketchikan, I've been able to take
15 those minutes that we're so grateful to have and say, okay,
16 here it is right here, the minutes clearly state that the
17 Southeast Alaska Regional Advisory Council supports
18 Ketchikan as a rural community.

19

20 And so we're going to have to start
21 thinking strategically in the interim, and first I would
22 see is that we need to continue to write letters, but,
23 secondly we have to figure out how to get those kinds of
24 concerns forward in the absence of that capability since it
25 appears to be on freeze.

26

27 Thank you.

28

29 CHAIRMAN LITTLEFIELD: Other Council.

30

31 (No comments)

32

33 CHAIRMAN LITTLEFIELD: Okay, what I'd like
34 to say here, just for clarification, we operate under, of
35 course, Title VIII, but we also have a charter, a FACA
36 charter, and that charter says that this Council reports to
37 the Chair of the Federal Subsistence Board and when you
38 look into Title VIII, ANILCA, it specifically mentions this
39 Regional Council. Nowhere in there does it mention the
40 Office of Subsistence Management or the Federal Subsistence
41 Board. This is an Advisory Council, it's not a government,
42 we advise the Secretary. And we have to do that job, we're
43 charged to do that job.

44

45 And part of doing that job requires us to
46 communicate with the tribes, communicate with the simple
47 matter of getting more involvement, we could address by
48 having a letter going out requesting participation from
49 this Council. And we need more information. We needed
50 more information on the customary trade. It was clearly

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1 something that the Council needed to make a decision and do
2 its job and we're denied doing that. And FACA says that,
3 undo restraints are not to be put on the Council, otherwise
4 why does the Council exist. We need to be able to do our
5 job, and I guess that's the key part.

6
7 Another thing is I'd like to reiterate,
8 reenforce what Dr. Garza said. Every word we say here is
9 a matter of public record, it is the forum. And so I would
10 see any resolutions that you have read into the record, we
11 can debate them and support them or not, and, that, as Dr.
12 Garza says becomes a matter of record. If we support it, we
13 support it on the minutes and it's there for anybody to
14 read. If Mitch eventually does not let us write a letter,
15 then still the will of the Council is apparent in the
16 minutes, so let's make sure that you make that clear in the
17 minutes of what you intend to do and where our support
18 lies.

19
20 There is no prohibition against me signing
21 the letter that I know of. The Chairman of the Federal
22 Subsistence Board has not given that to me. I only have
23 Staff's word that I can't do this. I've asked for that
24 proposal and I don't have it.

25
26 So I don't know what the Council's wishes
27 are on these items on Page 11 [sic], I'm fully prepared to
28 sign those letters if I could ever get them from our
29 coordinator. But I think there's a couple things.

30
31 Our intent was perfectly clear, and we need
32 to make perfectly clear in the minutes unless somebody
33 disapproves with this, that we want to be able to write
34 letters. We need that information, we need to get
35 information to do our job.

36
37 Mr. Jordan.

38
39 MR. JORDAN: Thank you, Mr. Chairman. I'm
40 reluctant to offer a motion because I'm new to this
41 Council, but I want to communicate to the Council members
42 that have more experience, that I'm prepared to support a
43 motion on this issue that states the position I've heard of
44 the Council members that they don't want restrictions that
45 seem to be put on you.

46
47 Furthermore, as a new member to the
48 Council, and as each of you are, I'm taking very valuable
49 personal time to be here. Part of the time that I am here
50 is because I think this Council serves a very, very

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1 important role in bringing forth the concerns of
2 subsistence interests in our region. I think part of the
3 reason we are here is the mandate to be advocates and
4 voices for those interests. I don't think the Federal
5 system should be stifling those voices, I think they should
6 be, and I see all these people here, and I'm sure every
7 individual here wants to empower those voices with
8 information, with coordination, on and on, so I think it's
9 really important, not only behalf of the Council and our
10 constituents, but on behalf of all the people that are
11 working to empower us, that somebody on this Council make
12 a strong motion.

13

14 Thank you.

15

16 CHAIRMAN LITTLEFIELD: Thank you, for your
17 comments. A motion is in order that would express that and
18 we can further debate that under discussion and clarify
19 that. Like I said, we need to have these on the record
20 because our intent is clear, even if it doesn't go any
21 farther than that. We, as individuals, can take further
22 action as was taken over here by several Council members.

23

24 So a motion is in order if somebody wanted
25 to propose one.

26

27 DR. SCHROEDER: Mr. Chairman, we do have
28 another procedure that we're following with this meeting
29 which requires ethics disclosures and we were going to hold
30 that until we were dealing with proposals, but it may be
31 appropriate to clear our ethics disclosures before we make
32 any motions or before you act as a Council.

33

34 CHAIRMAN LITTLEFIELD: I disagree. This is
35 not something which anybody is going to have a financial
36 conflict of interest on sending a letter, so that's my
37 ruling at this time, is we will not do the ethics at this
38 time.

39

40 Motion. Is anybody prepared to make a
41 motion on this to express the will of the Council.

42

43 DR. GARZA: Stand down for a minute.

44

45 CHAIRMAN LITTLEFIELD: Let's take a five
46 minute recess and grab a quick cup of coffee and we'll
47 prepare something.

48

49

(Off record)

50

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1 (On record)

2

3 CHAIRMAN LITTLEFIELD: We're back in order
4 and we're considering Council correspondence.

5

6 DR. GARZA: Mr. Chair.

7

8 CHAIRMAN LITTLEFIELD: Dr. Garza.

9

10 DR. GARZA: I move that, and it's up here
11 with the power point projector:

12

13 It is the intent of SERAC -- oh, wait, now
14 Tina can't see it.

15

16 REPORTER: That's okay, I'm recording it
17 and you're reading it into the record.

18

19 DR. GARZA: Okay.

20

21 A. It is the intent of SERAC that we
22 shall continue to write letters
23 concerning subsistence. The
24 charter and ANILCA direct us to
25 protect subsistence through .805
26 to initiate, review, and
27 evaluation of proposal for
28 regulations, policies, management
29 plans, and matters relating to
30 subsistence use and by providing a
31 needed forum whereby persons can
32 express subsistence concerns
33 within our region;

34

35 B. We object to any agency threats to
36 stop this process without
37 consultation and in direct
38 opposition to our mandate;

39

40 C. We further request that all Title
41 VIII materials referencing the
42 agencies right to restrict our
43 Council privilege; and

44

45 D. We further request direct
46 communication with the Federal
47 Subsistence Chair, as well as with
48 agency Staff developing this said
49 policy.

50

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1 I so move.

2

3 MR. KOOKESH: Second.

4

5 CHAIRMAN LITTLEFIELD: Is there a second.

6

7 MR. KOOKESH: Second.

8

9 CHAIRMAN LITTLEFIELD: It's been moved and
10 seconded to adopt the motion that is shown before you. I
11 want to make one correction, I think we should add an S on
12 matters; is that correct?

13

14 DR. GARZA: Yes.

15

16 CHAIRMAN LITTLEFIELD: Let's put an S
17 behind the word matters. Any other corrections. Council
18 comments under discussion.

19

20 Dr. Garza.

21

22 DR. GARZA: On that D, right, at the end of
23 the last sentence where it says policy, I wanted to put
24 said policy because it's nothing that we've seen.

25

26 CHAIRMAN LITTLEFIELD: It looks to me like
27 we may need a comma behind review.

28

29 DR. GARZA: Yes.

30

31 CHAIRMAN LITTLEFIELD: In the first
32 paragraph -- yes, there you go. Are there any other
33 technical questions.

34

35 (No comments)

36

37 CHAIRMAN LITTLEFIELD: Under discussion,
38 are there any comments.

39

40 (No comments)

41

42 CHAIRMAN LITTLEFIELD: Are you ready for
43 the question.

44

45 MR. STOKES: Question.

46

47 CHAIRMAN LITTLEFIELD: Question's been
48 called and the vote is on the motion before you to express
49 the intent of SERAC on Council correspondence. All those
50 in favor of approving that motion please signify by saying

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1 aye.

2

3

IN UNISON: Aye.

4

5

CHAIRMAN LITTLEFIELD: Those opposed, same

6 sign.

7

8

(No opposing votes)

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CHAIRMAN LITTLEFIELD: I'd like the record to show that the vote was unanimous with no no votes and no abstaining and the motion has received the recommendation of the Council, and we'll send it out by pigeon.

(Laughter)

CHAIRMAN LITTLEFIELD: Dr. Garza.

DR. GARZA: Mr. Chairman, we do have the matter of concern and it's our understanding that our Staff person has been directed not to write letters so we need to, in this meeting if we're going to direct letters be written, it is my recommendation that we have the Secretary, of course, with our assistance write the letter and the Chairman sign them, since we have not been, as Council members, told that we cannot do this. This would alleviate the attempt to try and make a Staff member write a letter when he apparently has been expressly told not to.

So in passing this motion it's our intent that we continue to write letters but that we direct at the Chair's request, the Secretary to write the letters.

Further, Mr. Chairman, if we have concerns that may be valuable during this meeting, to express them through resolutions so we do, indeed, have something publicly on record on hand that we can carry forward.

Thank you.

CHAIRMAN LITTLEFIELD: Is the Council clear on that, that the Secretary will prepare a letter expressing this as well as any other action and prepare it for my signature and we will not use the regional coordinator for this. Does the Council have any comments, they're clear that that's what's going on.

(Council nods affirmatively)

MR. ADAMS: Mr. Chairman.

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1 CHAIRMAN LITTLEFIELD: Mr. Adams.

2

3 MR. ADAMS: Can I reassign.

4

5 (Laughter)

6

7 CHAIRMAN LITTLEFIELD: The answer is no.

8

9 (Laughter)

10

11 CHAIRMAN LITTLEFIELD: Okay, I think that's
12 clear, and I think the minutes will show that as well as
13 the letter and we will make our position on this known.

14

15 MR. JORDAN: Mr. Chair.

16

17 CHAIRMAN LITTLEFIELD: Mr. Jordan.

18

19 MR. JORDAN: My understanding is this
20 letter is to who?

21

22 CHAIRMAN LITTLEFIELD: Dr. Garza.

23

24 DR. GARZA: Mr. Chairman, it's not a
25 letter, it's a motion so it will be in our minutes and it
26 will go to the Federal Subsistence Board through proper
27 channels.

28

29 MR. JORDAN: Okay. My concern is that
30 other Regional Advisory Councils be informed of our action
31 on this issue as they're probably facing the same
32 directive. Is there a process where we could communicate
33 this to the other Advisory Councils?

34

35 CHAIRMAN LITTLEFIELD: Only if we use, what
36 I just talked about, having our Secretary write that letter
37 and me signing it, because apparently we're not going to
38 get our coordinator to do this because he's been told he
39 can't do that, and I understand that. But the Chair of the
40 Federal Subsistence Board has not directed me to do that so
41 I consider it completely legal and we will take that
42 action, and if that's your recommendation and no one
43 objects, I think that we would send this to the other
44 Regional Chairs for distribution. Does anybody have any
45 problem with that?

46

47 (Council shakes head negatively)

48

49 CHAIRMAN LITTLEFIELD: Okay. We will do
50 that and we will let them know what we've done here in

00053

1 Southeast.

2

3 Okay, we beat that one to death, I think,
4 pretty good, and made it pretty clear.

5

6 We're on C, of Item 7 and I'm going to call
7 a lunch break right here. There is a fundraiser at the ANB
8 Hall. If anybody needs a ride, I believe Forest Service
9 Staff has a couple vehicles. It's also very easy to get
10 to, you can go out this road here and go right up over the
11 hill, down and turn to the right and it's just pass the
12 Pioneer Bar and Wok-N-Teriyaki, which if you were eating
13 anyway that's kind of the way you would head. So hopefully
14 we'll see you down there at the ANB, Kix-saa-di fundraiser.

15

16 If anybody wants to get raffle tickets, we
17 were just given some by the Sitka Tribe and like I said,
18 two of them are up on display right now. We will be having
19 traditional foods, we'll be having king salmon from Enseraw
20 (ph) that they put up with their hatchery fish, we're going
21 to have all kinds of really neat stuff that you'll be able
22 to get on these raffle tickets.

23

24 DR. GARZA: When is the drawing?

25

26 CHAIRMAN LITTLEFIELD: And the drawing will
27 be Thursday evening at the fundraiser.

28

29 We'll be back in business at 1:30.

30

31 (Off record)

32

33 (On record)

34

35 CHAIRMAN LITTLEFIELD: The meeting is back
36 in session. We are on Item C, Page 7, Council requests for
37 mandatory harvest reporting for Unit 2 deer. And Mr. Dan
38 LaPlant, if he could come forward and give us a briefing on
39 this.

40

41 MR. LAPLANT: Good afternoon, Mr. Chairman.
42 Members of the Council. For the record, my name is Dan
43 LaPlant, Office of Subsistence Management.

44

45 Mr. Chairman, I don't have a lot of
46 information here for you, but this issue was sort of
47 wrapped up in the Council correspondence and the moratorium
48 on Council correspondence. And as you recall, the Council
49 had prepared a letter to the Board of Game asking the Board
50 of Game to -- or a proposal to the Board of Game asking for

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1 a permit system for Unit 2 deer reporting. And because of
2 the moratorium, this letter had to be sent to the Office of
3 Subsistence Management.

4

5 We talked with the State Staff and Forest
6 Service Staff and considered several different options as
7 to how reporting of deer harvest could be carried out to be
8 able to provide the information that the Council was
9 looking for. We talked about mandatory reporting of the
10 harvest tickets, maybe a registration ticket or
11 registration permit. We talked about the possibility of
12 joint Federal registration permits. And we really weren't
13 able to come up with a system that both the State and the
14 Federal Staff agreed was efficient, wouldn't provide a
15 burden to deer hunters and was within the budgets.

16

17 So because we didn't have a firm solution
18 developed, the Office of Subsistence Management, in
19 particular Tom Boyd, the Assistant Regional Director,
20 determined to ask the Board of Game to take this issue up
21 out of cycle, probably, the -- the timing wasn't correct,
22 they weren't dealing with Southeast issues during their
23 most recent Board meeting up in Fairbanks. Their next
24 meeting of the Board of Game is going to be in November for
25 Southeast issues, so I felt that was probably a more
26 appropriate time to ask the Board of Game to address this
27 issue and that would give us more time to work with the
28 State and to come up with a method of harvest reporting
29 that would meet the needs of the Council, and again be
30 something that would be implementable.

31

32 We're hoping that this issue can be
33 discussed in the Unit 2 deer planning process and be a
34 product or recommendation from that effort to get the local
35 involvement and Council involvement in that type of a
36 solution.

37

38 And, Mr. Chairman, that's about all the
39 information I have for you at this time.

40

41 CHAIRMAN LITTLEFIELD: Questions from the
42 Council.

43

44 (No comments)

45

46 CHAIRMAN LITTLEFIELD: Okay, thank you very
47 much. And you'll be available to answer questions later as
48 they come up with U-2 problems anyway.

49

50 MR. LAPLANT: Yes, Mr. Chairman, I plan to

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1 be here through the duration of the meeting.

2

3 CHAIRMAN LITTLEFIELD: Okay. Tab D,
4 customary trade concerns. Dr. Schroeder, would you comment
5 on this.

6

7 DR. SCHROEDER: Mr. Chairman, I'll just be
8 very brief on this. Our issue here on this was largely
9 addressed in our discussion of correspondence.

10

11 The Council had requested clarification of
12 the information about customary trade from DEC, State DEC,
13 that hasn't been forthcoming, however, I can report that
14 this year the information is provided to subsistence users
15 will -- in the regulation book, include the authorization
16 for customary trade as passed by the Federal Subsistence
17 Board and then it will simply say something to the effect
18 that subsistence users should know that other laws may
19 apply to -- other rules and regulations may apply to the
20 sale of fish in customary trade.

21

22 So to my knowledge, the pamphlet that we
23 circulated last year won't be coming out this year, and
24 that's the way the program will be presented information on
25 customary trade this year.

26

27 CHAIRMAN LITTLEFIELD: Thank you. Are
28 there Council comments or questions.

29

30 (No comments)

31

32 CHAIRMAN LITTLEFIELD: Hearing none, we're
33 going to go to -- I'm looking at the agenda, Item 7E,
34 Stikene River Fishery Update, and I have here as possible
35 presenters Bob Larson and Terry Suminski, if either or both
36 of you would care to comment on this or bring us up to
37 date.

38

39 MR. SUMINSKI: Mr. Chairman, this is Terry
40 Suminski. Bob is going to do the update for you today.

41

42 Thank you.

43

44 CHAIRMAN LITTLEFIELD: Bob Larson.

45

46 MR. LARSON: Mr. Chairman, as Dick Stokes
47 spoke earlier, the Pacific Salmon Commission authorized a
48 Federal subsistence fishery for sockeyes on the Stikene
49 River this summer.

50

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1 They had some changes that they wished to
2 make to the regulations, but other than that they agreed to
3 the fishery. There is, a chance yet that there will be a
4 chinook fishery on the Stikene and a coho fishery on the
5 Stikene. The chinook fishery -- both of those fisheries
6 needs to have Commission approval and contingent of their
7 approval is a discussion of an abundance based management
8 plan for chinook and what we feel is an appropriate
9 substitute for cohos.

10

11 The Bi-Lateral Committee, the panel
12 discussed these issues and I think we're further along on
13 the chinook issue than we are on the coho issue, but they
14 very well might, because of the lack of controversy
15 concerning cohos, they might go ahead and authorize that as
16 well.

17

18 Right now the changes that the Commission
19 wanted to the sockeye fishery involved changing the
20 definition of catch from a guideline to a harvest cap and
21 changing the dates from -- so that the sockeye fishery
22 would begin July 1st, and that's to minimize the harvest of
23 chinook salmon.

24

25 The next meeting of the Panel will be --
26 not of the Panel, but of the Commission will be the 6th to
27 the 9th of April. So that will be the time at which the
28 Commission will address these two issues. The two issues
29 meaning the chinooks and the cohos. If, at that time,
30 whatever action that they take, if it requires additional
31 action by the Federal Subsistence Board, meaning that the
32 authorization is different than the regulations, then the
33 Federal Subsistence Board is prepared to act and they think
34 that they could do their business in as little as three
35 weeks. So if the Commission agrees to a chinook fishery it
36 should be able to progress on time.

37

38 I think that covers kind of the highlights.

39

40 CHAIRMAN LITTLEFIELD: Thank you, that's
41 great news. Council comments or questions. Dr. Garza.

42

43 DR. GARZA: Thank you, Mr. Chair. I do
44 want to comment following Dick Stokes comments earlier that
45 the TransBoundary Panel was very important to getting this
46 fishery passed, and I know that the Chairman of the Panel
47 worked diligently at this last meeting and it appears that
48 the concerns that we have are from the Canadian side. And
49 so it would be helpful if we could, in any way we can,
50 contact the Canadian side and figure out how to ease their

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1 concerns.

2

3

4 Aside from that, it's my understanding that
5 that Pacific Salmon Commission April 6th to 9th, the
6 primary purpose of that meeting is simply the Stikene coho
7 and king, that they're holding a special meeting for solely
8 for addressing those two species and that fishery. And so
9 I think it would be appropriate for us to send through
10 resolution, letter or whatever format or process that we
11 can, words as well as people, if possible, to at least be
12 available. If you're not aware, you cannot attend the
13 Pacific Salmon Commission meetings, they're generally
14 closed because they are negotiations and covered by
15 whatever law provides them to meet under shield, which
16 bothers me to no end, but they can anyway, but it's helpful
17 to be there, so if they have a break and they have
18 questions they can step outside and they can talk to you.
19 We're clearly at a disadvantage because the concerns of the
20 Canadian side are represented there on the TransBoundary
21 Panel, they have a large Native contingent on their side.
22 On our side we don't. And so if they have questions, we
23 really don't -- they really don't have anybody to turn to,
24 although the TransBoundary Panel members are, I think,
25 fairly well up to speed, but they still aren't there
26 representing subsistence needs. So that is still a hole.

26

27

Thank you.

28

29

30 CHAIRMAN LITTLEFIELD: At the previous
31 meeting, Andy McGregor, who is the Chair of the
32 TransBoundary River Panel, did invite a representative of
33 Staff as well as two Council members, is there any
34 indication that that has been made at this time?

34

35

DR. GARZA: Mr. Chairman, if I may.

36

37

CHAIRMAN LITTLEFIELD: Dr. Garza.

38

39

40 DR. GARZA: That was an invitation to the
41 Alaska TransBoundary Panel meeting, which is separate than
42 the meeting that will be held in -- is it Vancouver, I
43 can't keep track of where they're meeting, however, it is
44 not -- we can't be sure that that's an invitation to attend
45 this meeting, for one it is special.

45

46

47 And, yes, Dick Stokes and I did attend that
48 January meeting along with the guy from Anchorage.

48

49

DR. SCHROEDER: Mr. Buklis.

50

00058

1 DR. GARZA: Yes, Larry Buklis. I mean so
2 it's possible, I mean if they know we're coming they might
3 be grateful, I don't know.

4

5 CHAIRMAN LITTLEFIELD: Other Council.

6

7 (No comments)

8

9 CHAIRMAN LITTLEFIELD: What's the Council's
10 wishes on this then? Do you have a recommendation, Dr.
11 Schroeder?

12

13 DR. SCHROEDER: I'm not following this
14 situation very closely but the Council may suggest that Bob
15 Larson contact Larry Buklis and see if it's appropriate for
16 either Bob Larson or Larry Buklis or a Council member to be
17 available at this important meeting that's taking place on
18 the 6th through the 9th.

19

20 CHAIRMAN LITTLEFIELD: I agree. I think we
21 could probably go with the previous action and it would be
22 okay to say if Dr. Garza and Richard Stokes were invited as
23 well as Bob Larson or other Federal Staff, that we would
24 certainly want to make sure that they could go.

25

26 Do we need that in a motion -- I think that
27 would probably be better if we have that in a motion if we
28 -- you may not want to go, but -- Dr. Garza.

29

30 DR. GARZA: Mr. Chairman, I would move that
31 Southeast Alaska Regional Advisory Council encourage Dick
32 Stokes, Dolly Garza and fisheries staff, including Larry
33 Buklis, Cal Casipit or Rob Larson be available to attend
34 the Pacific Salmon Commission April 6th to 9th for the
35 Stikene issue.

36

37 CHAIRMAN LITTLEFIELD: Is there a second.

38

39 MR. DOUVILLE: I'll second it.

40

41 CHAIRMAN LITTLEFIELD: It's been moved and
42 seconded that the Southeast Alaska Regional Council
43 encourage Dick Stokes and Dolly Garza and Forest Service
44 Staff consisting of -- or OSM Staff would be Larry Buklis,
45 Forest Service Staff would be Cal Casipit and Bob Larson to
46 attend the April 6th through 9th Commission meeting.

47

48 Any discussion.

49

50 Dr. Garza.

00059

1 DR. GARZA: Mr. Chairman, I would suggest
2 that we have an alternate from the Council as our new
3 Petersburg rep if one of us can't make it, if Mr. Bangs is
4 willing to.

5
6 CHAIRMAN LITTLEFIELD: Would you like to
7 fill that position?

8
9 MR. BANGS: Yes, Mr. Chairman, I would be
10 willing to do that if the herring aren't spawning at that
11 particular time.

12
13 (Laughter)

14
15 CHAIRMAN LITTLEFIELD: Another Sitka
16 resident.

17
18 (Laughter)

19
20 CHAIRMAN LITTLEFIELD: Is there any other
21 member of the Council, Mr. Hernandez, would you be willing
22 to serve in that spot?

23
24 MR. HERNANDEZ: I think I could serve as an
25 alternate, Mr. Chairman.

26
27 CHAIRMAN LITTLEFIELD: Will the maker of
28 the motion and agree that we can add by friendly amendment
29 Mr. Hernandez.

30
31 DR. GARZA: Mr. Chairman, I would move that
32 we have as alternatives Mr. Bangs and Mr. Hernandez.

33
34 CHAIRMAN LITTLEFIELD: Is there a second to
35 that amendment.

36
37 MR. STOKES: I second it.

38
39 CHAIRMAN LITTLEFIELD: Okay, it's been
40 moved and seconded that Mr. Bangs and Mr. Hernandez serve
41 as alternates. Any discussion on this amendment.

42
43 (No comments)

44
45 CHAIRMAN LITTLEFIELD: Are you ready for
46 the question.

47
48 MR. STOKES: Question.

49
50 CHAIRMAN LITTLEFIELD: The question is on

00060

1 the amendment to the main motion to add Mr. Bangs and Mr.
2 Hernandez as alternates. All in favor signify by saying
3 aye.

4

5 IN UNISON: Aye.

6

7 CHAIRMAN LITTLEFIELD: Those opposed, same
8 sign.

9

10 (No opposing votes)

11

12 CHAIRMAN LITTLEFIELD: The amendment has
13 passed. You have before you the main motion which was to
14 -- the main motion, as amended, and the Southeast Alaska
15 Regional Advisory Council will encourage Richard Stokes,
16 Dolly Garza and Forest Service Staff consisting of Cal
17 Casipit and Bob Larson, as well as OSM Staff Larry Buklis,
18 and as amended to include as alternates from the Council,
19 Mr. Bangs and Mr. Hernandez.

20

21 Are you ready for the question.

22

23 MR. STOKES: Question.

24

25 CHAIRMAN LITTLEFIELD: All those in favor
26 of that motion, please signify by saying aye.

27

28 IN UNISON: Aye.

29

30 CHAIRMAN LITTLEFIELD: Those opposed, same
31 sign.

32

33 (No opposing votes)

34

35 CHAIRMAN LITTLEFIELD: That motion has
36 passed, and I'm not going to read it again, everybody
37 understands what it was.

38

39 Are there any other questions for Mr.
40 Larson or Mr. Suminski before we go on.

41

42 (No comments)

43

44 CHAIRMAN LITTLEFIELD: Thank you.

45

46 MR. LARSON: Thank you, Mr. Chairman.

47

48 CHAIRMAN LITTLEFIELD: The next item is
49 Number 8, public testimony. We're starting public
50 testimony now and if you can only be here at a certain time

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1 we will make you the effort to allow you to testify at any
2 time.

3

4 We had a change to the Southeast charter,
5 which was, I believe it was September or something like
6 that of last year, and the charter added a new section
7 which was an ethics disclosure under Section 10 and I'd
8 like to let Dr. Schroeder explain what we have to do now to
9 comply with that.

10

11 DR. SCHROEDER: Thank you, Mr. Chair. To
12 apply with the ethics disclosure provision of our charter,
13 each Council member needs to read into the record a
14 statement concerning their possible conflict of interest
15 with the matters that are under discussion. At that point
16 the designated Federal official rules whether or not the
17 person has a conflict of interest.

18

19 So to be efficient at this we'd simply go
20 around the panel and then the coordinator would make that
21 determination. And we'd start, Mr. Chair.

22

23 CHAIRMAN LITTLEFIELD: Okay, I'll start
24 this out, these were the Council training, there were
25 several that did not make the meeting yesterday but it
26 would be the last page of this Council training manual, and
27 you can kind of read the language right out of there.

28

29 One of these, hopefully, will fit your
30 situation. I'm going to go with the first one there.

31

32 My name is John Littlefield. I live in
33 Sitka. I subsistence hunt in the Federal lands under
34 consideration at this meeting. I do not hold any
35 commercial permits or conduct any business activities
36 directly affected by any agenda items before the Council.

37

38 DR. SCHROEDER: As the designated Federal
39 official, I consider that Member Littlefield does not have
40 any significant financial interests directly related to
41 matters before this Council and may fully participate.

42

43 CHAIRMAN LITTLEFIELD: Just as a matter of
44 clarification, this concerns permits like on the Federal
45 lands. We're talking about Federal lands here, not permits
46 to fish 200 miles off shore or something like that, that's
47 not something that may or may not affect it. We're
48 concerned mostly like with freshwater guides. And that
49 stuff, so I guess we'll go over here and start at this end
50 with Mr. Adams and we'll just work away around and

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1 hopefully you'll pick one of those ones that work and we'll
2 make this easy.

3

4 Mr. Adams.

5

6 MR. ADAMS: Mr. Chairman, thank you. My
7 name is Bertrand Adams. I live in Yakutat. I subsistence
8 hunt and fish on Federal lands under consideration at this
9 meeting and I do not hold any commercial permits or conduct
10 any business activities directly affected by the agenda
11 items on the Council.

12

13 Thank you.

14

15 DR. SCHROEDER: In my role as designated
16 Federal official, I consider that Member Adams does not
17 have any significant financial interests directly related
18 to matters before this Council and may fully participate in
19 our proceedings.

20

21 MR. ADAMS: Mr. Chairman, may I correct,
22 Mr. Schroeder, it's not Henry Adams.

23

24 (Laughter)

25

26 CHAIRMAN LITTLEFIELD: Bertrand Samuel
27 Adams.

28

29 MR. KOOKESH: Samuel Adams.

30

31 (Laughter)

32

33 MR. KOOKESH: I have a question before we
34 start, do we have to do this every meeting or is there a
35 blanket one that will cover all of this?

36

37 DR. SCHROEDER: Mr. Kookesh, our charter
38 requires us to do ethics disclosures for every meeting in
39 which you may participate. It may possible you may have no
40 conflict of interest at this meeting but you may have a
41 conflict of interest in some matter before the Council in
42 some future meeting.

43

44 MR. KOOKESH: My name is Floyd Kookesh and
45 I live in Angoon, Alaska. I subsistence hunt and fish in
46 the Federal lands under consideration at this meeting. I
47 do not hold any commercial permits or conduct any business
48 activities directly affected by any agenda items before the
49 Council.

50

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1 DR. SCHROEDER: Thank you, Mr. Kookesh. As
2 designated Federal official, I consider that Mr. Kookesh
3 does not have any significant financial interests directly
4 related to matters before this Council and may fully
5 participate.

6
7 MS. RUDOLPH: How do I word it if I don't
8 hunt or fish but I get subsistence?

9
10 CHAIRMAN LITTLEFIELD: I would use number
11 1 as an example, and then again this is wildlife meeting so
12 you only need to repeat the hunt. I think there's the
13 choices there, you could either circle hunt or fish, I
14 would circle hunt and then on Federal lands, you don't need
15 to read the waters because we're talking about wildlife.

16
17 MR. KOOKESH: Hunt means that you haven't
18 killed yet, that's what you're saying.

19
20 (Laughter)

21
22 CHAIRMAN LITTLEFIELD: If you don't hunt --
23 I guess I don't know, I'm going to leave that up to Dr.
24 Schroeder.

25
26 DR. GARZA: Getting subsistence.....

27
28 MR. KOOKESH: But hunting is not killing.

29
30 CHAIRMAN LITTLEFIELD: This is what I
31 suggested yesterday that I thought it would be appropriate
32 if you just say your name for the record and that you do
33 not conduct any activities that are a conflict of interest
34 with your duties on this Board, and I think that's adequate
35 and we were told otherwise, I still think in your
36 particular case that's going to be adequate.

37
38 MS. RUDOLPH: My name is Mary Rudolph. I
39 live in Hoonah. I accept subsistence hunted meat and
40 accept fish from Federal lands and waters under
41 consideration at this meeting. I do not hold any
42 commercial permits or conduct any business activities
43 directly affected by any agenda items before the Council.

44
45 DR. SCHROEDER: Thank you, Mary. As
46 designated Federal official, I consider that Mary has no
47 significant financial interests in matters before the
48 Council and that she may fully participate.

49
50 MR. DOUVILLE: Mike name is Mike Douville.

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1 REPORTER: Mike.

2

3 MR. DOUVILLE: I live in Craig.

4

5 REPORTER: Mike, microphone.

6

7 CHAIRMAN LITTLEFIELD: Mike Microphone.

8

9 (Laughter)

10

11 MR. DOUVILLE: Okay, are we on?

12

13 REPORTER: Yes, thank you.

14

15 MR. DOUVILLE: My name is Mike Douville.

16 I live in Craig. I subsistence hunt and fish on Federal

17 land. I do hold commercial permits, however, none are

18 affected by our meeting here.

19

20 DR. SCHROEDER: Thank you, Mike. As

21 designated Federal official, I consider that Mr. Douville

22 has no conflicts of interests related to matters before

23 this Council and he may fully participate.

24

25 CHAIRMAN LITTLEFIELD: Say your name for

26 the record.

27

28 DR. GARZA: My name is Dolly Garza and I

29 live in Ketchikan. I receive fish and wildlife from

30 Federal lands under consideration at this meeting. I do

31 not hold any commercial permits or conduct any business

32 activities directly affected by any agenda item before the

33 Council.

34

35 DR. SCHROEDER: I consider as designated

36 Federal official that Dr. Garza does not have a significant

37 financial interest in any matters that will be before this

38 Council and that she may fully participate.

39

40 MR. STOKES: My name is Dick Stokes. I

41 live in Wrangell. I subsistence hunt in the Federal lands

42 under consideration at this meeting. I do not hold any

43 commercial permits or conduct any business activities

44 directly affected by any agenda before the Council.

45

46 DR. SCHROEDER: Thank you, Mr. Stokes. As

47 designated Federal official, I consider that Mr. Stokes has

48 no conflicts of interests that would preclude him from

49 discussing matters at this Council and that he may fully

50 participate.

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1 MR. JORDAN: Thank you, Mr. Chair. My name
2 is Eric Jordan. I live in Sitka. I'm a life long sport,
3 commercial and subsistence fisherman in Southeast Alaska.
4 Presently I hold salmon power troll and lingcod dingle bar
5 permits. I ran a guided sport fish charter operation a
6 number of years ago but my license has expired and I have
7 no plans to renew. I also hold a catcher/seller seafood
8 license and have applied for a seafood processing and
9 exporting license. Immediate family members occasionally
10 crew with me or friends in the salmon troll and salmon
11 seine fisheries.

12
13 DR. SCHROEDER: Thank you, Mr. Jordan. As
14 designated Federal official, I consider that Mr. Jordan
15 does not have a significant financial interest directly
16 related to the matters before this Council at this meeting
17 and that he may fully participate.

18
19 MR. KITKA: Thank you, Mr. Chairman. My
20 name is Harvey Kitka and I live in Sitka, Alaska. I
21 subsist hunt and fish on Federal lands and waters under
22 consideration at this meeting. I do not hold any
23 commercial permits or conduct any business activities
24 directly affected by the agenda before this Council.

25
26 DR. SCHROEDER: Thank you, Mr. Kitka. As
27 designated Federal official, I rule that Mr. Kitka does not
28 have significant financial interests directly related to
29 the matters before this Council at this meeting and that he
30 may fully participate.

31
32 MR. BANGS: Thank you, Mr. Chairman. My
33 name is Mike Bangs and I live in Petersburg, Alaska. I
34 subsistence hunt and fish in Federal lands under
35 consideration at this meeting. I hold various commercial
36 fishing permits, but none in -- not in any of the areas
37 under consideration at this meeting.

38
39 DR. SCHROEDER: Thank you, Mr. Bangs. As
40 designated Federal official, I consider that Mr. Bangs does
41 not have a significant financial interest directly related
42 to the matters before this Council, you may fully
43 participate.

44
45 MR. SOFOULIS: My name is Mike Sofoulis. I
46 currently operate under a commercial use permit from the
47 Forest Service. I operate a guided hunting operation in
48 Unit 4 and Unit 1(C) Southeast Alaska. I hunt brown bear,
49 Sitka black-tailed deer.

50

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1 DR. SCHROEDER: Thank you, Mr. Sofoulis.
2 As designated Federal official, I consider that Mr.
3 Sofoulis does not have any significant financial interest
4 directly related to the matters before the Council at this
5 meeting and may fully participate.

6
7 And I'd like to thank the Council for going
8 through this exercise.

9
10 CHAIRMAN LITTLEFIELD: Well, we have one
11 more.

12
13 DR. SCHROEDER: Oh, excuse me, Don.

14
15 MR. HERNANDEZ: My name is Don Hernandez.
16 I live in Point Baker. I subsistence hunt and fish in
17 Federal lands under consideration at this meeting. I hold
18 a commercial fishing permit, but not in areas under
19 consideration at this meeting.

20
21 CHAIRMAN LITTLEFIELD: Now, you can thank
22 us.

23
24 DR. SCHROEDER: Now, I can thank Don and
25 say that as designated Federal official, I consider that
26 Don does not have any significant financial interest
27 directly related to matters before the Council and may
28 fully participate.

29
30 And thanks to the Council for going through
31 this exercise of financial disclosure.

32
33 CHAIRMAN LITTLEFIELD: Okay. First page
34 agenda, we're at number 9 wildlife proposals for Council
35 review. There is a procedure that we follow at every
36 meeting, it's at the bottom of that page and I'd also like
37 Dr. Schroeder to go through that and tell you how you can
38 get signed up and everything like that.

39
40 DR. GARZA: Was there anyone for public
41 testimony.

42
43 CHAIRMAN LITTLEFIELD: We're going to go to
44 public testimony. It's the -- we allow anybody to testify
45 at any time. I do have one form here from Jack Lorrigan
46 and he would like to testify on WP04-02, so we'll just hold
47 that until that time. But if you would like to testify on
48 any matter, go ahead and fill one of these forms out and
49 you can come up at that time and testify. It doesn't have
50 to be to that particular proposal under discussion at that

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1 time, if you have other business or something like that, we
2 will accommodate you.

3

4 So this one we'll just hold.

5

6 Dr. Schroeder, could you go through this
7 process.

8

9 DR. SCHROEDER: Certainly, Mr. Chair. The
10 forms we're talking about are simply a form like this and
11 Melinda Hernandez has these and they're also on the table
12 at the entrance. Please, if you wish to testify on any
13 matter, give a card to either Melinda or to me and we'll
14 give them to the Chair.

15

16 Our procedure for proposals goes through
17 nine steps.

18

19 1. Proposal introduced by Staff and
20 Staff review the Staff analysis,
21 which is the data that Staff have
22 put together explaining what the
23 proposal would do and how it may
24 affect subsistence uses, what the
25 biological background might be,
26 what the regulatory history may
27 be, et cetera, et cetera. The
28 Council may direct questions to
29 Staff at that time to clarify
30 what's in the analysis.

31

32 2. When the analysis is done, we hear
33 comments from Department of Fish
34 and Game.

35

36 3. Then comments from any tribal
37 governments.

38

39 4. Any other agency comments.

40

41 5. We hear Inter-Agency Staff
42 Committee comments should they
43 have some. This is somewhat a new
44 item in our Regional Council
45 proceedings. The Staff Committee
46 wishes to let the Council know of
47 any concerns it may have about
48 proposals at this point in the
49 regulatory process rather than
50 waiting until the Staff Committee

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1 meeting which takes place after
2 our Regional Council meeting. The
3 Inter-Agency Staff Committee may
4 not have comments on all
5 proposals.

- 6
- 7 6. Fish and Game Advisory Committee
8 comments if any.
- 9
- 10 7. Summary of written public
11 comments.
- 12
- 13 8. Public comments on testimony. And
14 the reason that the public
15 comments come at that time is that
16 allows a member of the public to
17 basically hear all the information
18 that is before the Council before
19 they make their comments.
- 20
- 21 9. Regional Council deliberation.
22 The Regional Council will develop
23 a recommendation for how it wishes
24 to dispose of proposals and work
25 up its justification.

26

27 When we get to that point, I suggest that
28 Council members review the sheet that Chairman Littlefield
29 developed and gave out this morning which covers some of
30 the things that are good to include in Council discussion
31 of proposals.

32

33 CHAIRMAN LITTLEFIELD: Thank you, Dr.
34 Schroeder. Any questions on this procedure, how we're
35 going to do this.

36

37 (Council shakes head negatively)

38

39 CHAIRMAN LITTLEFIELD: We have quite a
40 number of proposals before us. We've been asked to hold
41 Proposals 3 through 15 until Thursday morning at 9:00 a.m.
42 I believe Proposals 2 through 17 might be taken care of
43 right at the same time, do you think that's possible,
44 they're also the deer -- do you think those should wait
45 until tomorrow?

46

47 DR. SCHROEDER: Mr. Chairman, I think Staff
48 are prepared to do those in order today.

49

50 CHAIRMAN LITTLEFIELD: Is Kurt here?

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1 DR. SCHROEDER: Is that your intention?

2

3 MR. JOHNSON: Yeah, Mr. Chairman, Kurt
4 Aluzas, the lead author is prepared to present that at this
5 time.

6

7 CHAIRMAN LITTLEFIELD: Okay. So what we'll
8 do is we'll start on Page 2, will go first with Proposal 1
9 and then second on the list will be Proposals 2, 16 and 17.
10 Proposal 1 may take a little time and if Mr. McBride is
11 here, possibly we could look at scheduling his time
12 sometime in between the discussion of Proposal 18.

13

14 So at this time Proposal 1 is going to be
15 introduction of the proposal.

16

17 Mr. LaPlant, if you will just wait, I think
18 we have a request to take a five minute break. Let's take
19 a short break and grab a cup of coffee, come back and we'll
20 start with Staff analysis, Proposal 1.

21

22 (Off record)

23

24 (On record)

25

26 CHAIRMAN LITTLEFIELD: Dr. Garza has the
27 Chair.

28

29 DR. GARZA: I'll call this meeting back to
30 order and we will start with -- you're acting like I'm
31 paying attention to you -- Proposal 01, statewide proposal
32 to allow the selling of handicraft articles made from the
33 fur of brown bear or grizzly bear.

34

35 Mr. LaPlant.

36

37 MR. LAPLANT: Thank you, Madame Chair.
38 Again, for the record my name is Dan LaPlant with Office of
39 Subsistence Management. Proposal No.1, as the Chair stated
40 is a statewide proposal being brought to all 10 Regional
41 Councils for a recommendation to the Board.

42

43 This proposal was submitted by Sue
44 Entsminger of Tok, and she requests that the sale of
45 handicraft items made from the fur of brown bear be
46 legalized.

47

48 This analysis I'm speaking from is on Page
49 38 of your book, if you would care to follow along. The
50 proposal would allow the sale of handicraft items made from

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1 the fur of brown bear as a means for subsistence users to
2 have additional cash flow from hides that are not normally
3 utilized, this is according to the proponent. She notes
4 that the use of brown bear hides is not available currently
5 accept for personal use. So currently you can only utilize
6 brown bear, again, for personal use but not for selling.

7
8 She said that this will benefit subsistence
9 users by allowing them to fully use bear hides. The
10 current Federal regulation addressing the sale of
11 handicraft items is only relevant to black bear. So the
12 current regulation in Section 25(j)(6) of the Federal
13 regulations says you may sell handicraft articles from the
14 fur of black bear. And you may recall that that was passed
15 by the Federal Subsistence Board two years ago in their
16 meeting of May of 2002. So this proposal would add brown
17 bear to that regulation, again, allowing the sale of
18 handicraft items made from the fur of black bear as well as
19 brown bear.

20
21 The regulatory history. Prior to
22 statehood, the sale of bear and bear parts was legal in the
23 1950s and prior. After statehood, several regulations were
24 passed by the State to prohibit the sale of bear parts,
25 first in 1961, purchase, sale and barter of grizzly bear,
26 brown bear parts were prohibited and in '64 the sale or
27 barter of blue or glacier bears was prohibited. And
28 additional regulations until 1985 the sale of all bear
29 parts, hides and so on from wolf, black bear, brown and
30 grizzly bear were prohibited.

31
32 The issue that we need to discuss here is
33 the CITES Act. In 1975 the North American Brown Bear was
34 listed by the Convention of International Trade and
35 Endangered Species of wild flora and fauna, as is referred
36 to as the CITES. It was listed as a species which is not
37 now threatened by extinction, but, which may become
38 threatened if trade is not strictly regulated and
39 monitored. The listing was made to protect the populations
40 of brown bear and grizzly bears in other parts of North
41 America, and as you all know the brown bear population in
42 Alaska is quite stable. So it was intended to address
43 concerns in other parts of the state, but it was listed as
44 a CITES species.

45
46 In 1991, North American Black Bear was also
47 listed on the CITES list and as a result commercial trade
48 in species with this designation is allowed only if the
49 state of export issues permits reporting that the trade
50 will not be detrimental to the survival of the species in

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1 the wild. So the transportation of bear parts between
2 states or countries is subject to both this Federal and
3 State permitting process.

4

5 An issue that I discovered in going through
6 this analysis of this proposal is that there is a
7 regulation that the Park Service has that addresses the
8 sale of handicraft items made from non-edible byproducts
9 taken for personal or family consumption, and this
10 regulation, not probably clearly understood or known about
11 by many folks, but it does only apply to National Park
12 Lands, and the reference to that is in the analysis there
13 on Page 39 where it says subsistence uses by local rural
14 residents are allowed and the selling of handicraft items
15 out of non-edible byproducts of fish and wildlife resources
16 taken for personal or family consumption is allowed.
17 Again, this just applies to National Park Lands.

18

19 Some additional history on the regulations
20 pertaining to the sale of bear items. In 1998 the sale of
21 an article of handicraft made from the fur of black bear
22 was legalized by the State, by the Alaska Board of Game, so
23 after being prohibited since 1985, in 1998 it was once
24 again legal.

25

26 In 1999 the following year, the Board of
27 Game addressed another proposal to include claws from black
28 bear as well as brown bear fur and hide for sale. There
29 was a variety of concerns that were expressed when the
30 Board of Game addressed this issue. They included the fact
31 that it would provide incentives for illegal hunting, there
32 were conservation concerns expressed, and also they were
33 concerned about low productivity rates of brown bear and
34 cultural concerns resulting from this type of activity so
35 that request was denied in 1999.

36

37 The next issue of significance was in 2002,
38 as I mentioned earlier, the Federal Subsistence Board
39 addressed a proposal and this proposal was to classify
40 brown bears and black bears as furbearers. And the intent
41 of the proponent here was if brown bear and black bear were
42 furbearer then the sale of hides would be legal for both
43 species. The Board, again, considered some of the same
44 concerns that were expressed to the Board of Game back a
45 few years earlier and they denied the request to make that
46 designation change. But what they did do was they
47 legalized the sale of handicrafts made from the fur of
48 black bear with the intention of going into alignment with
49 the State regulations. So that the sale of handicraft
50 items from black bear would be allowed both under State

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1 regulation and Federal regulation. So that was the result
2 of the Federal Subsistence Board action in 2002.

3

4 A little biological background. Brown bear
5 populations throughout most of Alaska are generally stable
6 and they occupy all their historic range. The most recent
7 estimate of numbers of brown bear, grizzly bear in the
8 state is about 32,000 animals. We know that brown bear
9 don't successfully reproduce until they're approximately
10 five years of age, this compared to earlier reproduction
11 capabilities of black bear. Brown bear have smaller litter
12 sizes, longer intervals between successful reproductive
13 events, and they have a shorter potential reproductive
14 period. So these lower rates of successful reproduction of
15 brown bear are a concern.

16

17 As far as harvest or mortality of the
18 bears, estimates are that black bear annual mortality is
19 about 2,000 animals per year, black bear harvested in the
20 state. And brown bear approximately 1,300 brown bear are
21 harvested annually. So some relative information there.

22

23 And, again, any hides, skull, meat or
24 products of brown or black bear that are shipped out of the
25 United States must have an accompanying Federal CITES
26 export permit. So -- yes?

27

28 DR. GARZA: Is that in here?

29

30 MR. LAPLANT: That statement that I just
31 said is at the bottom of the second paragraph on Page 42.

32

33 DR. GARZA: Okay.

34

35 MR. LAPLANT: The effects of this proposal,
36 if adopted, would legalize the sale of handicraft articles
37 from the fur of brown bear, it would increase economic
38 opportunities available to rural residents. Principally in
39 the creation of handicrafts and the degree of that economic
40 opportunity isn't known real clearly but certainly would
41 provide some additional economic benefits.

42

43 Handicraft made from the fur of brown bear
44 have significant economic value. Of course it is illegal
45 now, but it is currently illegal [sic] in Canada so based
46 on that information we assume that the prices will be
47 relatively high. Proposed commercialization of handicraft
48 made from brown bear fur could lead to increases in demand
49 and the harvest of some bear populations could be harvested
50 at a rate that could lead to a possible overharvest and

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1 creating conservation concerns.

2

3

4 Brown bear numbers are much smaller than
5 black bear and are carefully managed with low harvest rates
6 and strict reporting requirements. The sustainable yield
7 of brown bear, as I stated earlier is low, and except under
8 special circumstances is limited in many areas of the
9 state. Regulations should be conservative to avoid over
10 exploitation. Because of the large economic incentive
11 involved in the trade of some bear parts, this proposal has
12 the potential to lead to an increase in illegal trafficking
13 of brown bear hides and other parts from endangered
14 populations in other parts of the United States. Also a
15 significant concern is the fact that the sale of brown bear
16 fur or handicraft made from brown bear fur is considered
17 objectionable by many Native Alaska populations.

18

19 And law enforcement officials have
20 expressed concern that this sale of brown bear and
21 additional harvest of brown bear for this purpose could
22 lead to illegal sale of bear gall bladders and bear paws,
23 which bring high prices, and allowing the sale of
24 handicrafts made from brown bear might provide some
25 increased illegal harvest and economic incentives that may
26 lead to wasting of some parts of the bear, particularly
27 bear meat may be wasted.

28

29 So those are some of the effects and
30 concerns that we've identified in the process of preparing
31 this analysis.

32

33 Our preliminary conclusion as you can see
34 on Page 43 was to oppose the proposal, but, I have some
35 additional information for you that is not in the book, and
36 that is the proponent, when she submitted this proposal to
37 the Federal Subsistence Board she also submitted the same
38 proposal to the Alaska Board of Game. And the Alaska Board
39 of Game addressed that proposal two weeks ago at their
40 meeting in Fairbanks. And during their meeting they heard
41 testimony from a number of people from around the state,
42 both in support of and opposed to the proposal. I believe
43 they heard -- or at least there was written comments
44 provided from Southeast Alaskans explaining that it was
45 culturally objectionable to sell brown bear parts, also
46 some Interior Alaskan residents expressed the same concern.
47 There was testimony given by residents of Yukon Flats
48 stating that brown bear populations needed to be reduced
49 because of the low moose numbers in the area and that
50 concern was expressed also for other parts of the state
51 where prey populations have been declining. So the issue

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1 of the value of this type of regulation for predator
2 control was discussed by the Board.

3

4 So two weeks ago when the Board deliberated
5 on this, they did approve the sale of brown bear, the fur
6 of brown bear used for handicraft, so that will become
7 effective the 1st of July when State regulations go into
8 effect.

9

10 So the Council should look at that
11 information as you consider whether the Federal Board
12 should pass a similar regulation.

13

14 One difference that has been discovered is
15 that the definition of fur is not consistent between
16 Federal and State regulations, and this applies to brown
17 bear as well as black bear.

18

19 The Federal definition of hides and fur
20 includes the claws, and so when the Federal Board takes
21 this issue up, I would say at the minimum they should
22 address that discrepancy between whether claws should be
23 included or not. We believe that it was the intent of the
24 Federal Subsistence Board in 2002 when they passed the
25 regulation for black bear, that it was just to become
26 consistent with State regulations and not include claws,
27 but I believe it was an oversight that the definition in
28 Federal regulations of hide does include claws. So that
29 issue needs to be resolved.

30

31 So I guess right now the Federal Office of
32 Subsistence Management, our preliminary recommendation is
33 -- I guess I'll express it as being neutral on the issue in
34 light of the Board of Game's decision and we're looking to
35 the Councils for recommendations. If the Federal Board
36 does not pass this regulation, and there is differences
37 between State regulation and Federal regulation, there are
38 some hunts that, of course, the Federal hunters have an
39 opportunity to participate in that State hunters that do
40 not. Particularly in this area, I believe in Unit 4, the
41 brown bear season, in at least part of Unit 4 is longer
42 than the State season. So those brown bear harvested at
43 the tail end of the Federal hunt would not be -- it would
44 not be legal to sell fur from those bear use in handicraft,
45 again, if the Federal Board does not pass this regulation.

46

47 And, again, I think another example would
48 be in Unit 5. Unit 5 State regulations allow for the
49 harvest of one brown bear every four years by State
50 registration permit. Under Federal regulations it allows

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1 the harvest of one bear every year under Federal
2 registration permit. So bears harvested in Unit 5, for
3 example, under the Federal system would not be legal to
4 sell, you know, handicraft items made from those furs.

5
6 So, Mr. Chairman -- Madame Chairman, that
7 concludes my presentation on the issue.

8
9 DR. GARZA: Are there any questions. Mr.
10 Hernandez.

11
12 MR. HERNANDEZ: I have a couple of
13 questions, Mr. LaPlant. I don't know if you can answer
14 this or maybe some of my fellow Council members could, but
15 I would like to know if the Natives in Southeast Alaska
16 have cultural objections to the selling of brown bear fur?

17
18 DR. GARZA: If we could step aside from the
19 protocol procedure for proposals, we do have a request from
20 Herman Kitka to speak to this proposal and he may be able
21 to address this Mr. Hernandez.

22
23 So Herman, our ex-officio member, we're
24 honored to have you before us again.

25
26 MR. H. KITKA: Tlingit Name Kasaataan, and
27 I'm the leader of the Organized Kaagwaantaan in Sitka.

28
29 The use of the brown bear in our culture on
30 account of the regulations is disappearing from among us,
31 the use of the brown bear. Even though it's against
32 regulation, some of our artists is making the dance
33 headgear with the bear ears made out of the brown bear
34 hide. Even though the person that order it, he pays the
35 artist to make it, we know it's still illegal according to
36 the regulation, but it's still being done for cultural use.

37
38 We're teaching our youngsters to dance in
39 our Native Education Program down at the ANB Hall. And a
40 lot of them is asking how can we get the real bear ears
41 made and some of the suggestions that came out was for a
42 hunter to harvest one for education purpose so the
43 youngsters could make the head gear out of the brown bear
44 hide.

45
46 We used to use the claws for dancing
47 necklace. It was very important to the people. I belong
48 to the Brown Bear Clan. So this was used in our family.
49 And I have one of the oldest dancing headgear that needs
50 repair but being a law abiding citizen, I just put it aside

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1 because it requires brown bear hide to replace the old one
2 that the hair is falling off from.

3

4 So I'm in favor of having the artist make
5 it for money, for the person, if he orders it for regalia
6 for dancing purpose in our culture.

7

8 This is all I'm going to say on the issue.

9

10 Thank you, Mr. Chairman for giving me the
11 opportunity.

12

13 DR. GARZA: Thank you, Herman.

14

15 MR. HERNANDEZ: Yes, another question. You
16 kind of touched on the subject but I wanted to ask more
17 about the aspect of consumptive use of the brown bear. On
18 Page 40 you talk about how ANILCA deals with making and
19 selling of handicraft articles, and it says in Section .803
20 the phrase, subsistence uses is defined to include for the
21 making and selling of handicraft articles out of the non-
22 edible byproducts of fish and wildlife resources taken for
23 personal and family consumption.

24

25 I guess my question is, that aspect of
26 family consumption. Is it perfectly okay right now to make
27 and sell handicraft articles if you intend to use the meat?
28 And -- well, go ahead and answer that.

29

30 MR. LAPLANT: Mr. Hernandez, through the
31 Chair. I believe this language was referenced in here to
32 demonstrate that the Board does have the authority to allow
33 the sale of handicraft items. Current regulations prohibit
34 the same of handicraft items that are made from the fur of
35 brown bear. It doesn't prohibit the making of those
36 handicraft items and the use of those items. So this
37 proposal would allow the sale of those handicraft items.
38 I'm not sure if that answers your question.

39

40 MR. HERNANDEZ: I'm a little bit confused,
41 because I think it does say the making and selling of
42 handcrafted articles, can you explain that?

43

44 MR. LAPLANT: Again, as I said, this
45 demonstrating that the Board has the authority, is my
46 interpretation of it, the Board has the authority to allow
47 that to pass regulations in Subpart D to allow the sale,
48 but currently it's not allowed.

49

50 DR. GARZA: So he's looking at Page 40, the

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1 second paragraph, and maybe we need to have FSMP defined,
2 is that the Park? Second paragraph down.

3

4 MR. HERNANDEZ: Yeah, I'm looking at Page
5 40 under existing Federal law, they talk about ANILCA,
6 Title VIII, the third paragraph down and then under
7 definitions where they define subsistence uses.

8

9 DR. GARZA: So I got on this Council later
10 and I know that when fish regulations were being adopted,
11 they worked as hard as they could to mirror State
12 regulations, which of course we had great objections to but
13 besides the point, it's possible that the game regulations
14 mirrored the State regulations, however, since then the
15 State regulations have become more lenient, and so at this
16 point right now we are the most strict, because you can
17 hunt and sell brown bear hide on Park land, on State land
18 but not on other Federal land.

19

20 MR. LAPLANT: Madame Chair. The Park
21 regulation that I referenced earlier says that you can sell
22 handicrafts made from all subsistence resources that are
23 harvested for, I think it was personal and family
24 consumption, so those harvested on Park lands would be
25 legal currently.

26

27 The State regulation does not allow the
28 sale of brown bear parts, but the recent Board of Game
29 decision here two weeks ago will allow the sale of
30 handicraft items made from brown bear and that will become
31 effective the 1st of July. So at that time then if the
32 Federal Board does not pass this regulation the State
33 regulation, yes, will be more liberal, if you want, than
34 the Federal regulation.

35

36 But getting back to Mr. Hernandez'
37 question, the language here stated in the beginning of that
38 paragraph under existing Federal law in Section .802,
39 paragraph two, again, that's ANILCA language that says that
40 basically the Board has the authority to allow this type of
41 activity, but then you go down later on that page, under
42 Section .7(b), where it says, and now this is actually
43 Subpart D regulations that apply to subsistence harvest and
44 use of resources, and it says you may not engage in
45 customary trade or sell fish or wildlife or their parts
46 taken pursuant to the regulations in this part unless
47 provided for in this part. And the only items provided for
48 in this part, as you may recall is the customary trade of
49 fish that the Board has dealt with over the past couple of
50 years. So the regulations do not address the customary

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1 trade or selling of bear parts.

2

3 MR. HERNANDEZ: Okay. I guess my question
4 is more basic than that. I guess I'm not so concerned with
5 a regulation as opposed to a definition as spelled out,
6 seems to be spelled out in ANILCA where they define
7 subsistence uses as essentially making and selling
8 handicrafts is a subsistence use but it seems to be spelled
9 out, taken from resources for personal and family
10 consumption. And I guess my concern is that we would be
11 enacting something that essentially goes against a
12 definition that is explicit in ANILCA. That's my concern,
13 could you talk about that?

14

15 MR. LAPLANT: Mr. Hernandez, through the
16 Chair. Yes, correct, if the Federal Subsistence Board were
17 to pass a regulation that allowed the sale of handicraft
18 items made from brown bear they would have to be brown bear
19 that were harvested for personal or family consumption.
20 Because, you know, Section .802 requires that.

21

22 So that says that the Board has the
23 authority to pass that regulation but with that condition.
24 It would have to be resources that were harvested for
25 personal or family consumption.

26

27 CHAIRMAN LITTLEFIELD: There's a part of
28 that you're missing in that definition, if you'll keep on
29 reading, it says and for customary trade, which is the
30 trump card there, so you don't have to eat whatever you
31 make. In other words, there's no requirement that you eat
32 a marten if it's a customary trade, then it's legal. So
33 that's the difference there, you don't have to eat
34 everything that you customarily trade.

35

36 DR. GARZA: Are there are any other
37 questions for Mr. LaPlant. Mr. Hernandez.

38

39 MR. STOKES: Madame Chairman. I'd like to
40 add a little to Don's first question. Why back in time
41 just after the migration, our people settled on the main
42 land down in a place on Mill Creek and there were two
43 chiefs within the group of the Nanayee Clan, one was named
44 Shattesty and the other was named Koshu. Koshu's son got
45 in a fight with his Uncle Shattesty and cut his face, and
46 Shattesty demanded payment for the wrongdoing. He demanded
47 -- he wanted Koshu's dancing bear hat, now, I don't know
48 whether it was black or brown, but he demanded the dancing
49 bear hat to settle it. Koshu wouldn't give it to him. He
50 said I will give you 20 slaves in return, and he refused

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1 the slaves. In order to keep peace, Koshu took his
2 followers, they went down around down the channel and they
3 were looking for a place to settle a new village and they
4 came upon an area that had a lot of alder and they took
5 this as a good omen, and they settled Kots-Li-Taan which is
6 our old village, about 15 miles down from Wrangell. And
7 Koshu's, the one that followed him became him the First
8 Chief Shakes, and the battle up on the Stikene -- on Surgef
9 Island, and that goes on to another, but I wanted to say
10 how far back our people used bear.

11

12 There were seven recognized Shakes, and the
13 last recognized Shake was in 1941, so it goes way, way
14 back.

15

16 That's all I've got to say.

17

18 CHAIRMAN LITTLEFIELD: Okay, we're under --
19 I'll take the Chair back, I thank Dr. Garza for that. I'm
20 losing my voice a little bit and I may ask her to do that
21 again. But we're on introduction of proposal by the
22 Federal Staff Committee and we want to limit our comments
23 to questions to Staff.

24

25 I have one question for you, and that's on
26 Page 37. If you could fill in the blanks there for us.
27 Other Councils have had their meeting already and we are --
28 this is a statewide proposal, so we need this extra piece
29 of information, if you could fill in the blanks of how
30 others feel about this.

31

32 MR. LAPLANT: Mr. Chairman, I guess I have
33 to apologize, I do not have that information. Throughout
34 most of the other Regional Council meetings I was attending
35 the Board of Game meetings and coming in here yesterday I
36 was asked to present this, so I don't have that piece of
37 information right now. Someone else in the audience may
38 have.

39

40 CHAIRMAN LITTLEFIELD: Just for
41 clarification there, on Page 37, Staff recommendation is
42 oppose the proposal, now we want to make sure that we're --
43 we're now neutral and we'll let ADF&G fill in their own
44 blank, but the other Councils, I'd like to have the actions
45 that were taken by them.

46

47 Thank you.

48

49 (Pause)

50

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1 MR. LAPLANT: Mr. Chairman, that's correct,
2 the OSM position currently is neutral based on in light of
3 what the Board of Game did. And Warren Eastland may have
4 some information from some of the other Councils.

5
6 MR. EASTLAND: The Western Interior, Seward
7 Peninsula, Northwest Arctic, Eastern Interior and North
8 Slope Councils all opposed this proposal with the
9 expectation that they might submit their own proposals in
10 the next cycle for regional permission to sell handicraft
11 items. And I would like to emphasize that none of these
12 Councils were aware of what the Board of Game decision
13 would be so they were acting under in necessary ignorance
14 of the Board of Game action.

15
16 Thank you.

17
18 CHAIRMAN LITTLEFIELD: And the others have
19 not met, obviously ours, but the other four have not met,
20 is that correct?

21
22 MR. EASTLAND: No, sir, they have all --
23 there's one of them that's meeting tomorrow, but three of
24 the others have met, but I don't know what their actions
25 were, sir.

26
27 CHAIRMAN LITTLEFIELD: Is it fair to
28 characterize that if we do not support this proposal, that
29 we have a situation where we have Federal regulations that
30 are more restrictive than State?

31
32 MR. LAPLANT: Mr. Chairman, that would be
33 correct. If the Federal Board does not pass this
34 regulation that's the situation we would have.

35
36 I also failed to mention there was a
37 modification or a letter from the proponent that we
38 received in the office just as the Regional Council
39 meetings were beginning, and that didn't get included in
40 the analysis. But the proponent had clarified in her
41 letter that she thought this request should apply to
42 Interior Alaska grizzly bears and not coastal brown bears.
43 So that issue hasn't been addressed in the analysis and
44 Staff hasn't looked at it any more closely than that. Like
45 I said that was received in a letter form late in the
46 process.

47
48 CHAIRMAN LITTLEFIELD: Are there other
49 Council questions for Staff on their analysis. Mr.
50 Hernandez.

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1 MR. HERNANDEZ: Thank you, Mr. Chairman.
2 I just need another clarification here. You pointed out
3 that you don't have to eat the meat of mink and marten when
4 you go out and trap them and want to sell the furs for
5 subsistence trade and barter, but mink and marten and those
6 species are classified as furbearers, whereas, I think Mr.
7 LaPlant said that brown bear were not classified as a
8 furbearer, and that makes a distinction there. I still
9 would like to clarify are we -- I know -- I realize that by
10 opposing this you'd have a more restrictive regulation for
11 subsistence but then on the other hand it does seem to me
12 that under subsistence definitions, unless it's classified
13 as a furbearer, the species, it seems to be kind of
14 contingent on consumption of the meat and I don't know if
15 this is a problem or not.

16
17 I think it needs to be clarified. I know
18 there has been other discussion about whether or not
19 anybody ever eats brown bear meat and I haven't heard any
20 discussion on that either.

21
22 CHAIRMAN LITTLEFIELD: Okay, I'm going to
23 stop this because we have an analysis from Staff and these
24 are more appropriate for our deliberations, when we get
25 into the meat of this, no pun intended, we'll discuss what
26 is meat and what isn't.

27
28 Would you like to add some more?
29

30 MR. LAPLANT: Yes, Mr. Chairman, if I
31 could, just to clarify. I don't have a regulation of
32 reference, but under current Federal Subsistence Management
33 Regulations, both the hide and the edible meat of black
34 bear and brown bear must be salvaged for human consumption,
35 again under Federal regulations.

36
37 So I don't know if that helps or addresses
38 your concern.
39

40 CHAIRMAN LITTLEFIELD: Any other questions
41 on the Staff proposal -- Staff presentation. Mr. Kitka.
42

43 MR. KITKA: Thank you, Mr. Chairman. Just
44 a question. I know it had nothing to do with subsistence,
45 but under the sportfishing and hunting regulations, are
46 they required to take the meat out, too?
47

48 MR. LAPLANT: Mr. Chairman, there's State
49 ADF&G Staff in the room and I would defer that question to
50 them.

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1 CHAIRMAN LITTLEFIELD: We will defer that
2 to ADF&G because he can't speak for them.

3

4 Any other comments on the Federal proposal,
5 the Staff analysis.

6

7 (No comments)

8

9 CHAIRMAN LITTLEFIELD: Okay, thank you, Mr.
10 LaPlant.

11

12 MR. LAPLANT: Thank you, Mr. Chairman.

13

14 CHAIRMAN LITTLEFIELD: We're at ADF&G
15 comments.

16

17 MS. SEE: Mr. Chairman. Members of the
18 Council. My name is Marianne See with Fish and Game, and
19 we have other Staff here, too, if the nature of your
20 questions gets into specifics that are beyond my
21 familiarity.

22

23 As you can tell this is a somewhat
24 complicated proposal in its implications and I hope that I
25 will endeavor to -- or I'll certainly endeavor to be as
26 clear as I can in some of these finer points that do
27 matter.

28

29 We have changed our position as well on
30 this proposal. We are neutral officially, but with a
31 request for clarification under the definition terms, which
32 I'll return to that in a minute. But officially we have
33 changed our position to neutral.

34

35 We have a number of concerns, many of which
36 were already mentioned but I might just reiterate a few of
37 those, in the hopes that they will remain prominent in your
38 thinking.

39

40 We do have a longstanding concern, and it's
41 in the regulatory history that's provided in the Staff
42 analysis, the State as well as the Federal side have a
43 longstanding concern about the potential for overharvest of
44 brown bears and that's just kind of an overarching
45 difference between looking at some of the brown bear and
46 black bear history of regulation. And of course, the
47 biology behind that, which is also actually in the Staff
48 analysis and I would refer you to Page 43. There's a
49 paragraph in the Staff analysis justification, which that's
50 about a quarter of the way from the bottom of the page and

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1 I'll just read that just again to kind of highlight this
2 point.

3

4 Brown bear populations are usually small in
5 number, have low population growth rates, low sustainable
6 yields, higher commercial value and are easily
7 overharvested. That's a general statement but that's kind
8 of an overarching concern about brown bears that influences
9 the Department's thinking in all of this. We do, however,
10 note that because of the actions of the Board of Game,
11 there is now a regulatory provision under State rules that
12 allow for sale of handicrafts made from brown bear, but,
13 again, there's this definitional difference, which we would
14 draw your attention to, we think it's an important point
15 that it's at least fully considered in your decision,
16 however your decision may go, and that is that the State
17 decision now by the State Board of Game would not allow
18 sale of claws. And that, in fact, because of the
19 difference in the definitions, that, as written now under
20 the Federal definition claws would be potentially included.

21

22 So we have a lot of concerns about that,
23 not because of the artistic side of this by any means, or
24 other concerns than the fact that in general, again,
25 there's this long regulatory history of concern about sale
26 of paws or use of animals that could potentially get on the
27 side of overharvest by those who are not in this case,
28 subsistence users, but who might try to abuse the
29 regulations.

30

31 So that's an overarching concern. And so
32 we would just draw your attention to it that you fully
33 consider whether or not should you wish to support this
34 regulation, that you would or would not include claws
35 within the scope of it.

36

37 We believe that the current regulatory
38 system does provide ample hunting opportunity for
39 subsistence and other uses of the species and so we just
40 note that as a concern that we've mentioned before in our
41 comments.

42

43 But we will officially remain neutral on
44 this and answer questions now if we can be of any
45 assistance in clarifying these issues.

46

47 Thank you.

48

49 CHAIRMAN LITTLEFIELD: Thank you. Can you
50 answer Mr. Kitka's question on the difference in sport?

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1 MS. SEE: I'm sorry.

2

3 CHAIRMAN LITTLEFIELD: I'll let Mr. Kitka
4 restate his question.

5

6 MR. KITKA: Thank you, Mr. Chairman. I was
7 wondering are the sport hunters required to bring the meat
8 out and utilize the meat as well and all body parts?

9

10 MS. SEE: No, they are not.

11

12 CHAIRMAN LITTLEFIELD: Eric, did you have
13 a question.

14

15 MR. JORDAN: Thank you. What was your
16 name, again?

17

18 MS. SEE: Through the Chair, my name is
19 Marianne See.

20

21 MR. JORDAN: Marianne, I'm a little
22 confused here. I see all this justification opposing the
23 proposal and then I hear that you've changed your position
24 to neutral and then I hear that the Board of Game has
25 decided to allow the sale of handicraft items. Could you
26 explain to me why the Staff position has changed from
27 opposition to neutral? Is that because of the Board of
28 Game action?

29

30 MS. SEE: Through the Chair, yes. In fact,
31 that is. Through the Chair, am I audible?

32

33 REPORTER: Yes.

34

35 MS. SEE: Yes, our position changes because
36 two weeks ago the Board of Game did make this change. And
37 so our position is now being altered to reflect that
38 difference. That clearly does change and make inconsistent
39 the State and the Federal provisions, so that's why -- if
40 there was an intent, for example, to align these then that
41 would be a different consideration than it was two weeks
42 ago, because the State rule did change. It is not,
43 however, as liberal as is requested in the proposal, and
44 that's because of that definitional differences about
45 claws.

46

47 Does that help?

48

49 CHAIRMAN LITTLEFIELD: Follow up, Mr.

50 Jordan.

00085

1 MR. JORDAN: Mr. Chair. Ms. See, in other
2 words, in the state of Alaska now when the Board of Game
3 makes a decision, the Department position changes on that
4 issue? Is this a new thing or has this always been -- I
5 don't quite understand how the Staff position could change
6 just because of a decision made by the Board in terms of
7 position on an issue, I understand that the policy would
8 change, but I don't understand why the Staff position would
9 change?

10

11 MS. SEE: Through the Chair, the Board of
12 Game does set the State's wildlife regulations so in this
13 case now what used to be a very inconsistent relationship
14 between the State regulation and the proposal has shifted
15 substantially. So now the Board of Game, in their action
16 said there will be an allowable way for customarily crafts
17 to be sold using brown bear, however, not using that
18 portion that would include claws. So that's quite a
19 difference than what the regulation previously said. It's
20 closer now to what was proposed through the Federal system
21 than what was currently on the books. So we are bound by
22 that decision by the Board of Game.

23

24 I can try to restate that if that's not
25 clear, I hope that helps.

26

27 CHAIRMAN LITTLEFIELD: I think my
28 understanding of the State's position is that they've
29 always opposed where you have differing regulations on the
30 same species, so I don't find that inconsistent so much
31 that you've changed your position.

32

33 So I guess we probably don't want to debate
34 that, we just want to ask you questions on your
35 presentation. Other comments on the State. Ms. Rudolph
36 first and then Dr. Garza.

37

38 MS. RUDOLPH: I was wondering, you said
39 that they don't have to bring the bear meat, they can throw
40 it away if they just want the bear skin. Is there wanton
41 waste in there and is that why the change over, I'm
42 confused about this.

43

44 MS. SEE: Through the Chair, the meat does
45 not have to be salvaged. The hide has to be salvaged and
46 there is a sealing requirement that requires that hunters
47 bring the hide intact to a State of Alaska official so that
48 -- under the regular hunting regs, so there has to be proof
49 that the bear was taken and that there weren't any parts
50 removed from the bear hide, but that's been on the books a

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1 long time. And my colleagues from the Wildlife Division,
2 if they have anything to add I'd ask them to come up but
3 that is the current rule.

4

5 CHAIRMAN LITTLEFIELD: I'd just like to
6 say, again, this is something we will probably debate as we
7 will read the Federal regulation, Section .803 in its
8 entirety so that you understand what it says. But this
9 isn't something -- this really isn't probably a question
10 for you.

11

12 Dr. Garza.

13

14 DR. GARZA: Well, I guess it is that this
15 is the chance to ask State for clarifications and as we
16 look at the thing that Fred pulled together about why we
17 may or may not support a proposal, I'm trying to sort of
18 clarify things myself. And it is fairly confusing, but I
19 did want to follow up on Mr. Kitka's questions, in that,
20 for guides, they do not have to use the meat, but I wanted
21 to get clarified from the State, what is the cost for a
22 guided trip for brown bear or grizzly bear. So I'm trying
23 to get a comparison of, you know, if a guide gets paid
24 \$5,000 and we're worried that some hunter may get \$500 from
25 a hide, then should we be worried at all.

26

27 So if someone out there could tell me how
28 much a cost for an out of state resident to guide for a
29 brown bear.

30

31 CHAIRMAN LITTLEFIELD: We have a brown bear
32 guide that could probably answer that question for us
33 during Council deliberations.

34

35 We can always ask the State Staff as well
36 as Federal Staff to come back up here when we go to
37 deliberations. We can ask them to come forward at any time
38 and clarify any of these points. But she just made a
39 presentation, and so I guess I want to try to keep the
40 comments and questions on her presentation and then we'll
41 bring them back up for deliberations.

42

43 Dr. Garza.

44

45 DR. GARZA: Okay. So then one final
46 question following off Mr. Jordan, the State and Federal
47 Staff switched from opposition to support and I think it
48 was very wise to ask why and so it's aligning with the
49 State -- the new Board of Game allowing for this, and so if
50 the Board of Game has switched to the affirmative then why

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1 is the position neutral as opposed to being affirmative; is
2 that only because of the claws?

3

4 MS. SEE: Dr. Garza, through the Chair.
5 This is a Federal rulemaking in which we would expect that
6 you would look at a lot of different considerations in
7 this, and at this point we think that we can remain neutral
8 on this because you have an opportunity or not at this
9 point to potentially make a change to aligning these, but,
10 in fact, we do have a concern about how they're aligned
11 with respect to the definition issue which I mentioned. So
12 we feel the best characterization of our position at this
13 point is neutral.

14

15 CHAIRMAN LITTLEFIELD: Other Council
16 questions for the State.

17

18 (No comments)

19

20 CHAIRMAN LITTLEFIELD: Okay, thank you for
21 your presentation. Tribal government comments, do we have
22 any tribal governments who would like to comment on
23 Proposal 1.

24

25 (No comments)

26

27 CHAIRMAN LITTLEFIELD: Any other agencies
28 that would like to comment on Proposal 1.

29

30 (No comments)

31

32 CHAIRMAN LITTLEFIELD: Inter-Agency Staff
33 Committee.

34

35 MR. EASTLAND: Mr. Chair, the Inter-Agency
36 Staff Committee has no additional comments on this
37 proposal.

38

39 CHAIRMAN LITTLEFIELD: Could you please
40 come forward for the record so that we can get this on the
41 transcript.

42

43 MR. EASTLAND: Mr. Chair, the Inter-Agency
44 Staff Committee has no additional comments on this
45 proposal.

46

47 CHAIRMAN LITTLEFIELD: Name.

48

49 MR. EASTLAND: My name is Warren Eastland,
50 with the BIA speaking for the Inter-Agency Staff Committee.

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1 CHAIRMAN LITTLEFIELD: Thank you, sir.

2

3 Any other agencies -- or excuse me, Fish
4 and Game Advisory Committee Comments.

5

6 (No comments)

7

8 CHAIRMAN LITTLEFIELD: And were any
9 comments sent in to you, I suppose.

10

11 DR. SCHROEDER: Mr. Chairman, one Fish and
12 Game Advisory Committee submitted a written comment.

13

14 Upper Tanana Fortymile Local Fish and Game
15 Advisory Committee during December, it passed a
16 recommendation to support Proposal 1.

17

18 We then move to public comments. There are
19 three public comments that were received by the Office of
20 Subsistence Management in time for publication.

21

22 Neil Webster of the Alaska Professional
23 Hunter's Association opposes this proposal and similar
24 proposals regarding the sale of handicrafts from bears. He
25 states the Alaska Board of Game, Alaska Department of Fish
26 and Game and others have opposes similar proposals, he was
27 writing before this recent Board of Game meeting. How can
28 proposals like these comply with the requirements of
29 ANILCA, they do not comply with ANILCA.

30

31 The second written public comment comes
32 from AHTNA, Incorporated. AHTNA supports the proposal
33 because it would allow the sale of handicrafts from the fur
34 of a grizzly bear.

35

36 And the Wrangell-St. Elias National Park
37 Subsistence Resource Commission also supports the proposal
38 as written.

39

40 Mr. Chairman, that concludes our written
41 public comments.

42

43 CHAIRMAN LITTLEFIELD: Thank you. We're at
44 public testimony. Are there any members of the public who
45 would like to testify. I do not have any requests at this
46 time, but if there is anybody that wants to testify please
47 come forward.

48

49 (No comments)

50

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1 CHAIRMAN LITTLEFIELD: Okay, we're at
2 Regional Council deliberations. We'll take a short break,
3 come back to Regional Council deliberations on Proposal 1.

4

5 (Off record)

6

7 (On record)

8

9 DR. GARZA: Hey, did you guys hear me,
10 we're going back to order.

11

12 (Pause)

13

14 CHAIRMAN LITTLEFIELD: I'm going to take a
15 break here and give my voice a break again and Dr. Garza
16 will assume the Chair.

17

18 DR. GARZA: Just really interfering with my
19 weaving here, Mr. Littlefield.

20

21 (Laughter)

22

23 DR. GARZA: So we have Proposal 1 before
24 us. We have heard from everyone, Staff, ADF&G, none from
25 tribal governments, agency comments, we've gone through the
26 list, the proposal is now before us. What is the wish of
27 the Board.

28

29 Mr. Hernandez.

30

31 MR. HERNANDEZ: I move to adopt Proposal 1.

32

33 MR. STOKES: I second the motion.

34

35 DR. GARZA: So it's been moved to adopt
36 Proposal 1 by Mr. Hernandez, it was seconded by Mr.
37 Stokes. For sake of clarification we just want to name one
38 page because it looks different from the beginning to the
39 end.

40

41 CHAIRMAN LITTLEFIELD: How about 38.

42

43 DR. GARZA: So are you referring to Page
44 38, Mr. Hernandez.

45

46 MR. HERNANDEZ: Yes.

47

48 DR. GARZA: So the proposed regulation
49 would be on Page 38. There's issues, discussion, existing
50 Federal regulation and then proposed, you may sell

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1 handicraft articles from the fur of black bear or brown
2 bear?

3

4 MR. HERNANDEZ: That's correct.

5

6 DR. GARZA: And that's what you seconded,
7 Mr. Stokes?

8

9 MR. STOKES: Yes.

10

11 DR. GARZA: We have the motion on the
12 table. Mr. Sofoulis.

13

14 MR. SOFOULIS: Yeah, thank you. I need to
15 clarify some things. I do need to ask someone from the
16 Department a question or two. Give you a little history.

17

18 In 1999 and 2000, the Board of Game
19 sanctioned a task force called the Unit 4 Brown Bear
20 Management Team, I sat on that task force, Mr. Kookesh did
21 too. In this task force, we, through the development of
22 this task force, which included people all over Southeast
23 Alaska and Unit 4, all the communities that surrounded Unit
24 4 and all the different consumptive and non-consumptive
25 users, we allocated, I believe five brown bears for
26 customary and traditional use.

27

28 And I would need to ask someone from the
29 Department, how many of those bears have been actually
30 taken or utilized in the last four years, I believe, since
31 that was adopted by the Board of Game?

32

33 DR. GARZA: Please come forward.

34

35 MR. LARSEN: Thank you, Mr. Chair -- Madame
36 Chair, at this point. Mr. Sofoulis, my name is Doug Larsen
37 and I'm the Regional Supervisor for Southeast Alaska,
38 Division of Wildlife Conservation.

39

40 And like Mr. Sofoulis and Mr. Kookesh, I
41 was involved in Unit 4 Brown Bear Management Planning
42 effort, however, since that plan was put into effect and I
43 believe it was in 2000 I'm not aware of any data that has
44 specifically targeted looking at which bears, if any, were
45 salvaged for their meat, now, brown bears we're talking
46 about. So I'm not aware of any information specific to
47 that at this point.

48

49 We certainly have harvest data from sealing
50 records, but I'm not aware of any information about the

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1 consumption of meat or the taking of meat which is not,
2 under State law, a requirement.

3

4 MR. SOFOULIS: Okay. Well, that just leads
5 me to wonder why -- Mr. Kitka was saying it's hard or
6 impossible because of regulation for people to harvest
7 these bears and I guess I don't understand where that's
8 coming from. The vehicle is there.

9

10 I, of course, have a problem with this
11 thing because I think it could blow up in our face and
12 encourage people who don't really have an interest in
13 traditional or cultural use to start hunting brown bears
14 because there's money in it, which could be, for example,
15 anyone from Sitka.

16

17 I know for the past 10 years we've been
18 close or bumping up against the harvest level here in Unit
19 4. A few times the red flag has gone up and has gone back
20 down. The guiding industry itself has been limiting itself
21 through the Forest Service with moratoriums and has plans
22 on limiting ourselves even more. But to throw the door
23 wide open like this, well, like the Department was saying,
24 bears don't reproduce very fast and it wouldn't take long
25 before we could really harm the population of these brown
26 bears in Unit 4.

27

28 I know how people are, and I can see people
29 running around in their skiffs with no experience at all
30 hunting brown bears, and it's not easy to kill a brown
31 bear. They're a big animal and you'd think you could poke
32 a hole in them and that'd be it, but that's not the way it
33 is. You've got to hit a vital organ and usually you've got
34 to follow that animal into the woods and recover them, and
35 a lot of people I don't think are ready to do that. And,
36 of course, you also got to look and wonder about how many
37 animals are going to be shot at from skiffs and then let
38 escape.

39

40 I think there's a lot of down sides to
41 this.

42

43 The other thing is is we really haven't
44 clarified the issue of claws and I don't know if that can
45 be done here or not. But the State says claws are not a
46 part of the hide and the Feds say they are. And I know
47 it's a tough situation, I don't know if we're the right
48 place to figure that out but I assume we could make a
49 recommendation.

50

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1 I'll defer to anyone else who wants to make
2 a comment.

3

4 DR. SCHROEDER: Mr. Sofoulis, this is the
5 first year that Council members are making statements about
6 ethics and disclosures and just so we're very clear on this
7 because of your personal involvement in brown bear hunting,
8 I'd just like to ask you if you feel that you can
9 objectively separate your personal interest in this
10 management issue from your role as a Council member, and as
11 well how much of a significant interest you have in -- a
12 significant personal financial interest in the way this
13 proposal would be decided.

14

15 So if you could speak to that please.

16

17 MR. SOFOULIS: Well, I do have a financial
18 interest. And I thought it was my experience and my
19 lifestyle that was one of the reasons I was put on this
20 Board. But I'm speaking for resident hunters, too. There
21 are a lot of resident hunters in Southeast Alaska that hunt
22 brown bear for sport, for enjoyment and they do it annually
23 which can be done if four hunters go together and one of
24 them takes a bear every year. It won't be long after we go
25 over the harvest level before we go to emergency order and,
26 of course, non-residents are the first ones to get hit, but
27 then residents are right behind them, and what will happen
28 is we'll end up in a lottery, which means that these hunts
29 that these people take every year, they may never get to
30 take again unless they draw.

31

32 This has been a pretty unique recreational
33 experience that we've had for a long time in this and it's
34 utilized by a lot of people. I was hoping more people
35 would show up to back me up on that but I think this takes
36 more -- I'm just thinking the vehicle is there for
37 customary and traditional use and it's not being used,
38 apparently right now, I don't know why, it should be
39 encouraged more, I'm not against that, I would help out if
40 I could.

41

42 DR. SCHROEDER: Excuse me, we're sort
43 of.....

44

45 MR. SOFOULIS: No, no, I'm rambling on
46 again. No, I don't think.....

47

48 CHAIRMAN LITTLEFIELD: I'm cutting you both
49 off because I have the key. Let's go back to Title VIII
50 and you are new and you are here because of your expertise

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1 and your life experience like all of us are, we have to
2 meld all of that. But we have to remember why we're here.
3 And I hope my voice doesn't fall.....

4
5 But we're here to ensure that the
6 subsistence priority is met for the rural residents of
7 Alaska, period. We are not here to worry about the
8 commercial interests or any other interest like that. And
9 we -- I purposely handed out or had distributed this
10 proposal recommendation checklist that we have to go
11 through and the rationale for our recommendation, and
12 there's four of them, and that's what we need to do. We
13 need to stick to those four rationale when we're in Council
14 deliberations. We need to answer these four questions. So
15 hopefully a Council person will speak to those four items,
16 A, B, C and D, and I'll repeat them again.

17
18 A. Are there any conservation
19 concerns. In other words, do we
20 have a conservation concern with
21 the brown bear population in
22 Alaska. And I believe that was
23 no.

24
25 B. How would this affect the
26 subsistence opportunity. It would
27 increase the subsistence
28 opportunity for rural residents
29 who are qualified to do so.

30
31 C. What kinds of quality of
32 information presented are
33 sufficient. Substantial evidence.
34 This is where you have to weigh
35 the very smallest part of evidence
36 that says this is good for the
37 subsistence users, then you need
38 to vote yes.

39
40 D. What is the affect on the non-
41 subsistence users. We can't just
42 eliminate non-subsistence uses
43 haphazardously, there has to be a
44 reason for that.

45
46 But those are the rationales that a Council
47 person that serves on this Council has to use to make his
48 decision, not because you're a member of any specific
49 group. What we have to remember is our job here is to
50 provide the priority for the rural residents, that's our

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1 job, period.

2

3

4 And so I'll let Dr. Schroeder, again, as
5 the designated Federal official, ask you whether you have
6 a conflict of interest, because there sounds to me like
7 there probably is one so I'll leave it at that.

7

8

Dr. Schroeder.

9

10

DR. SCHROEDER: Mr. Chairman. Mike, this
11 is basically new territory for the Council in dealing with
12 disclosures and financial interests, so on that ground
13 you're on an equal footing with the other Council members
14 who haven't been through this exercise. The examples that
15 we looked at in training yesterday, very specifically said
16 that simply because someone was in some way affected by a
17 regulation and possibly affected financially affected, that
18 that didn't exclude them from participation.

19

20

I think the question has two sides to it.

21

22

The one side is basically if the person
23 personally feels that their own personal financial security
24 and outlook is so affected by something before the Council,
25 that that would cloud their judgment, they would not be
26 able to follow the job that they're supposed to do on the
27 Council. So that's on the personal side, and I think
28 that's the strongest one for ethics disclosures is just the
29 integrity that people bring to the table here.

30

31

The second is a much more objective one,
32 and that is if the Council's debating a proposal that would
33 literally put someone out of business it would be hard to
34 see that the person would not have a conflict of interest.
35 An example there would be if the Council was considering
36 closing sportfishing in an area and you were a sportfish
37 guide who depended on that area. It would be pretty clear
38 that you had a conflict of interest over making a
39 recommendation on that proposal. However, if you were a
40 sportfish guide in Yakutat and this closure was talking
41 about something in Craig, you would not necessarily have a
42 conflict of interest there simply by being a sportfish
43 person.

44

45

And as someone who participated in the
46 guiding the panel process in evaluating applicants to the
47 Council, you're completely correct you were selected
48 because of your expertise and because you are a guide and
49 because you know certain things about Southeast.

50

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1 So I'd ask you on the second ground, from
2 my view as the designated Federal official, I don't believe
3 you have an apparent conflict of interest based on being a
4 bear guide and that this potentially affects bear guides in
5 some way. However, I would like to ask you if you feel you
6 have a personal conflict of interest, such that you
7 wouldn't be able to view this proposal objectively.

8

9 So that's my question to you.

10

11 MR. SOFOULIS: Personal. My livelihood is
12 personal to me. Immediately I do not see any adverse
13 effects from this proposal on me, but down the road I do
14 and I don't know how to interpret that or how you want to
15 interpret that. But I do see it financially affecting me
16 down the road some day and maybe that should exclude me, I
17 don't know, what do you think?

18

19 DR. GARZA: We'll just continue on then and
20 so if you can't answer that conclusively now, you may be
21 able to later so just think about it. Turn off your mike.
22 Turn off your mike, Mr. Schroeder, get your hand off of it,
23 Mr. Schroeder.

24

25 (Laughter)

26

27 DR. GARZA: Okay, so we are now -- we have
28 Proposal 1 before us. And I hope you do not take any
29 offense at the discussion that just occurred because this
30 is new for us and we have had other Council members who may
31 or may not have had issues with other proposals and this is
32 the first time we've had to go through this ethics thing.

33

34 So I would like you, as a Council, to raise
35 your hand and let me know if you wish to speak to this
36 proposal, either in favor or against it and you're going to
37 tell me whether or not you're in favor or against it using
38 this sheet that Fred created for us years ago on whether or
39 not you support it with modification, and if you have
40 rationale. Because the four points, the second point --
41 and do you all have this in front of you because this is
42 important, number 2 there, rationale for recommendations.
43 It is very important for us as we send our recommendations
44 up to the Federal Subsistence Board that we have clear
45 rationale. That we either say, yes, there's conservation
46 concerns; no, we don't believe there are conservation
47 concerns. Yes, it increases opportunity; no, it would
48 decrease opportunity. We feel that the information
49 provided to us was insufficient or sufficient to make a
50 clear, I'm voting for or against it. And, again, what is

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1 the affect on non-subsistence users.

2

3 And so please look at the sheet and let me
4 know if you're speaking in favor or against the motion, or
5 if before that you need clarification before you're ready
6 to speak in favor or against the motion.

7

8 Do I see anybody.

9

10 Mr. Kookesh.

11

12 MR. KOOKESH: Chair Garza. It was
13 mentioned a few moments ago that since 2000 under that Unit
14 4 Brown Bear Management Plan that no bears were taken for
15 -- not for subsistence use but for use of the brown bear
16 pelt, fur, if you read like was mentioned by Ms. See, that
17 you can read in the book that we have on Page 41, that you
18 can find that survival rates for cubs was .45, you can read
19 that they don't have a very successful mortality rate, but
20 at the same time you can go a little further up and it
21 tells you brown bear populations throughout most of Alaska
22 are generally stable. And you could go all the way down to
23 the bottom of the page, at the same time it will tell you
24 that in the 1945 to 1959 821 bears on average were killed
25 and declining to 630 in the '60s, and up to 1,300 up to the
26 year 2000. So it speaks to the population, the harvest
27 levels are going up.

28

29 I don't know how there could be a concern.

30

31 And like I said, I speak in favor of this
32 proposal.

33

34 DR. GARZA: Mr. Adams.

35

36 MR. ADAMS: Thank you, Dr. Garza. I, too,
37 make reference that the points Mr. Kookesh alluded to,
38 particularly down at the bottom of Page 41. So I don't see
39 any conservation issue here.

40

41 How does it affect the subsistence
42 opportunity, it's going to increase it of course. You
43 know, when you open up an opportunity like this, and I'm
44 sure, you know, that's one of the concerns that Mr.
45 Sofoulis is alluding to. But, you know, with the
46 populations the way they are, you know, I don't see that
47 affecting it always either.

48

49 The kinds and quality of information
50 presented are sufficient enough, I think, because of the

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1 background and the historical and harvest surveys on Page
2 41 substantiates a healthy population.

3

4 And how it is going to affect non-
5 subsistence users. This is a subsistence issue only in my
6 opinion, and I don't think it's going to affect any non-
7 subsistence users unless they somehow, you know, get
8 themselves involved in it in an illegal way.

9

10 This issue was brought before the
11 Subsistence Resource Commission, Wrangell-St. Elias, as you
12 see in the back in there, you know, the Commission adopted
13 the same proposal. And the reasons why is because number
14 1, AHTNA came and testified on behalf of the proposal. And
15 then we had a gentleman of the caliber of Mr. Kitka who
16 came and gave us some real good reasons why this proposal
17 should be adopted.

18

19 And as Mr. Kitka alluded to, as well, they
20 were doing it anyway, and so just to legalize it would be
21 better, in the better interest for the people in that area
22 particularly.

23

24 So I support the proposal, Madame Chair.

25

26 DR. GARZA: Thank you, Mr. Adams. Mary.

27

28 MS. RUDOLPH: I'm going to speak in support
29 of the proposal also. I think for speaking as a tribal
30 member I would say that we wouldn't abuse what's there and
31 it's not something we're going to do, jump off onto the
32 beach and shoot all the things we can see. I think we've
33 worked with land and watched our food and subsistence and
34 things so we do get affected and we do get upset when we
35 see wanton waste.

36

37 I think if there is -- I haven't heard of
38 any big demands but I remember Herman giving us a history
39 of bears, what we did with them before and I don't remember
40 him ever or any other tribal members or other people
41 talking of just shooting for the thrill of it other than
42 seeing what I do see, having hunters come up and shoot them
43 just for the skin itself, the fur, and I don't see that
44 happening with people in Hoonah. I think it's happening
45 with people that do come outside of Hoonah to do some
46 hunting. So I don't think it's going to affect any of the
47 subsistence users, non-subsistence users and they -- I
48 think it's something like what Herman said, it's something
49 that's dying away from us. We have not ever used it and I
50 think he's one of the very last of the people there that

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1 can give us a history of how we worked with the bears
2 before.

3

4 So I would have to support this proposal.

5

6 Thank you, Madame Chair.

7

8 DR. GARZA: Thank you, Ms. Rudolph. Mr.
9 Stokes.

10

11 MR. STOKES: Madame Chair, thank you. I
12 speak in favor of the motion. I mentioned earlier about
13 the dancing bear hat, which I did not exactly whether it
14 was black or brown, but I do believe it was brown because
15 of our traditional log house we have on Shakes Island is
16 known as the Brown Bear House. And that brown bear hat is
17 on display at the Seattle Art Museum. We hope to get it
18 back.

19

20 DR. GARZA: Mr. Douville.

21

22 MR. DOUVILLE: Thank you, Madame Chair. I
23 support the proposal as there were no conservation concerns
24 presented, and it does have a positive effect on
25 subsistence opportunity, being better able to utilize the
26 whole -- not only the meat and/or the fur. And I believe
27 that the kinds of quality of information was sufficient for
28 me to make a decision. And I don't believe there will be
29 any affect on non-subsistence users.

30

31 Thank you.

32

33 DR. GARZA: Thank you, Mr. Douville. Mr.
34 Hernandez.

35

36 MR. HERNANDEZ: Thank you, Madame Chairman.
37 I'd also like to speak in favor of the motion.

38

39 I don't believe there will be any
40 conservation concerns if a hunt is legalized and conducted
41 under -- complying to all regulations there shouldn't be a
42 conservation concern. It would be an increased opportunity
43 for subsistence users. And I think we have sufficient
44 evidence to make a decision.

45

46 The one point I might bring up is it seems
47 to me that enacting -- that approving this proposal would
48 also require a change in classification from brown bears to
49 a furbearer animal, that might be just part of the whole
50 process, though, that probably wouldn't be a problem if we

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1 enact this regulation. And there could be some affects on
2 non-subsistence users, however, that's speculation.

3

4 DR. GARZA: Thank you, Mr. Hernandez. Mr.
5 Littlefield.

6

7 CHAIRMAN LITTLEFIELD: Thank you, Madame
8 Chair. I'm going to vote for this proposal.

9

10 And the reasons are, I don't believe
11 there's any conservation concern anywhere in Alaska on
12 brown bears, as a matter of fact I've heard quite the
13 opposite from the information. Certainly in our area here,
14 I've seen more bears in the last few years than I've seen
15 in my life around our camp. We saw seven in one day and
16 that was this last summer. That's amazing.

17

18 We're looking at a situation here that some
19 of the situations that have been brought up where we have
20 to shoot a bear, eat it, chop its claws off and then use
21 its fur and so those are -- we're going to use all of
22 these. They don't go in that order. We can take an animal
23 for fur if we want to, I just want to make that clear, and
24 the claws are part of that. We don't -- when we take that
25 animal -- I know the State objected to this in their
26 information that they wanted the claws considered
27 separately, I don't consider them separately and I,
28 personally, do not have any problem with the definition as
29 it is written, the claws.

30

31 A lot of the affect on other users is
32 purely speculation. We hear this all the time at every
33 meeting that we have here, that the sky is falling and
34 quite frankly this is positive for subsistence users and
35 that's what we're here for. It's positive for subsistence
36 users. When the sky falls we'll address it through .804,
37 so I'm going to vote for the motion.

38

39 DR. GARZA: Thank you, Mr. Littlefield.
40 Mr. Jordan.

41

42 MR. JORDAN: I have a question. Under this
43 proposal, does that still mean in Southeast Alaska that the
44 Bear Management Plan that was worked out, that there'd
45 still only be five bears allowed for subsistence including
46 the ones harvested under -- for the sale of parts?

47

48 DR. GARZA: Is there someone who can answer
49 that question out there?

50

00100

1 CHAIRMAN LITTLEFIELD: Dan.

2

3 DR. GARZA: Mr. LaPlant.

4

5 MR. LAPLANT: Yeah, Mr. Jordan, through the
6 Chair, passing this proposal just pertains to the sale of
7 handicrafts made from the fur, so it has no impact on the
8 allocation between State and Federal hunters or it has no
9 impact on regulations on harvest, just the sale.

10

11 MR. JORDAN: So just to make it perfectly
12 clear to me, and I'm a little slow, there could be at the
13 maximum five bears a year harvested and the parts sold in
14 Southeast; is that right?

15

16 MR. LAPLANT: Mr. Chair. Mr. Jordan.
17 Currently there is no harvest quota in regulation for bear
18 in Unit 4, that's a management plan recommendation. It's
19 through monitoring the harvest, if the harvest did reach
20 that point, that would require a special action by the
21 Board and an emergency order by the State to address that
22 situation if it occurs, but this action, this proposal
23 would not address that.

24

25 MR. JORDAN: Madame Chair, I thought I
26 understood to hear that there was a management plan in
27 effect that there was five bears allocated for subsistence
28 uses, five brown bears in Southeast Alaska, am I wrong on
29 that or is my fellow Council member wrong?

30

31 MR. LAPLANT: Well, Mr. Chairman, Mr.
32 Jordan. That may be a recommendation from the plan but
33 that action has not been incorporated into Federal
34 regulation.

35

36 MR. JORDAN: Or State regulation?

37

38 MR. LAPLANT: I can't speak to State
39 regulation, I don't know.

40

41 MR. JORDAN: Okay, thank you.

42

43 DR. GARZA: So, Eric, make sure when you
44 ask him a question that you turn off your microphone
45 otherwise Tina gets feedback and she looks really nice but
46 she will come over and clobber you.

47

48 (Laughter)

49

50 DR. GARZA: Mr. Jordan.

00101

1 MR. JORDAN: Well, I was prepared to say
2 that I would vote for this because I thought in listening
3 to the other comments, I thought what we did with the five
4 bear, if it was limited, was okay with me, but if it's
5 unlimited I see a -- I think the State's presentation here
6 and their arguments are compelling that there could be a
7 conservation concern. And it's not unusual for me to be in
8 the minority and I'm not trying to persuade any of you to
9 change your position, but I see that there could be a
10 conservation concern.

11
12 I think the information on Page 41, which
13 I interpret differently than the other Council members and
14 43 makes that case without reading it in. On B, I defer to
15 the other Council members in that. I don't think it will
16 affect the subsistence opportunity much. If it does and
17 people are out harvesting bears to sell the parts, it
18 brings me back to A that there might be a conservation
19 concern. I think the quality of information is sufficient.
20 And I don't think it's a good idea that we encourage people
21 to start harvesting bears for money, I think we would have
22 a situation -- we could have a situation with wounded bears
23 as brought out by another Council member.

24
25 But most importantly after going through
26 those considerations, I'm concerned that we would end up
27 with differing State and Federal regulations, in that,
28 under our regulation that we, in front of us, the sale of
29 claws would be legal and while under the State regulation
30 they're not, if the majority of the Council members wanted
31 to rewrite this so that the regulations were uniform, then
32 I would be inclined to support it even though I did have
33 conservation concerns.

34
35 But I'm not going to propose it unless it
36 comes from the majority. Thank you.

37
38 DR. GARZA: Mr. Kitka and then Mr.
39 Littlefield.

40
41 MR. KITKA: Thank you, Madame Chairman. I
42 speak in favor of this motion.

43
44 I don't see any conservation issues. I do
45 believe it would be an opportunity for subsistence.

46
47 And before I go on, I'd like to ask one
48 question and that was I heard Mr. Jordan speak of it and
49 Mike over here speaks of it, that there was already in
50 existence a subsistence for five bears, and I just was

00102

1 wondering and I heard him say that nobody has made use of
2 the five bears, and I was just wondering if they were
3 already in existence for four years and nobody has touched
4 them, I don't see any management plans or where it would
5 affect anybody.

6

7 Thank you.

8

9 DR. GARZA: Mr. Littlefield.

10

11 CHAIRMAN LITTLEFIELD: I'm going to try to
12 draw out some more kinds and quality of information for
13 maybe some of the Council, and to do that I would like to
14 ask the State representative to come forward. What they
15 did at this meeting is they went and flopped their proposal
16 from opposed to neutral based upon action that was taken by
17 the Board of Game two weeks ago. I would like you to come
18 forward and state what your position was prior to the
19 Board's action. In other words, what did you take to the
20 Board of Game, what was your position, if you could state
21 that.

22

23 MS. SEE: Mr. Chairman. Members of the
24 Council. We are bound to the position that exists either
25 in regulation or that's changed by the Board of Game. So
26 prior to this meeting we were representing a concern that
27 reflected what the State regulation was at the time, which
28 was not consistent with this proposal. Now, because the
29 Board of Game has made a change that is more similar to
30 this proposal than in the past, that's caused a change in
31 our position.

32

33 So we are bound by what the Board of Game
34 does. We present information at the Board of Game, which
35 they consider in their decision-making, but they ultimately
36 make all the decisions about these regulations.

37

38 DR. GARZA: I think the question was, and
39 maybe Mr. Littlefield wasn't quite clear enough, what was
40 the ADF&G Staff recommendation to the Board of Game when
41 this proposal went to the Board of Game?

42

43 MS. SEE: Through the Chair, that's a
44 question for which I don't have the exact wording and I was
45 not at the Board of Game meeting. I will ask my colleagues
46 from Wildlife Division if they have it.

47

48 MR. LARSEN: Mr. Chair. Unfortunately like
49 Marianne, I wasn't at the Board of Game either and I didn't
50 talk with our Board representative who is Kim Titus, so I

00103

1 don't know exactly what all went on in terms of the
2 position, how it transitioned, what kind of dialogue
3 occurred in all of that, so I can't be of any help in that
4 regard.

5
6 MS. SEE: We can find that out, however, if
7 you give us a break, we could go get that for you pretty
8 quickly.

9
10 DR. GARZA: Mr. Larsen.

11
12 MR. LARSEN: Thank you, Madame Chair. I
13 did notice that in the Federal regulations, this reference
14 to the five bears, just for the Council's clarification,
15 for Unit 4 it does specifically state that five Federal
16 registration permits will be issued for the taking of brown
17 bear for educational purposes associated with teaching
18 customary and traditional subsistence harvest and use
19 practices, any bear taken under an educational permit does
20 not count in an individuals one bear every four regulatory
21 years limit. So technically an individual could -- or five
22 individuals could harvest a bear, as I understand this
23 regulation, and still harvest a second bear, but again it
24 wouldn't address or affect their one every four year
25 limitation that exists both in State and Federal regs.

26
27 Thank you.

28
29 DR. GARZA: Mr. Kookesh, do you have a
30 comment.

31
32 MR. KOOKESH: Well, I have a comment but
33 it's not to the Staff here. My comment goes kind of in
34 line with the opportunity exists for the resident to be
35 able to take one bear every four years, and I'm sitting
36 here wondering why it is we're asking for something that
37 when, you know, the partaking of this in the system for
38 years and this plan is just coming into being. And just
39 from sitting here reflecting on it, I'm seeing that, to me,
40 when you look at it as our culture I seem to see pride and
41 the fact that our children will be able to have something
42 to add to their culture by doing something very positive
43 for their regalia. If we don't allow for this all we're
44 going to do is take away from our children.

45
46 We've already given an opportunity to the
47 resident to harvest for sport and I don't see -- I'm
48 starting to struggle with why, all of a sudden, we're
49 trying to ask for something just for ourselves and it's
50 only like, for example, five -- maybe like five percent of

00104

1 the quota or whatever. And I'm seeing that this will add
2 to our culture and I'd like to see this move forward
3 because it's a positive thing.

4

5 Thank you.

6

7 DR. GARZA: I'm going to get Mr. Bangs
8 first since he hasn't spoken yet. Mr. Bangs and then Mr.
9 Douville.

10

11 MR. BANGS: Thank you, Madame Chair. I
12 really had a problem with the change of the position by the
13 Staff. If there was a concern for conservation and they
14 change it based on a Board's decision, then I don't see
15 that there is a real concern for conservation.

16

17 I'm going to support this based on Mr.
18 Kitka's need for a new regalia. I mean that fact alone, I
19 mean if that is illegal then there's something wrong here.
20 And I don't see a concern for conservation based on the
21 fact that the Staff is willing to go neutral on this
22 position. And I think it could have a very positive effect
23 on subsistence use.

24

25 So with that in light I think there is a
26 possibility of an affect on non-subsistence users, but I
27 don't see that happening very soon. There was a chance for
28 a five bear harvest and none were taken, I don't think that
29 that shows that it's a conservation concern there, so I'm
30 going to support this.

31

32 Thank you.

33

34 DR. GARZA: Mr. Douville.

35

36 MR. DOUVILLE: Thank you, Madame Chair. I
37 just would like to make a comment. I still support this
38 proposal.

39

40 But I might point out that the position of
41 the Staff Committee and ADF&G has changed since this
42 material was put together and written and yet some of our
43 members are using it to base their decision on and I think
44 it's like out dated, sort of, I'm not so sure that this
45 wouldn't have written in a different fashion had you known
46 your position coming into it, and that's all I have to say.

47

48 Thank you.

49

50 DR. GARZA: I guess I'll add my comments

00105

1 here. I will also vote in favor of the motion. And --

2 Eric, turn your mike off.

3

4 I will be supporting this motion and in my
5 consideration it's looking at the fact that both the State
6 and Federal did change to neutral. That the Board of Game
7 is supporting this exact same effort. The claws are not a
8 big deal to me. If you're selling the pelt, the claws are
9 part of it, I mean the claws are on the bear, we're not
10 going to take the claws off before we shoot it. And so I
11 don't have any heartburn with that particular issue.

12

13 Conservation, I don't think that it is an
14 issue. I think it's been made clear with the evidence that
15 we've been given.

16

17 In terms of the take, I think that it has
18 an increased benefit for the current hunters, but I
19 personally don't see a massive increase in hunts. I don't
20 think that there's any reason to deny subsistence
21 opportunity based on fear of overharvest or of abuse. And
22 that has been brought to this Council with other issues,
23 with steelhead. I mean we had adamant opposition to it on
24 Prince of Wales because there was going to be overharvest,
25 there might be 600 steelhead taken a year, there's 30.
26 With black bear, you can now sell it for handicraft, there
27 has not been a decline in black bear, they're not on any
28 ESA or CITES list, I mean people may think, oh, yeah, going
29 shooting a bear will be cool, but when it gets down to the
30 work of it and you know that better than anybody, it's a
31 lot of work and so even if someone tries it's not going to
32 happen year after year and consistently increase because it
33 is a lot of work and effort.

34

35 And so I strongly support this proposal
36 because it does increase opportunities for subsistence
37 people in being able to use regalia again, because if I
38 wanted to use something and had the right to use something
39 from a bear, I wouldn't automatically go out and shoot it,
40 I may have to purchase those materials from somebody who is
41 a good hunter because not everyone is going to be a good
42 hunter and not everybody who hunts can afford to just give
43 things away. It costs money to go out there and hunt, it
44 takes time from your life, and the compensation of say \$500
45 is relatively small compared to what the industry is worth
46 at the guide level. So I don't see it as a big economic
47 boom to rural communities throughout Alaska.

48

49 And so for these reasons I strongly support
50 this proposal.

00106

1 Mr. Jordan.

2

3 MR. JORDAN: Thank you, Madame Chair. The
4 weight of the argument presented has persuaded me to change
5 my position.

6

7 One of the conservation concerns I had, I
8 hadn't realized that -- I hadn't thought of, even though I
9 knew it, that you're only allowed one bear every four
10 years, I don't think that would make a big difference. I
11 still have concern, if somebody in the majority wants to
12 address it about the difference between the Federal and the
13 State regulations. But my other concerns have been
14 addressed by the weight of the arguments and I'm going to
15 vote in favor of this at this time.

16

17 DR. GARZA: Mr. Littlefield.

18

19 CHAIRMAN LITTLEFIELD: Marianne.

20

21 DR. GARZA: Marianne See, State Staff.

22

23 MS. SEE: Thank you. I just wanted to
24 clarify for the record a statement that was just made
25 characterizing the recent Board of Action, that is
26 authorizing the use of brown bear fur for making handicraft
27 items for sale, that is the extent of what they just did.
28 And in their definition of fur that doesn't include claws.
29 But it's handicraft items for sale with brown bear fur, it
30 is not pelts.

31

32 I hope that helps clarify, thank you.

33

34 DR. GARZA: Okay, I think we've heard in
35 general discussion from everyone except for Mr. Sofoulis,
36 is there anything you wanted to add or present in terms of
37 the proposal recommendation checklist.

38

39 MR. SOFOULIS: Well, I think we've heard
40 from everybody, including myself. I think I better abstain
41 because I am afraid of this for personal financial reasons,
42 so I think there is a conflict of interest.

43

44 DR. GARZA: So then you're going to recuse
45 yourself?

46

47 MR. SOFOULIS: I guess, so, yes.

48

49 DR. GARZA: Thank you, Mr. Sofoulis. Mr.
50 Adams, your Secretary has paged me.

00107

1 (Laughter)

2

3 MR. ADAMS: Thank you, Mr. Secretary.

4

5 MR. KOOKESH: I have to.

6

7 (Laughter)

8

9 MR. ADAMS: I just want to bring your
10 attention to the top of Page 41 where the Federal
11 definition of skin, hide, pelt or fur means the skin, hide,
12 fur or pelt of a bear shall mean the entire external
13 covering with claws attached.

14

15 DR. GARZA: Okay, we have generally heard
16 from everyone on the Council. We have the proposal before
17 us. It is written on Page 38 of our booklet.

18

19 The proposed Federal regulation .25(j)(6):

20

21 You may sell handicraft articles from the
22 fur of a black bear or a brown bear.

23

24 That is the proposal in front of us. The
25 intent as clarified as the top of Page 41, is that, it
26 would include claws as the proposal currently stands.

27

28 Is there a call for the question.

29

30 CHAIRMAN LITTLEFIELD: Question.

31

32 DR. GARZA: Question has been called on the
33 motion supporting the proposed Federal regulation on Page
34 38. All in favor of the motion signify by saying aye.

35

36 IN UNISON: Aye.

37

38 DR. GARZA: Opposed.

39

40 (No opposing votes)

41

42 DR. GARZA: Do I have to ask for
43 abstentions -- or one recused.

44

45 MR. KOOKESH: Let the record show.....

46

47 DR. GARZA: Let the record show. The
48 motion passes, we will take a coffee break.

49

50 (Off record)

00108

1 (On record)

2

3 DR. GARZA: Call the meeting back to order.

4

5 (Pause)

6

7 DR. GARZA: At my clear and decisive
8 leadership I'll call this meeting back to order and we will
9 get back on gear. We are going to move to Proposals 2, 16
10 and 17. It is our hope that we'll get through as far as we
11 can on these proposals. It's my understanding that in the
12 morning we will start with the FIS presentation by Mr.
13 McBride.....

14

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

16

17 DR. GARZA: Bob.

18

19 DR. SCHROEDER: Madame Chair, if I could
20 interject. Earlier when we spoke of our agenda we said
21 that we would start with deer issues on Prince of Wales
22 including deer planning tomorrow morning at 9:00, and that
23 was as a courtesy to Federal Subsistence Board Member
24 Edwards who's coming in and wants to be present for that
25 discussion.

26

27 And since I already mentioned Council
28 members to look through their hard copy of this document,
29 the Prince of Wales Deer Cooperative Management Process
30 Feasibility Assessment which you've received by email and
31 it will be subject to discussion tomorrow morning.

32

33 Thank you.

34

35 DR. GARZA: Okay, Doug, we'll have to talk
36 after, if we're going to start with deer we'll have to
37 figure out where you're going to be. You just kicked me
38 out on deer. Okay, so we will start with Proposals 2, 16
39 and 17, Staff analysis, these are all antlered deer
40 proposals, which is why they are together.

41

42 MR. ALUZAS: Madame Chair. My name is Kurt
43 Aluzas. I'm with the Forest Service out of Wrangell and
44 I'm here to talk about Proposals 2, 16 and 17 and the
45 commonalities of these proposals are that they all request
46 antler restrictions of two points or more on deer harvested
47 by Federally-qualified subsistence hunters. They differ
48 slightly in terms of -- primarily in terms of the scale at
49 which they would apply these antler restrictions.

50

00109

1 Proposal No. 2 applies is out of the cross
2 Units 1 through 5. Proposal No. 16 applies it only to Unit
3 3. And Proposal No. 17 would apply it only to Zarembo
4 Island, which is in Unit 3. And I might add that all three
5 of these proponents are Wrangell residents and primarily
6 they were looking at, in terms of their intention, they're
7 focusing on Zarembo Island, although they did take
8 different scales of approach on this. Their primary
9 intentions were looking at maintaining sustainable deer
10 harvest on Zarembo; that's really what they were most
11 focused on, and also some issues of letting a segment of
12 the deer population reach larger antler and body size,
13 primarily from the standpoint of getting meat from a
14 subsistence standpoint. I did not get the feeling in
15 talking to the proponents that they were looking to produce
16 antlers for trophy sake. It was simply using that as an
17 analogy for an age class of the deer that were being
18 protected that way.

19
20 The primary concerns again are the
21 sustainability of Zarembo Island deer population, overall
22 that's what the concerns were about. The proponents were
23 concerned that they were seeing excessive harvest of button
24 buck as well as spike deer. And by button bucks, they
25 primarily meant male fawns. In talking with various
26 persons about this proposal, I've come to find out that
27 there's a second definition for button buck that folks are
28 also using, I'll just throw that out there now so it
29 doesn't get confusing. That second definition is
30 describing a year and a half old buck that was born late as
31 a fawn and therefore even in that second fall is smaller in
32 body size and the antlers are less developed. But, again,
33 with respect to these proposals, the proponents themselves
34 were using the term button buck or nubbin buck to indicate
35 male fawns. And their concerns were getting at that
36 extensive harvest on that age class, both those age
37 classes, that there is some potential effects on sex ratio
38 and breeding in terms of down the road not having as many
39 mature bucks for breeding purposes.

40
41 And there were also some definite concerns
42 about illegal harvest, and I know that doesn't come in
43 necessarily directly relevant to this proposal, but in some
44 respects in terms of how this would be administered, it's
45 an issue and it's also just an issue in their own right
46 that they're concerned that the illegal harvest, especially
47 on Zarembo Island is having an effect. And that comes from
48 any number of other individuals that I've talked to about
49 this proposal as well.

50

00110

1 Currently, just current regulations,
2 there's general State and Federal line up, we all know, of
3 some of the antlerless hunts and some of the Unit 2 things
4 that have some differences in terms of the regulations.
5 And there are some different regulations as well that may
6 or may not have some bearing on this argument, just in
7 terms of how they define an antlered deer and so forth.

8
9 In getting to the areas that we're talking
10 about, all pretty familiar with these, Units 1(A), (B), and
11 (C) and (D) on the mainland, Unit 1(D) is currently closed.
12 Unit 2, I think everybody here is pretty well familiar with
13 that or will be by the end of tomorrow.

14
15 (Laughter)

16
17 MR. ALUZAS: And, you know, again, I'm just
18 touching on that with respect to the one proposal, No. 2
19 that deals with all five units. Most of the specific
20 details about Unit 2 would be better left probably for
21 tomorrow in that discussion.

22
23 Most of the focus here, again, on these
24 proposals has been in Unit 3, specifically on Zarembo
25 Island. Zarembo, I don't have a pointer here but Zarembo
26 is right in the backyard of Wrangell and as such it has
27 been a historically pretty important area for subsistence
28 hunting. In fact, in the last five or 10 years over 50
29 percent of the community's deer harvest, the community of
30 Wrangell, has come from Zarembo, and an increasing
31 percentage of the harvest for Petersburg is coming from
32 Zarembo as well. So it's understandable that there's
33 concerns about the deer -- the continuation of the deer
34 harvest there. In Unit 4, in the ABC islands, and Unit 5
35 up in Yakutat, 5(B) is currently closed.

36
37 Now, looking at some of the data that we
38 have for the five units, the estimated deer harvest and the
39 number of hunters for these units over, say, the last 20
40 years, you can see that the annual harvest of the deer does
41 fluctuate some, you know, the last five or so years it's
42 been a lot more stable. And some of that fluctuation is
43 driven by individual units. The number of hunters has
44 remained relatively stable over the last few years.

45
46 What also is helpful to look at is the
47 hunter effort, the number -- average number of hunter days
48 needed to harvest a deer in Units 1 through 5, again, for
49 the same period and there's been some spikes in that as
50 well, but, overall the trend has been relatively stable in

00111

1 terms of requiring about the same amount of effort.

2

3

4 And because this issue specifically, I
5 guess is emphasizing Zarembo, I wanted to bring up some of
6 this data. I will point out this is not in your Staff
7 booklet. When these three proposals were combined for
8 publication, Staff made some decisions about, you know,
9 which information to leave in or take out and in the
10 interest of space this was deleted, but I thought for this
11 discussion it was valuable to give you a little bit more
12 background information. And I think what I want to show
13 here is that you can see that the harvest there has come
14 from pretty low levels in the early '90s and into the '80s
15 and up to much higher levels in more recent years. It may
16 be leveling out in more recent years and the number of
17 hunters actually shows a slight dip, which may indicate
18 maybe a fewer number of people taking more deer or any
19 number of things. But I did want to at least show you that
20 data to show that the current levels are still fairly
21 moderate and moderately high.

21

22

23 Since we're talking about antler
24 configurations in terms of harvest restrictions, in terms
25 of also how that implies what the age structure of the
26 population of harvested deer are, we don't have that
27 specific information for Zarembo or for much of Units 1
28 through 5, and this is again information in your booklet.
29 But this is information taken from hunter check stations on
30 Prince of Wales in 2002. And this represents a sample of
31 about 60, 61 deer that are represented in this table, not
32 a huge number but enough to kind of look at a little bit.
33 And you can see that, for example, the blue colored bars
34 represent the spikes, the one points, and those are showing
35 up as primarily as one and a half year old and even just in
36 a minor way as a two and a half year old animal, those are
37 the animals that would potentially be protected by this.
38 There weren't any fawns that showed up in this sample, that
39 doesn't mean that that doesn't occur and that's not to
40 imply that it's not incurring elsewhere, but it just didn't
41 show up here.

41

42

43 What I think is useful to look at here is
44 how, you know, number 1, much of the harvest does occur in
45 those younger age classes, especially two and a half years
46 and younger. The other kind of take home message is the
47 danger of solely relying on antler point configurations to
48 imply the age of the animal, because if you look at the
49 forked horn or the two point category, you've got animals
50 from one and a half year olds all the way up to seven and
51 a half year olds showing up on that so it's a little risky

00112

1 to just use that alone as an indication of age.

2

3

4 The way that they got age in this case was
5 they pulled a tooth and sectioned the tooth and much like
6 you do with counting tree rings, they count the rings on
7 the tooth and then they compared that with the antler
8 points.

8

9

10 So that's some information that may be
11 useful in terms of looking at how a antler restriction
12 across a bigger area or another area could potentially be
13 applied.

13

14

15 Overall the deer harvest data seem to
16 indicate a relatively stable trend of harvest and effort
17 across the region. In talking to the State and looking at
18 the information, there don't seem to be any conservation
19 concerns. Now, there are some areas where harvest is down,
20 you know, and some areas that are doing better. But
21 overall, the aren't any conservation concerns. Zarembo, in
22 particular, again, as I mentioned, harvest seems to have
23 increased from the early 1990s, may be leveling off here,
24 we haven't noticed any decline yet, but may not something
25 we'd pick up for a few years, and does seem to be at least
26 a slight increase in the effort required to harvest a deer
27 in the past few years. So it's getting a little bit
28 harder, and I did get some comments from the folks that I
29 talked to, that, yeah, it was getting a little bit tougher
30 to find, at least, a more mature buck and so forth, but not
31 a real struggle yet.

31

32

33 And, again, looking at the Unit 2 antler
34 data, the majority of the harvest is consisting of one and
35 a half to two and a half year old deer.

35

36

37 Deer pellet data are something you're
38 probably -- most of the Council members here are familiar
39 with and there are certainly some pitfalls with relying too
40 heavily on it. Basically what we're doing with that is
41 counting the number of deer pellets that we're finding out
42 in the woods in areas that we sample, you know, repeatedly.
43 It's the same area that we come back to. And we're
44 essentially using the numbers of deer pellets, piles of
45 deer scat that we're finding to index, to indicate
46 relatively what the population is doing, if it's coming up
47 or going down and so forth, and there are some limitations
48 to it and so forth. But it's another tool.

48

49

50 Unit 1 appears to have low to moderate
densities of deer pellets, and that implies, at least,

00113

1 potentially that the population is doing the same. But it
2 appears to be relatively stable.

3

4 Unit 2 you'll get into a lot of discussion
5 about this tomorrow, I'm sure, lower densities, possible
6 decline, that's all debatable in terms of what's going on
7 there.

8

9 Unit 3 has been real variable. There's
10 some areas, for example, around Wrangell, Woronkofski
11 Island that shows a pretty noticeable decline in pellet
12 numbers, and in other areas that show increases. Zarembo
13 is an island that has shown some increase over the last 10
14 or 12 years. We don't have a lot of repeat sampling so we
15 don't want to rely too heavily on the several samples that
16 we did get but it does appear to have increased there as
17 well.

18

19 Unit 4 has some of the higher densities in
20 the region and appears to be relatively stable.

21

22 Unit 5 relatively low densities but also
23 relatively stable. And overall, again, in looking at this
24 data and talking to the State there don't appear to be any
25 conservation concerns based on that data.

26

27 Now, antler restrictions have been used in
28 several different context. Elsewhere, and I bring this up
29 to give kind of some background on their pitfalls and how
30 they have been used and so forth. One of the ways they've
31 been used is in a relatively intensive method called
32 quality deer management, which has been used to manage
33 white-tail deer in Eastern United States. And the antler
34 restriction is one of several tools, it's not just the sole
35 means for management. And some of the other tools include
36 -- actually include doe harvest, among other things, in
37 order to get the sex ratio where they want it.

38

39 This quality deer management assumes that
40 the populations are at or near carrying capacity, which in
41 general is something that is not the case in Southeast
42 Alaska, outside of maybe the ABC Islands and a few other
43 isolated areas. We have a healthy enough wolf predation
44 pressure on the deer that it keeps them well below carrying
45 capacity in a lot of cases. And this type of strategy also
46 involves intensive habitat improvement, like agricultural
47 style food plots and so forth, which, again, is something
48 that's not real conducive to this area. And it's also
49 something that's done on a smaller scale, generally a much
50 smaller scale than even our game management units.

00114

1 One of the goals, not always, but some of
2 the goals are often time trophy production, which, again,
3 may not be real consistent with subsistence management.

4
5 Now, in the Western states, they've used
6 antler restrictions a lot for mule deer, which are a much
7 closer relative to our Sitka black-tail deer. What they
8 found in looking at case studies of a number of different
9 Western states, the overall kind of consensus that these
10 antler restrictions haven't been real successful in
11 increasing the number of mature bucks or the total number
12 of deer and total number of deer in the population
13 including the number of fawns produced the next spring and
14 so forth. What they did find is that season length, season
15 timing, such as whether or not you include the rut and
16 limited licenses are generally more successful. And one of
17 the things that they did find, too, is that if you get
18 illegal harvest or even accidental harvest in terms of
19 people misidentifying legal deer, that can kind of defeat
20 the purpose and defeat the success of the program.

21
22 So it's not to say that it's totally
23 without its place but there definitely has to be some real
24 careful thought given in terms of how to apply this
25 technique towards managing deer populations.

26
27 The effects of the proposals. Would be as
28 currently written and as the regulations are currently are,
29 would restrict subsistence hunters more than non-Federally-
30 qualified hunters. The proposal could reduce subsistence
31 harvest opportunities, I mean these are a very vulnerable
32 age class of deer that the youngsters are -- you know, so
33 they're easy to get. And the hunters could continue to
34 harvest button bucks and spikes under Alaska State
35 regulations, so there would be a non-alignment there.

36
37 And then again, there's some doubt as to
38 whether or not antler restrictions are really going to
39 benefit the population in this case.

40
41 The preliminary conclusion of Staff is to
42 oppose Proposal 2, oppose Proposal 16 and oppose Proposal
43 17.

44
45 And the justification again is that the
46 available information does not support the contention of a
47 deer conservation concern in Units 1 through 5, or on
48 Zarembo, specifically, although there may be some local
49 declines in some areas nothing that really raises any red
50 flags yet. And, again, antler restriction may not be the

00115

1 proper tool, especially without really understanding what
2 the sex and age structure of the population is and
3 understanding more clearly what the antler -- how the
4 antler configuration ties into that, those different age
5 classes, and again potential reduction of subsistence
6 opportunities if those are -- you know, they're small deer,
7 yes, but in some cases it may be that folks prefer to go
8 home with a small deer than no deer.

9

10 That's also, you know, with respect to the
11 fawns, it's also the age class that is probably most
12 subject to high natural mortality. Meaning a lot of these
13 fawns are probably going to die anyways, and, you know,
14 that can depend a lot on weather and predation and other
15 things, but that's another factor.

16

17 You know, having said all that, you know,
18 as always, I wouldn't be doing my job as a biologist if I
19 didn't say we need more information, that's kind of a given
20 these days. But we definitely do need more information on
21 the age and antler relationships, the age structure, the
22 sex ratios for deer on Zarembo Island but all across
23 Southeast, and that's nothing new.

24

25 And I did want to say that, you know, some
26 of the concerns that the proponents have are ones that --
27 in terms of the sex and age structure, in terms of the
28 number of mature bucks that are being seen and their
29 concerns are ones that are current techniques for
30 monitoring the population wouldn't necessarily pick up
31 until it got to the point where it affected the population.
32 So, you know, I don't want to just dismiss their concerns,
33 and I want to make it clear that I'm not doing that, just,
34 that the data set that we have shows that the population on
35 a whole seems to be doing reasonably well.

36

37 Having said that, again, there are some
38 data issues, things that we need to collect and we are
39 currently planning to set up a hunter check station on
40 Zarembo this fall and try to collect some of this
41 information and hopefully fill in some of the gaps.

42

43 And with that, I'd gladly take any
44 questions.

45

46 DR. GARZA: Thank you, Mr. Aluzas. Are
47 there any questions for clarification. Mr. Stokes.

48

49 MR. STOKES: I take it that you're not a
50 hunter.

00116

1 MR. ALUZAS: As a matter of fact I am.

2

3 MR. STOKES: It doesn't sound like it.

4

5 MR. ALUZAS: Could you be more specific.

6

7 MR. STOKES: Well, you said that the forked
8 horns range from a year and a half to two years, the larger
9 ones we call them two points because they have large, big
10 horns. And then right during the prime when they're in
11 their rut, this year I talked to several of the guys that
12 were hunting and they had nothing but little forked horns
13 with the does, they had a half a dozen does with them.
14 We're losing all our breeding stock. So I would like to --
15 I speak in favor of this proposal.

16

17 So many of the guys that I talked with,
18 they kept asking me for proposal forms they wanted to fill
19 out and I know there's a lot more of the guys that would
20 fill them out and they would propose the same thing.
21 They're tired of just going out and seeing these little
22 ones.

23

24 Now, I've hunted in this area for 60 years.
25 The only time I never hunted was during World War II when
26 I was in the Navy and I started hunting again in 1946 and
27 I've hunted every year since then. I'm just speak in
28 opposition of you because I just -- although a lot of this
29 is written down I'm just speaking from my own experience.
30 And if I had those fellows here with me they'd all speak
31 against what you're proposing.

32

33 DR. GARZA: Okay, Dick. So the purpose
34 right now of the Council is to ask any questions of Staff
35 to clarify on his report, you've moved on to Council
36 deliberation and we will get to that. And so right now are
37 there any questions of Staff that would clarify any of his
38 presentation.

39

40 Mr. Jordan.

41

42 MR. JORDAN: Thank you, for your testimony.
43 I didn't understand the percentage of the deer that are
44 harvested, that are one and a half or less years old. My
45 understanding, I'm sitting on an Advisory Committee here,
46 is that a high proportion of our deer harvest in Southeast
47 Alaska is fawns or yearlings, year and a half, maybe you
48 could clarify that, in a typical year what the percentage
49 of what the harvest is of those age groups?

50

00117

1 MR. ALUZAS: Yeah, and actually part of the
2 problem is we -- I don't -- and I won't speak for the
3 State, I'll let them deal with that, too, but just looking
4 at the data that's available is we don't have a real good
5 feel for that. I mean, again, the dangers of just looking
6 at what the antlers are configured as, you know, the
7 potential to misclassify something and that data set was
8 just from Prince of Wales so that doesn't necessarily
9 represent what's going on elsewhere. It's an example of an
10 area that has a fair amount of harvest on it. So that's
11 not to say that your age structure, for example, on Mitkof
12 Island, that has had a lot more restrictive season and so
13 forth, I would expect would be somewhat different than an
14 area that has been hunted quite heavily.

15
16 So in terms of what, you know, is going on
17 overall, the reason I can't speak to that because we simply
18 don't have that information. That information there was
19 from check station data for one year. So it's really just
20 a snapshot in time and how much it applies to elsewhere is
21 really, you know, up for discussion. And like I said, they
22 did not have any fawns represented there, but, you know, I
23 know from testimony and talking to people about this that
24 there are people that are seeing fawns, you know, show up
25 in the harvest on Zarembo Island and so forth and so we
26 know that's happening, we just don't have a way to -- we
27 haven't been able to quantify that yet.

28
29 Does that answer your question?

30
31 DR. GARZA: Mr. Jordan.

32
33 MR. JORDAN: Madame Chair, Staff, yes, that
34 does. I just want to point out that one of my hunting
35 partners had a high proportion of fawns in his harvest.

36
37 (Laughter)

38
39 DR. GARZA: Mr. Kookesh.

40
41 MR. KOOKESH: My question is how do you
42 count -- or how does the State and how do you count points,
43 do you include the eye guard?

44
45 MR. ALUZAS: I'd have to in some sense
46 defer that to the folks that were actually involved in
47 that, but I think they're generally count -- they're not --
48 let's see where's -- hold on, let me -- instead of messing
49 up the interpretation let me go to the source here.

50

00118

1 Matt Moran was involved with some of the
2 data collection out at Zarembo for that year in question.
3

4 MR. MORAN: My name is Matt Moran, I'm with
5 the U.S. Forest Service in Yakutat but at the time I was a
6 technician and I was actually the one who set up these
7 check stations, at the time we did not count eye guards.
8 They strictly came up, if it was one point, it was one
9 point, we did not count the eye guards on any of those.

10
11 DR. GARZA: Okay. So we are running short
12 to 5:00 o'clock and it's my understanding at 5:00 o'clock
13 there will be a bus or something that will tour us through
14 the National Park Service and so we need to go get our
15 coats if we plan on going, so I would like to ask quickly
16 if there are any more points of clarification for this
17 Staff member, and then after that we will take a break and
18 then come to ADF&G presentation tomorrow morning.

19
20 Mr. Bangs.

21
22 MR. BANGS: Thank you, Madame Chair. I
23 have just a quick question here. In the information that
24 I have here it says that yearling males are physical of
25 reproduction, or breeding. Do you classify a button buck
26 that is that fall, that it's born in the spring, is that
27 considered a yearling?

28
29 MR. ALUZAS: In this case because we're
30 talking about hunting season generally occurring in the
31 fall, you know, you're talking about yearlings are
32 technically close to a year and a half. Because they're
33 born in the spring and they go through the fall as a fawn
34 and then they come around again in their second fall,
35 they're a year and a half so to call them a yearling is
36 close enough, but they're really a year and a half, closer
37 to a year and a half.

38
39 Does that answer your question?

40
41 MR. BANGS: Madame Chair. It does in a way
42 but what I was getting at is are these button bucks capable
43 of breeding?

44
45 MR. ALUZAS: My understanding is that they
46 are and I'd let the State speak to that as well. But they
47 are capable at that age but it's just -- it's fairly
48 uncommon. Well, let's put it this way they certainly can
49 breed at that age and the information I've seen from
50 elsewhere suggests that they don't have the real

00119

1 stereotypical behavior when it comes to the rut and so
2 forth, so they tend to make a mess of it, I guess, for lack
3 of a better term.

4

(Laughter)

6

7 MR. ALUZAS: But I did see, I will throw
8 this out there, there was a study back east where they had
9 a pen, you know, an area, a large area full of deer and
10 they took all the mature animals out, all the mature bucks
11 out of there and left only the yearling bucks for the rut
12 and what they found is that the rut, in terms of the
13 behavior during the rut and the behavior and everything was
14 very abnormal but that, you know, all the does were breed
15 and they had a normal proportion of fawns born the next
16 spring.

17

18 MR. BANGS: Thank you.

19

20 DR. GARZA: Okay. And you will be here
21 tomorrow if there are additional questions.

22

23 MR. ALUZAS: I can make myself available,
24 yes.

25

26 DR. GARZA: If you would do so. So we are
27 recessed until 9:00 o'clock tomorrow. There is
28 transportation that will take us over to National Park
29 Service for a 5:00 o'clock tour.

30

31 Tonight Sitka Tribe has a 6:30 Council
32 meeting and they are inviting the Council to attend. It is
33 at the Noukatiti Community House, which is before you get
34 to P-Bar.

35

36 DR. SCHROEDER: And, Madame Chair, I think
37 we're all invited to visit the Sitka National Park Service
38 Museum, and they're staying open special so that the
39 Council members will have an opportunity walk through the
40 museum.

41

42 CHAIRMAN LITTLEFIELD: Everybody's invited.

43

44 DR. SCHROEDER: Everyone's invited. Thank
45 you.

46

47 DR. GARZA: Tomorrow morning then, 9:00
48 o'clock, we are recessed.

49

50 (PROCEEDINGS TO BE CONTINUED)

00120

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

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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 30th day of March, 2004.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08 _