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1 SOUTHEAST FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8 February 25, 2003
9 Ketchikan Indian Corporation
10 Ketchikan, Alaska

11
12 COUNCIL MEMBERS PRESENT:

13
14 John Littlefield, Chairman
15 Marilyn R. Wilson
16 Bert Adams
17 Floyd Kookesh
18 Donald Hernandez
19 Richard Stokes
20 Michael Douville
21 Harvey Kitka
22 Dolly Garza
23
24 Regional Coordinator, Robert Schroeder

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1 P R O C E E D I N G S

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3 (Ketchikan, Alaska - 2/25/2003)

4

5 (On record)

6

7 CHAIRMAN LITTLEFIELD: Make an
8 announcement first. On the speakers, we do not have our
9 speakers this morning. They're out of order, and someone
10 has been called to take care of those. The microphones
11 still work, so the board members will please use the
12 mikes as well as anybody that's testifying, because that
13 will be on the transcript. I'd like to ask the secretary
14 to call the roll.

15

16 MS. WILSON: Mr. Chairman. Bert Adams?

17

18 MR. ADAMS: Present.

19

20 MS. WILSON: Floyd Kookesh?

21

22 MR. KOOKESH: Present.

23

24 MS. WILSON: Donald Hernandez?

25

26 MR. HERNANDEZ: Present.

27

28 MS. WILSON: Richard Stokes?

29

30 MR. STOKES: Here.

31

32 MS. WILSON: Mary Rudolph? Patricia
33 Phillips? Michael Douville?

34

35 MR. DOUVILLE: Here.

36

37 MS. WILSON: Harvey Kitka?

38

39 MR. KITKA: Here.

40

41 MS. WILSON: Marilyn Wilson, here. John
42 Littlefield?

43

44 CHAIRMAN LITTLEFIELD: Here.

45

46 MS. WILSON: Harold Martin? Dolly Garza?

47

48 MS. GARZA: Here.

49

50 MS. WILSON: Mr. Chairman, there is nine

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1 present, and there is a quorum.

2

3 CHAIRMAN LITTLEFIELD: Bob.

4

5 MR. SCHROEDER: Mr. Chairman, just to
6 point out that Harold Martin has resigned from the
7 Council due to health and medical problems.

8

9 CHAIRMAN LITTLEFIELD: Thank you, Madam
10 Secretary. We have a quorum, and the business of the
11 Southeast Alaska Regional Advisory Council is in order at
12 this time.

13

14 MR. ADAMS: Mr. Chairman? I wonder if we
15 can get an update on what has happened with Mary Rudolph
16 and Patricia Phillips.

17

18 CHAIRMAN LITTLEFIELD: Bob?

19

20 MR. SCHROEDER: Mr. Chairman, Bert, Patty
21 and Mary have been weathered in in Hoonah and Pelican.
22 They're going to try to get out today, and to be here
23 later today. We'll be checking in with them at a break
24 maybe at 10 or 11 to see if they have travel status. If
25 they can't make it, I think Patty will want to be, and
26 probably Mary will want to be on the phone for some of
27 our deliberations tomorrow especially.

28

29 MR. ADAMS: Mr. Chairman, my concern was,
30 you know, how we were going to address their absence.
31 This would be excused or unexcused because of their
32 conditions. Thanks.

33

34 CHAIRMAN LITTLEFIELD: For the record,
35 they are excused because of weather delays.

36

37 The next thing on the agenda is the
38 welcome and introductions. And first I'd like say that
39 my name is John Littlefield and I'm from Sitka, and I was
40 elected the vice chair in Hoonah. We've had some very
41 significant changes to the SERAC membership since that
42 time. Our long-term Chairman, Mr. Bill Thomas, was not
43 reappointed by the Secretary, and so therefore I stepped
44 up and I'm going to chair this meeting.

45

46 We have two new members at this meeting
47 who have not been here. This is their first meeting, and
48 they're both seated at the end of the table. I'll let
49 them introduce themselves later.

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1 We also are pleased to have back two
2 members who did get reappointed, and those are on the
3 left of me, and they will also introduce themselves.

4
5 So I hope that you bear with us during
6 this change, because this is a first for me. This is the
7 first meeting that I've chaired, and it's also a new
8 experience for others. And we are somewhat lost, at
9 least I am, somewhat lost with the loss of our chairman,
10 because I look to him for guidance. I thought he
11 embodied the spirit, the true spirit of ANILCA, Title
12 VIII, which is for rural residents, and he was -- and he
13 always stressed that. And so it leaves some of us
14 wondering, when our terms come up for reappointment,
15 three of us will be reappointed this year, at least it
16 leaves me wondering if I'm qualified if Mr. Thomas is
17 not, because I thought he was eminently qualified. So
18 hopefully you will bear with us.

19
20 We will do Council introductions first.
21 Each member will be allowed to introduce themselves, as
22 well as make a statement of less than a half hour,
23 please. And following that we will have -- our regional
24 coordinator is sitting beside me, Mr. Bob Schroeder, is
25 going to lead the introductions of the Federal Staff and
26 other guests and State Staff, and we'd also like you to
27 introduce yourselves to the group. So I'd like to
28 welcome all of you here, and welcome the Council members,
29 the new ones, as well as the returning ones, and all of
30 us long-term old fogies I guess. So with that I guess
31 we'll -- Dolly, if you will start?

32
33 MR. ADAMS: Mr. Chairman, may I interrupt
34 for a minute? I thought that before we went any
35 further.....

36
37 CHAIRMAN LITTLEFIELD: I'll do it.

38
39 MR. ADAMS:we'd have an opening
40 prayer.

41
42 CHAIRMAN LITTLEFIELD: Thank you, that's
43 correct. Mr. Stokes, would you lead us in a prayer?
44 This is a tradition of every meeting that I've attended.
45 We'll start a blessing.

46
47 MR. STOKES: Let us pray. Eternal God
48 and Heavenly Father, we thank You that we're able to call
49 upon You at this gathering this morning. And as we
50 discuss these problems that are before us, we pray that

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1 You'll give us the knowledge and the wisdom to make
2 correct decisions. Lord, we pray that You'll be with our
3 families at home, and those that are in Wrangell that are
4 -- have been going through this tragedy, we pray, Lord,
5 You'll comfort them, put Your loving arms around them and
6 give them peace. We pray You'll be with us today. We
7 give you the praise. We ask this in the name of our Lord
8 and Savior, Jesus Christ, Amen.

9

10 CHAIRMAN LITTLEFIELD: Thank you. Ms.
11 Garza.

12

13 MS. GARZA: So is this -- this isn't
14 working?

15 REPORTER: It does to the recorder.

16

17 MS. GARZA: Okay.

18

19 (Pause - Court Reporter trying something
20 to get speaker working)

21

22 MS. GARZA: Okay. So there's something
23 wrong with our gizmo, so even though we -- we need to
24 speak into this for the recording, but for the audience
25 to hear, we need to speak up. Okay.

26

27 Mr. Chair, I'm Dolly Garza. I'm born and
28 raised in Ketchikan. I'm also a professor with the
29 University of Alaska. I am glad to have you all here,
30 and it should not be me welcoming you here, it should be
31 Bill. This is his territory, but we will do the best we
32 can.

33

34 I want to let you know a couple things as
35 long as I've got the mike. We will have lunch today
36 sponsored by the Haida dancers, and we'll have salmon,
37 halibut, some good greens and some nice desert, so we
38 hope you'll stay for that. Lunch will be provided
39 tomorrow by Ketchikan ANS and ANB, and then lunch will be
40 provided, these are all fund raisers, the last day by the
41 Saxman ANS/ANB. And then dinners are on our own. That's
42 it.

43

44 MR. DOUVILLE: I'm Mike Douville. I've
45 lived in Craig for 50-some years. I'm a full-time
46 commercial fisherman. I'm also a licensed saltwater
47 guide. I own a Coast Guard master's license. And I hunt
48 and trap every winter.

49

50 Thank you.

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1 MR. KOOKESH: My name is Floyd Kookesh.
2 I'm from Angoon. I've been a Southeast Regional Advisory
3 Council member for three years, going on my fourth year.
4 I'm also a charter captain. I'm a commercial halibut
5 fisherman, and a sport fisherman and a subsistence user.
6 And I've been a resident of Alaska all my life, which is
7 47 years.

8
9 Thank you.

10
11 MR. ADAMS: Good morning. My name is
12 Bert Adams, Sr. I hail from Yakutat, and I'm also a
13 subsistence user. I'm a commercial fisherman. I am also
14 a charter boat captain, saltwater. And a whole bunch of
15 other things that, you know, I won't share with you right
16 now.

17
18 I would like to, Mr. Chairman, if I
19 might, kind of make a comment here that will hopefully
20 set the tone for this meeting?

21
22 CHAIRMAN LITTLEFIELD: As long as it's
23 less than one half hour.

24
25 MR. ADAMS: One half hour, okay. I'll do
26 my best. A couple weeks ago I attended a meeting in
27 Juneau. It was sponsored by the Tlingit and Haida and
28 Southeast Conference, and it was entitled Salmon for
29 Success Conference. As we all know, the commercial
30 industry, you know, is drastically declining, and all of
31 the communities in Southeast Alaska have been suffering
32 as a result of it. A real good example is in Yakutat.
33 There is no fish processor up there at this point to, you
34 know, take our halibut when that opens up on March 1st.
35 But the reason for that conference was to gather all of
36 the Southeast Alaska communities together to talk about
37 this dilemma.

38
39 And Walter Sobeloff was asked to give the
40 opening prayer, and he made a comment that I want to
41 share with you, because I thought it was really
42 appropriate. Before he gave the prayer, he quoted some
43 -- or paraphrased some scriptures in the Bible, the Old
44 Testament, and it was about the creation. And he talked
45 about how the world was created, and then each day
46 something was done, you know, to prepare for the ultimate
47 placement of man upon this earth. But all of these
48 things were done before man and woman were placed upon
49 the earth. You know, the vegetation was put on the earth
50 on a certain day, and then the animals. And then at the

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1 very end, you know, then Adam and Eve were placed in the
2 Garden of Eden. And he expressed the purpose for that
3 was that everything had to be there before, you know, the
4 human beings were placed upon the earth, so that they
5 would be able to have these resources to sustain
6 themselves. And then he emphasized the fact that even
7 though we were made dominion over these things, that we
8 needed to be good stewards of our resources. And
9 emphasized that that, you know, that commission or that
10 commandment, you know, came from the Creator. So I'd
11 like to, you know, just re-emphasize that.

12

13 I want to tell you another story, and
14 it's a story about Raven. Raven as many of you know is
15 the creator of all of the things that we are enjoying
16 right now as Tlingit people and as native people. After
17 people were placed upon the earth, they asked him, you
18 know, what are we going to eat? We don't have anything
19 to eat, there's nothing here for us to eat. And he said,
20 have no fear, I will go out and I'll find food for you.

21

22

23 And he was flying between two rivers, the
24 Dry Bay or the Alsek River and a river about 13 miles
25 away from there called the Akwe River. And he saw out in
26 the ocean a real big canoe. And he flew out there to
27 investigate it, and he realized that this is where all of
28 the fishes of the ocean, and the fowls of the air, and
29 the animals that would be eventually placed on the land
30 were at. And he also noticed that there was a real big
31 house on top of it as well.

32

33 But he went back to shore and he carved
34 out a real long stick that was fashioned after the arms
35 of an octopus. And some of you have seen, you know, the
36 silver salmon design, you might notice that there is a
37 right down the middle of the spine a carving or a symbol
38 of the octopus arm. That's what represents.

39

40 And what he did is he used that cane to
41 bring in that real big canoe from the ocean. And he
42 pulled it ashore. And as he pulled it ashore, in fact,
43 right on the Akwe River there, there's a long list of
44 vegetation, and then there is what is known as the sand
45 dunes, and then the trees begin to grow again. And this
46 is where Raven had put his footprints into the sand, and
47 nothing grows there now. It's all sand. It's about two
48 and a half, three miles wide. It's still there.

49

50 And as he pulled in that ark from the

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1 ocean, and he got it up to shore, and then he began to
2 let out the animals and the fowls of the air. And it was
3 interesting to see -- hear the story about how he let out
4 the fishes. He let all of the fishes out except for the
5 salmon. And they were all in different compartments.
6 And the first one he let out was the king salmon early in
7 the spring. And then after a period of time went by,
8 then the sockeyes, and then the humpies, and the dog
9 salmon, and eventually the silvers during their seasons.

10

11 And again, you know, our people have
12 commissioned themselves as stewards of this land, that we
13 need to use these resources wisely. We need to be good
14 stewards. Otherwise, if we misuse them, then they're
15 going to go away. And native people really believe that,
16 that when we misuse our resources, we have to sit in a
17 council like this to try to figure out how we are going
18 to keep them sustained.

19

20 I just want to emphasize another little
21 point here. In the Dry Bay area there's a little river
22 called the East Alsek River. And I brought this up
23 through a proposal here, or a proposal for the
24 restoration of this river, you know, is discussed in this
25 meeting here maybe a couple years ago. But that little
26 river in the early 80s and 90s was some of the most --
27 one of the most productive sockeye rivers in Southeast
28 Alaska. And all of a sudden, you know, it just began to
29 decline and to a point, you know, where in the late 90s
30 there has been no commercial opening there at all. And I
31 think this is a real good example of probably unwise use
32 of our resources, because as our people have told us, our
33 elders have told us that when we misuse these resources,
34 then they will be taken away.

35

36 A long time ago there used to be six or
37 seven tribal houses in the Dry Bay area, and it used --
38 that system used to sustain hundreds and hundreds of
39 people, I'd say between five to 700 people if you
40 consider, you know, six or seven tribal houses there.
41 And now today it is incapable of even taking care of 100
42 people. And so we are -- we are trying to figure out
43 what is going on down there. And one of the important
44 things that we're using right now and Judy Ramos, who is
45 our person who has been doing the TEK project, is trying
46 to find out how our people really use those resources.
47 We had ways and means of managing those resources and we
48 want to get that documented so that when we begin to
49 address that particular area that we will be able to
50 bridge, you know, the traditional knowledge and western

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1 science together so that we would be able to use good --
2 produce real good management schemes for that particular
3 area. And so this is what I wanted to leave with you
4 today, folks, was that we want to make sure that we are
5 good stewards of our resources, and we want to make sure
6 that everyone, you know, enjoys those resources, not only
7 for ourselves but for our children and our grandchildren
8 and their grandchildren and their grandchildren. And
9 thank you, Mr. Chairman, for allowing me to speak.

10

11 CHAIRMAN LITTLEFIELD: Thank you for your
12 words, Bert. Marilyn?

13

14 MS. WILSON: Mr. Chairman, I'm Marilyn R.
15 Wilson from Haines, Alaska. I've been on the council
16 about nine or ten years, and before that I served on the
17 State Fish and Game Council a few times, and I know that
18 from these past experiences of working with everybody, we
19 all need to work together, and I think sometimes we think
20 of the short-term gain like there are some of our
21 politicians that want development in our state, but we
22 have to also think of the long-term effects of -- of what
23 that does. So I'm hoping that there will be a middle
24 ground that everybody will come to, so that we can solve
25 this issue of too few resources for the many, many user
26 groups.

27

28 And the other thing I wanted to bring out
29 was the respect. People -- we were brought up in the old
30 days to have respect, even if you didn't like the person,
31 you still respect them. And I think that is what we need
32 to remember as we work on this Council and the State Fish
33 and Game, and the Federal workers should all remember.
34 All of us should remember this.

35

36 And I have nothing to say except that I really,
37 really love this State, and I've been here for 64 years.
38 And I'm not going to re-apply for this position again,
39 but I have a whole bunch of other people, all the user
40 groups. Most of us are several user groups. My
41 husband's a commercial fisherman, and he's retired, but
42 we lease the boat out now. And so we all have -- we're
43 all within all the user groups, most of us up here, and
44 so that's never brought into the equation though, but I'm
45 hoping we all work together real well.

46

47 And I'd like to introduce my husband,
48 Paul Wilson. Stand up, Paul. Ka-da-shan (ph). He's
49 very shy. Okay.

50

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1 Thank you.

2

3 MR. STOKES: My name is Dick Stokes. I
4 was born and raised in Wrangell. I was born into a
5 subsistence way of life, and I've followed this since the
6 time of my birth. And I've tried to encourage my
7 children to continue this way, and because of this, I've
8 wanted to be on this Council, which it's really a
9 privilege to serve with you.

10

11 I'm having an emotional time right now.
12 My cousin and her children were murdered night before
13 last, and the guy committed suicide. So if I'm not quite
14 right, why you'll know why.

15

16 Thank you.

17

18 MR. KITKA: Good morning. My name is
19 Harvey Kitka. I'm from Sitka, Alaska. I'm a commercial
20 troller, a life-time member of Sitka Sportsman, and I've
21 done a lot of things over my life. I've trapped and
22 commercial seine fished, but I really want to try and
23 represent all these user groups.

24

25 Thank you.

26

27 MR. HERNANDEZ: Good morning. My name's
28 Don Hernandez. I live at Point Baker. I've lived in
29 Point Baker for 17 years now, and prior to that I lived
30 in Petersburg for 10 years, and during that time I've
31 been involved in commercial fishing, doing a number of
32 different things, mostly now gillnetting, hand trolling,
33 and halibut fishing. But my reason for living in Point
34 Baker is not to be a commercial fisherman. I could live
35 anywhere I wanted I guess and be a commercial fisherman.
36 I live in Point Baker because of the subsistence life
37 style, and that's why I wanted to join this Council, and
38 I'm very pleased to be here.

39

40 CHAIRMAN LITTLEFIELD: Thank you, Council
41 members. As you can see, you have a very diverse group
42 in front of you. You have charter operators, you have
43 businessmen, you have commercial fishermen, a well-
44 rounded in my opinion, representative group of the people
45 of Southeast Alaska, and especially these people all have
46 knowledge of subsistence, a key ingredient. And I'd like
47 to take this time to thank each of them for their public
48 service, because each of them volunteered for this.
49 There is no pay associated with serving here. All of us
50 are volunteers, and I'd like to thank each of them for

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1 serving.

2

3 And at this time, Dr. Schroeder will
4 introduce the Staff.

5

6 MR. SCHROEDER: Thank you, Mr. Chairman,
7 I'd like to first see if there are representatives of
8 tribes and communities in the audience, I'm reversing the
9 order a little bit, and if there are any such people, if
10 they would introduce themselves. Please.

11

12 MS. McCAMY: I'm Pam McCamy, I'm an IRA
13 at-large council member for the Organized Village of
14 Kasaan.

15

16 MR. SCHROEDER: And are there other
17 community representatives or tribal representatives
18 present at this time? If we could go around the room
19 with Federal Staff, perhaps we could start over on my
20 left here with Pete Probasco, if you could introduce
21 yourself and tell us your role in the regulatory process?

22

23 MR. PROBASCOS: Thank you, Bob, good
24 morning. My name is Pete Probasco. I work for the U.S.
25 Fish and Wildlife Service. I serve as the State
26 fisheries liaison between the Federal Subsistence Board
27 and the Board of Fisheries. As we meet today, the State
28 Board has meeting since Wednesday dealing with Southeast
29 issues, commercial.

30

31 Thank you.

32

33 MR. STOKES: He's one of our favorites.

34

35 MR. SCHROEDER: I think we're favorites
36 when things work out well. Warren?

37

38 MR. EASTLAND: I'm Warren Eastland. I'm
39 the wildlife biologist for the Bureau of Indian Affairs,
40 and I'm the Staff Committee member for wildlife to the
41 OSM Staff Committee for the Board.

42

43 MR. SCHROEDER: Alicia?

44

45 MS. DANIELS: I'm Alicia Roppa Daniels,
46 and I'm the Acting Deputy Forest Supervisor on the
47 Tongass. I hail from Missoula, Montana, and I'll be up
48 here for about four months. I've been here for two
49 weeks.

50

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1 MR. SCHROEDER: Jerry?

2

3 MR. INGERSOLL: I'm Jerry Ingerson. I'm
4 district ranger for Ketchikan Misty Fjords Ranger
5 District in the Tongass here Ketchikan. I'm also the
6 delegated in-season manager for fisheries for this area.
7 And I'm honored to be here in Ketchikan. And I haven't
8 had a chance to meet most of you, but I hope to before.

9

10 MR. SCHROEDER: Ken?

11

12 MR. THOMPSON: Yeah, I'm Ken Thompson,
13 Forest Service. I've been with the subsistence program
14 now for about 12 years. I represent the Forest Service
15 on the Staff Committee, and I work out of Anchorage.

16

17 MR. SCHROEDER: Jim, how about in the
18 back there?

19

20 MR. BRAINARD: My name is Jim Brainard,
21 wildlife biologist in the Petersburg Ranger District,
22 Tongass National Forest. I've lived in Petersburg about
23 11 years, and I was stationed at Thorne Bay before that.

24

25 MR. SCHROEDER: Kurt?

26

27 MR. ALUZAS: Kurt Aluzas, I'm a wildlife
28 biologist with the Forest Service in Wrangell, and I've
29 been here a little more than three years.

30

31 MS. GARZA: Can I get that name again?

32

33 MR. SCHROEDER: Can you give us your name
34 again?

35

36 MR. ALUZAS: Kurt Aluzas.

37

38 MR. SCHROEDER: Jill?

39

40 MS. REECK: Jill Reeck. I'm a wildlife
41 biologist here in the Ketchikan Misty Fjords Ranger
42 District. I've been in Ketchikan for about three months
43 now again, after a long term down south, but originally
44 worked out of Prince of Wales Island for quite a few
45 years.

46

47 MR. SCHROEDER: Mr. Larson?

48

49 MR. LARSON: My name is Bob Larson, I'm
50 the fisheries subsistence biologist for the Wrangell and

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1 Petersburg Ranger districts.

2

3 MR. SCHROEDER: Terry?

4

5 MR. SUMINSKI: I'm Terry Suminski, I'm a
6 subsistence fisheries biologist for the Sitka and Hoonah
7 Ranger District of the U.S. Forest Service.

8

9 MR. SCHROEDER: Tom?

10

11 MR. BOYD: Tom Boyd. I'm the assistant
12 regional director for the Office of Subsistence
13 Management, U.S. Fish and Wildlife Service. As many of
14 you know, I oversee the Office of Subsistence Management,
15 which is the coordinating arm of the Federal Subsistence
16 Program.

17

18 MR. SCHROEDER: Thank you, Tom. Don.

19

20 MR. RIVARD: I'm Don Rivard, I'm one of
21 the division chiefs of the Office of Subsistence
22 Management, and I work closely with the Forest Service
23 Staff, such as the staff here in Southeast Alaska.

24

25 MR. SCHROEDER: And Glenn? Oh, in the
26 back, excuse me.

27

28 MR. PEARSON: I'm Ken Pearson, I'm a lead
29 subsistence enforcement officer of the Tongass, Forest
30 Service.

31

32 MR. SCHROEDER: Glen?

33

34 MR. CHEN: Good morning. My name is
35 Glenn Chen. I work for the Bureau of Indian Affairs in
36 Anchorage. Federal Subsistence Board, Staff Committee
37 member.

38

39 MR. SCHROEDER: And Marty?

40

41 MR. MEYERS: Yes. Marty Meyers. I'm
42 with the U.S. Forest Service and the law enforcement
43 representative.

44

45 MR. SCHROEDER: Cal?

46

47 MR. CASIPIT: Cal Casipit. I'm the
48 subsistence staff fisheries biologist for the Forest
49 Service, stationed in the regional office in Juneau. And
50 I probably serve as lead fisheries biologist for this

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1 Council.

2

3 Thank you.

4

5 MR. SCHROEDER: And, let's see, did I get
6 all the federal staff here, or did I miss anyone?

7

8 CHAIRMAN LITTLEFIELD: Just walked in.

9

10 MR. SCHROEDER: We'll come back to Dave.
11 Mike, would you introduce yourself and the State Staff
12 who are present?

13

14 MR. TUREK: I'm Mike Turek with the
15 Alaska Department of Fish and Game, Division of
16 Subsistence. I'm the Southeast regional supervisor.
17 Let's see, Jessie Bisard is our new employee with Fish
18 and Game, Division of Subsistence. He's our research
19 director, statewide research director. Who else is with
20 the State?

21

22 MS. GARZA: What was his name? Mike?

23

24 MR. TUREK: Dave Person.

25

26 MS. GARZA: Could I get the name again?

27

28 MR. TUREK: Jessie Bisard. And then we
29 have Dave Person from Prince of Wales Island, Ketchikan,
30 deer and wolf specialist in the Department. Wildlife
31 Conservation.

32

33 MR. BISARD: Boyd will be here. I just
34 saw him pass in the truck, so I'm not sure why he's not
35 here at the moment.

36

37 MR. TUREK: We'll have some more Fish and
38 Game people showing up tomorrow, so.....

39

40 MR. SCHROEDER: Jessie, since you're new
41 to the Council, perhaps you could give us a little bit of
42 your background and your job?

43

44 MR. BISARD: Sure, I'm a cultural
45 anthropologist. I gave up tenure to come up here to
46 Alaska and work with the Subsistence Division, because I
47 think it's important and it's valuable research, so I'm
48 looking forward to working with all of you people in the
49 future. It's a pleasure to be here.

50

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1 MR. SCHROEDER: Mr. Johnson, could you
2 introduce yourself, please?

3

4 MR. JOHNSON: Dave Johnson, subsistence
5 coordinator for the Tongass.

6

7 MR. SCHROEDER: And let's see, Jack?

8

9 MR. LORRIGAN: My name's Jack Lorrigan.
10 I'm here for the Sitka Tribe of Alaska. I'm their
11 biologist. Before working for Tribe, I worked at Thorne
12 Bay and Petersburg Ranger Districts, fisheries biologist.

13

14 MR. SCHROEDER: And, let's see, there a
15 couple of faces here, I know the faces, but I'm not with
16 the names right now. Could you two introduce yourselves,
17 please?

18

19 MR. WAGNER: Louie Wagner, subsistence
20 user, and my wife Cindy Wagner.

21

22 MR. SCHROEDER: Louie, are you a
23 subsistence user from Ketchikan?

24

25 MR. WAGNER: Metlakatla.

26

27 MR. SCHROEDER: From Metlakatla. And in
28 the back?

29

30 MR. LAIRD: Johnny Laird. I'm just a
31 resident of Ketchikan, and I've been in Alaska since '72,
32 most of my -- 15 years on Prince of Wales.

33

34 MR. SCHROEDER: Thank you. And next to
35 you?

36

37 MR. SCHULTZ: I'm Merle Schultz, I'm here
38 from Ketchikan to observe the meeting.

39

40 MR. SCHROEDER: Thank you for attending.
41 And let's see, in the front row over here, could you
42 introduce yourself, please?

43

44 MR. SALLEE: I'm Mike Sallee. I was born
45 in Ketchikan. I'm just here to observe.

46

47 MR. SCHROEDER: Thank you. And, Paul, do
48 you have a word for us?

49

50 MR. WILSON: Oh, yeah, I'm Paul Wilson.

00016

1 I'm employed by my lawyer, Marilyn there. My concern is
2 seals and seals in the Haines area are fine, and I know
3 the seals in Seamark (ph) now are okay, but the seals at
4 this end are in bad shape. There's very little fat on
5 them, and obviously it's a lack of food. So I would
6 suggest that they open the sea otters to natives, to thin
7 them out, to make a balance somehow. And that's all I
8 have.

9

10 MR. SCHROEDER: Dave, if I could get you
11 just to talk about a little bit what you're into. I know
12 you'll be speaking to the Council later on, so they know
13 who you are?

14

15 MR. PERSON: Well, I'm here mainly to
16 just answer.....

17

18 REPORTER: And could you come up to the
19 microphone, please?

20

21 MR. SCHROEDER: Dave, could you please
22 come up?

23

24 MR. PERSON: Is that on? I'm Dr. Dave
25 Person with the Department of Fish and Game, and my
26 research interests have been predator/prey ecology,
27 mainly wolves, deer and bears, and most of my work since
28 1993 has taken place on Prince of Wales Island, although
29 I have done some work on the Cleveland Peninsula and
30 Gravena. Basically I'm here for Department of Fish and
31 Game to answer questions. I have no presentation to make
32 to you folks, but I'm certainly available for these next
33 two days to answer any questions that come up dealing
34 with bears or deer or wolves. And that's pretty much all
35 I have to say.

36

37 MR. SCHROEDER: Thanks, Dave. Meredith,
38 would you introduce yourself to Council members and the
39 audience?

40

41 REPORTER: I'm Meredith Downing. I'm
42 here on behalf of Computer Matrix as your court reporter.

43

44 MR. SCHROEDER: Thank you very much. Did
45 I miss anyone due to old age and bad eyesight in the
46 room? If not, I'm Bob Schroeder. I'm the Regional
47 Council Coordinator working for U.S. Forest Service, and
48 I've had the privilege on the subsistence issue for quite
49 a few years, and I feel honored to be able to work with
50 the Council on these issues at the present time.

00017

1 Thank you.

2

3 CHAIRMAN LITTLEFIELD: Thank you, Bob.

4 I'd like to welcome the Staff, and thank you, we'll -- I

5 can't remember all your names, but we'll be -- hopefully

6 if you're testifying, I'll try to keep track of them.

7 And also the members of the public, just interested, we

8 welcome you. SERAC considers public input vital to its

9 decision-making, and during the public testimony, you

10 will be allowed to participate in that throughout the

11 meeting, and there's a process the Dr. Schroeder will

12 explain later on how to do that, so.....

13

14 The next item on the agenda that we

15 haven't adopted is to review and adopt the agenda. But

16 we need to add some things to this guide right now, and

17 I'll let Dr. Schroeder tell you where we're going to put

18 those in before we move to adopt.

19

20 MR. SCHROEDER: Mr. Chairman, after the

21 Chair's report, item 7, if you look in your book --

22 incidently, we have a limited number of copies of the

23 Council booklet on the table back by Dave Johnson. We

24 have three items that we'll be going through after the

25 Chair's report. Mike Turek will be giving us a short

26 report on Board of Game actions that are relevant to the

27 proposals we'll deal with. Jim Brainard will be giving

28 us an overview of reporting of the designated hunter

29 program as it's taken place over the last couple of

30 years. This is relevant to Proposal 2, so that's why

31 we're putting it up front. And Ken Thompson will be

32 helping us out with an update on the Federal program's

33 intention to pursue deer planning concerning Unit 2.

34

35 A couple of other housekeeping things.

36 We'll be circulating a list. We'd like to know who is at

37 the meeting, and that will be going around. I'd like you

38 guys to put your name and addresses and identifications

39 down.

40

41 Another housekeeping issue is that public

42 testimony takes place by -- similar to the Board of

43 Fisheries or Board of Game. We'll have cards in the back

44 with Mr. Johnson. They're on that table right there.

45

46 CHAIRMAN LITTLEFIELD: White cards.

47

48 MR. SCHROEDER: We're using white cards

49 today since we don't have the usual green cards. You can

50 sign up to testify on a proposal. Speaking to a

00018

1 proposal, if you're not able to be here when the proposal
2 is discussed, we'd encourage you to provide your comments
3 when you are able to be here. We'll be having a three-
4 day meeting, and I realize some people may not have the
5 ability to stay here for that long, or the fortitude. So
6 we will take some testimony out of turn. Otherwise the
7 public testimony follows the presentation of proposal
8 material by staff. And so there's a time to comment on
9 each proposal as they come up.

10

11 Other things, there are washrooms, if you
12 go around that way. And we have some coffee and donuts,
13 and thank you very much for attending.

14

15 CHAIRMAN LITTLEFIELD: Proposals 4 and 5,
16 the teleconference.

17

18 MR. SCHROEDER: Proposals 4 and 5, at the
19 request of State of Alaska, we're scheduling those to be
20 taken up tomorrow, probably, depending on where we're at,
21 we'll probably get to those in the morning tomorrow. I
22 imagine our discussion will start at that time.

23

24 MS. GARZA: Mr. Chair?

25

26 CHAIRMAN LITTLEFIELD: Ms. Garza.

27

28 MS. GARZA: Two other points. This is
29 kind of full. There is overflow parking over here, where
30 it -- it's got some red tags there, and it says KIC
31 Improvement something, that's additional parking.

32

33 The other point is the light's on for
34 coffee, so everyone who didn't get coffee, it's been
35 remade. And we're firing Cal for coffee making.

36

37 CHAIRMAN LITTLEFIELD: Thank you. A
38 motion to adopt the agenda is in order, as a guide.

39

40 MR. ADAMS: Mr. Chairman, I so move.

41

42 MR. KOOKESH: Any additional items.

43

44 MR. STOKES: I second.

45

46 CHAIRMAN LITTLEFIELD: Is there. We have
47 a second. Are there any other items that need to be
48 added that we've missed? All those in favor of adopting
49 the agenda as a guide, please say aye?

50

00019

1 IN UNISON: Aye.

2

3 (No opposing votes.)

4

5 CHAIRMAN LITTLEFIELD: And the motion is
6 adopted. And we will use this agenda as a guide, and we
7 want to make sure that we cover the teleconference, and
8 so we will -- if the Council agrees, we will consider
9 that a special order, and we will make sure that they
10 have preference, and that we take care of that
11 teleconference at that time, as well as these other
12 speakers. If you need to address the Council and cannot
13 be here tomorrow or some other time, let us know, and we
14 will make sure that you have the opportunity to testify.

15

16 And the coffee light is on. We will take
17 a 10-minute recess. Oh, excuse me, in the back?

18

19 UNIDENTIFIED VOICE: Turn the volume up a
20 little bit?

21

22 CHAIRMAN LITTLEFIELD: I'm sorry, sir,
23 the speakers are not working. They're going to work on
24 them. We'll do our best to make sure you can hear us,
25 but I can't help you right now.

26

27 UNIDENTIFIED VOICE: Tell him to come
28 forward.

29

30 CHAIRMAN LITTLEFIELD: I guess the best
31 you can do is come to the front of the room. And we will
32 take 10 minutes.

33

34 (Off record)

35

36 (On record)

37

38 CHAIRMAN LITTLEFIELD: The meeting is in
39 order. Can we please hold it down? I have a cork, this
40 cork was given to me last night by the previous chairman,
41 Mr. Bill Thomas, because we don't have a gavel, and I
42 don't know where it is, so hopefully you can hear my
43 cork, and I believe you can hear us on the speakers now.
44 And so if the speakers are working, it is very helpful if
45 we only have one mike at a time, or we will have the
46 transcriber giving us a bad time. It will cause
47 feedback.

48

49 The next item on the agenda is adoption
50 of the minutes, and a motion to adopt is in order.

00020

1 MR. ADAMS: Mr. Chairman, I move we
2 adopt.

3
4 CHAIRMAN LITTLEFIELD: Is there a second?

5
6 MR. STOKES: I'll second.

7
8 CHAIRMAN LITTLEFIELD: Moved and adopt --
9 it's moved and seconded to adopt the minutes. Are there
10 any additions or corrections? And this is behind Tab A
11 in your board book. No additions or corrections. Are
12 you ready for the question?

13
14 MR. STOKES: Question.

15
16 CHAIRMAN LITTLEFIELD: The question's
17 been called for. All those that approve the adoption of
18 the minutes, please say aye.

19
20 IN UNISON: Aye.

21
22 (No opposing votes.)

23
24 CHAIRMAN LITTLEFIELD: The minutes have
25 been approved. The next item on the agenda is Council
26 reports, and at this time, what we do is each Council
27 member will be able to give concerns that have been
28 relayed to them from their communities. Even though we
29 are representatives of all of Southeast Alaska, each of
30 us lives in the various communities, and we're more
31 familiar with the issues that affect those communities.
32 So I will start on the other end here, and we'll put the
33 new member under the fire, and ask Don to start off and
34 give us the concerns that he's heard from groups.

35
36 MR. HERNANDEZ: Like I said in my
37 introduction, I live in Point Baker, and we have two
38 communities nearby on the north end of Prince of Wales
39 that are in my area, Point Baker and Point Protection.
40 And at this meeting our concerns mainly have to do with
41 the deer hunting on Prince of Wales Island, and we have
42 -- I think we had a little bit more difficulty getting
43 deer in the last few years, and we're hoping to see some
44 improvement in the future through actions of this
45 Council, so that's our main concern.

46
47 Thank you.

48
49 CHAIRMAN LITTLEFIELD: Thank you, Don.
50 I've been asked to remind you that there's a sign-up

00021

1 sheet going through. Please make sure that you sign up,
2 and we'd like to get the attendance.

3

4 Thank you.

5

6 Harvey.

7

8 MR. KITKA: Thank you, Mr. Chairman. The
9 Sitka Tribe is part of Sitka, and I went to them, and the
10 Sitka Tribes supports Proposal No. 1. They want to make
11 sure that this proposal does not limit ceremonial uses of
12 ungulates to memorial ceremonies as there is other types
13 of ceremonies that permits should be issued for.
14 Further, the tribal citizens would like to ensure that
15 existing uses of ungulates would not be impaired by this
16 regulation.

17

18 Proposal No. 2. Sitka Tribe is
19 supportive of this proxy-hunting scheme. However, we
20 have some concern that this provision does not allow for
21 a hunter to hunt for enough people at once. Sitka Tribe
22 suggests that Region 1 Southeast Alaska hunters should be
23 allowed to hunt for up to six people at a time rather
24 than just two.

25

26 Proposals 4 and 5. Sitka Tribe realizes
27 that this type of conservation effort may be needed to
28 take in Sitka area sometimes in the future. As such,
29 Sitka Tribe supports this method that is proposed, open
30 the season to federally-qualified subsistence hunters
31 prior to opening the season for others.

32

33 Sitka Tribe's customary and traditional
34 use committee supports a proposal that would eliminate
35 the requirement that Federal subsistence hunters have a
36 State license in order to hunt as the committee feels
37 that requiring a State permit for a Federal activity is
38 unnecessary regulation.

39

40 Rural determination. Sitka Tribe has
41 been an active proponent of this rural determination for
42 many years, and the Tribe feels that regardless of the
43 number of people in the community, that the traditional
44 socio-economic status of the community must carry weight
45 also. Active culture gathering and hunting in
46 traditional areas proves as much the living portion of a
47 community as any archaeological dig. Denial of this
48 important determination must not be based on numbers
49 alone.

50

00022

1 Thank you.

2

3 CHAIRMAN LITTLEFIELD: Thank you, Harvey.

4 Richard?

5

6 MR. STOKES: I represent the Wrangell
7 area in these four proposals that I have here. Number 1
8 was we wanted to create a subsistence fishery on the
9 Stikine River. And they said they didn't want any new
10 fisheries, but we've been on the river, you know, for at
11 least 10,000 years, and we're not creating a new fishery.
12 But the local advisory board has been totally against
13 this.

14

15 Also, we wanted to keep the area open
16 from Gray's Pass, if you're not familiar with it, it's
17 right close to town, and the delta of the Stikine River,
18 because -- it was closed about 40 or 50 years ago to
19 commercial fishing, therefore it was closed for all
20 fishing. It was never opened up for subsistence, so we
21 can't go in there from April 15th to June 15th. And when
22 June 15 comes around, there's so many crab pots, that's
23 the opening day for the crabbers, and you can't fish in
24 there.

25

26 Also, we wanted to create a management
27 plan for halibut in the Stikine area. And this was
28 totally ignored by the local advisory board.

29

30 And also we wanted to close the area in
31 front and around Wrangell to commercial crabbing, so that
32 we -- small boats could get out there. But the local
33 advisory board and the State Board of Alaska at a recent
34 meeting in Sitka, they objected to allowing rural
35 subsistence priority for Wrangell. With complete
36 disregard, they rejected it. And we as rural residents
37 are entitled to this. This is a priority.

38

39 Title VIII of ANILCA is a law that deals
40 with subsistence management. Various sections of Title
41 VIII deal with different issues. Section 807 allows
42 local residents to file civil action in Federal court if
43 the State or Federal Government does not provide
44 subsistence priority. And this is what I intend to do.
45 And I will need the help of most everyone here on the
46 Council, and other rural areas. We've got a piece in the
47 -- an article in the Petersburg Pilot which will take in
48 for Kake, and also sent a letter to Sitka how they -- I
49 was chewed up pretty bad because I wanted to get this
50 done. And the local advisory board person is in

00023

1 Ketchikan. I seen him this morning. And I told him, I
2 asked for an interview, or a copy of the interview that
3 he had with KSTK, because he accused me of being a liar
4 and I don't now what else. And he is on the board of
5 directors for KSTK, and I asked him this morning if I
6 could get a copy, and he said he'd see if he could get
7 it.

8

9 But those are our four issues. Thank
10 you.

11

12 CHAIRMAN LITTLEFIELD: Thank you,
13 Richard. Marilyn.

14

15 MS. WILSON: I'm Marilyn Wilson from
16 Haines, Alaska. As you know, most of Haines is State
17 land and State waters, but we do have a little bit of
18 Federal land. A lot of our hunters go -- come down this
19 way to hunt and get deer.

20

21 So while I sit on this Council, we've
22 gone through the logging issues, and I think with our new
23 Governor and our new Legislature, we're going to have to
24 -- we're going to be opening up more logging areas. And
25 what I'd like to see is safe logging to protect the
26 subsistence we do have, and that's the fish streams and
27 the deer. And I'm pretty sure we need to think of the
28 long-term, not only the short-term, to protect one
29 resource in obtaining the other resource. So I hope we
30 can do that.

31

32 And the other thing is our pollution, and
33 I don't know if that's -- we're not dealing with waters
34 right now, but up in Haines we're concerned about the
35 pollution of the waters, because we did have some trouble
36 with the tour ships dumping near Juneau and between
37 Juneau and Haines. And there was a seal a couple years
38 ago. We hunt seal and use it, make oil and eat the meat,
39 and this one seal was all diseased. And the seals eat
40 the salmon, so it's part of the ecosystem. And we eat
41 the salmon, we eat the seal, so we are all part of the
42 ecosystem, and we're worried about protecting all of
43 this.

44

45 And the other Federal land we have has
46 goats on it, across the bay from Haines. And my husband
47 is the famous goat hunter from Skagway, and he used to
48 hunt on that -- on those mountains right across Haines
49 there, coming down from Skagway, and that's on Federal
50 land, all those mountains. And so I think we're only

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1 allowed one goat, subsistence. And that's about all I
2 have.

3

4 Thank you.

5

6 CHAIRMAN LITTLEFIELD: Thank you,
7 Marilyn. I'll just go ahead and talk about some of the
8 concerns that have been addressed to me. I sent e-mails
9 out to the local fish and game advisory committee, the
10 conservationist organizations in Sitka as well as the
11 tribes, the ANB, several assembly members, and told them
12 that at this time we normally bring up concerns that are
13 important to the community. And there were about five of
14 them that consistently came back in e-mails. And it was
15 a close tie between the top three. Rural determination,
16 which was covered by Mr. Kitka, was always consistently
17 up there.

18

19 One that Marilyn touched on a little bit
20 was habitat, which was the recent switch of Habitat's
21 functions from Fish and Game to the Department of Natural
22 Resources. Many people in the community are very
23 concerned about that.

24

25 And the third thing was the SERAC
26 membership make up and the loss of their chairman.
27 There's confusion out there right now, and I can't answer
28 those questions. And we do have somebody that may be
29 able to answer those if they come up.

30

31 But those were consistently rated near
32 the top.

33

34 Several other concerns were the king
35 salmon allocation plan that's currently before the Board
36 of Fish. And there was a real consensus of the people
37 that I talked to that they felt residents should be
38 allowed two king salmon per day even at the lower
39 allocation levels. The residents have maintained a
40 fairly steady take of king salmon over the years, and
41 their take is a very slow graph that just goes up as the
42 population increases. That's contrasted by the dramatic
43 growth of the charter industry, and they're concerned
44 that they can't get out and get those king salmon.

45

46 And the last item that they talked about
47 was deer. And we're going to talk about that again. The
48 deer problem is going to be similar to what's happening
49 right now in Unit 4, 5. In Sitka and other areas, if you
50 look at the Tongass SEIS, you can see clearly in there

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1 that many other communities have the same potential to be
2 -- to have severe restrictions put on them because of
3 hard winters. We're going to be looking at the proposals
4 like this again, because we're going to have to be making
5 some cuts. And Sitka is an area that has quite a
6 population, and a heavy winter there concerns them, too.

7
8 So I guess I'll leave it at that, and,
9 thank you. Bert.

10
11 MR. ADAMS: Thank you, Mr. Chairman. I
12 have maybe a couple, three items that I need to bring to
13 light here. Before I do that, though, I'd just kind of
14 like to maybe make a statement to kind of set the stage
15 for this.

16
17 We all want to do the right thing, don't
18 we? And sometimes we want to do the right thing for the
19 right reasons. But before we ever get to the point of
20 wanting to do the right thing, and we want to do the
21 right thing for the right reasons, we need to do the
22 right thing that is based upon sound principles. And I
23 think that's the bottom line, and that's the reason why
24 we sit around this table today. We want to do the right
25 thing, we want to do the right thing for the right
26 reasons, but it needs to be based upon sound principles.

27
28 Some of the concerns that I've heard in
29 my area were the proxies or the designated hunter issue.
30 You know, most of us who are subsistence users or
31 hunters, we want to do the right thing. We want to do
32 the right thing for the right reasons. But -- and most
33 of us, you know, are law-abiding citizens. And all it
34 takes is just maybe a few people to upset that apple
35 cart, and those few people, you know, are the reasons why
36 we have to make regulations or laws. And it's sad, isn't
37 it? And this proxy or designated hunter issue came up as
38 a discussion, you know, with some of the residents of my
39 community when they realized that there was one person
40 who had a large family, and he would go out and he would
41 get moose tickets for all of his children. And then he
42 went out and he started shooting moose on their behalf.
43 Or he allowed them sometimes to shoot them themselves.
44 And then he'd bring them into, you know, his shed where
45 he hung them and went out and got more. And many people
46 were saddened at the fact that many of those -- that game
47 that he got on behalf of his family had begun to spoil.
48 He wasn't taking care of it properly. And so, you know,
49 I think there's going to be a proposal that will come out
50 of my community, you know, with the idea of only allowing

00026

1 one moose per family to prevent that.

2

3 Another one that came to light here early
4 last fall is during the subsistence moose hunt. And I
5 guess a gentleman from Ketchikan -- were you up there at
6 that time?

7

8 UNIDENTIFIED VOICE: Yes, sir, I was.

9

10 MR. ADAMS: Yes, sir. Okay. The
11 hunters, you know, went down the river, and they shot two
12 moose, and then it was late at night and they brought
13 them back up. And one of the things that happened is
14 they didn't bring the antlers with them. That was
15 required in the regulation. And so, you know, I think
16 there's going to be -- I know when I first came on this
17 board three years ago, we talked about this considerably.
18 And I think the consensus, it was my understanding, that,
19 you know, you needed to bring in -- we talked about how
20 the antlers, you know, caused a problem, and in this
21 situation, this proved it, because when you go several
22 miles down this river and try to put a whole moose into
23 your boat and then add another added antler onto that, it
24 kind of loads down the boat and makes it pretty awkward.
25 And I remember talking about this at this -- during one
26 of these RAC meetings, one of the first ones I went. I
27 think it was in Angoon where we talked about whether, you
28 know, the antlers was necessary, or to bring in, you
29 know, the sex organs. And I think it was my
30 understanding that it was either or. So, you know, I
31 think there will be a proposal coming out of our area to
32 address that as well.

33

34 We do have some concerns with the cruise
35 industry coming into Yakutat and Disenchantment Bay. The
36 Yakutat Tlingit Tribe has sat down and negotiated with
37 the industry to fund for three years a study that would
38 determine whether their entrance into the bay was
39 disturbing the seals or not, particularly during the
40 pupping season. And we went through our first study last
41 year, and we are getting some feedback from that now, but
42 nothing complete. And then earlier this spring, probably
43 in the next month or so, we will be sitting down with the
44 industry to, you know, negotiate with them for how they
45 will enter into the Bay this year.

46

47 You've got to remember, folks, that these
48 are some very powerful people, probably in my opinion,
49 you know, the most powerful people in the world. They're
50 -- those cruise ships are going all over the place, and

00027

1 they're threatening to go into Icy Bay now. We know that
2 they limited at one time, you know, entrance into Glacier
3 Bay, and those ships that were diverted from there came
4 into Yakutat and Disenchantment Bay, so even though they
5 agree that they would only -- cap their ships, you know,
6 at a certain number, that was an agreement between us,
7 the tribe and them, they violated that last year by 25 or
8 30 additional ship. So we are going to meet with them
9 again and express, you know, the protocol as to how they
10 will address that.

11

12 We have noticed the seal in the
13 Disenchantment Bay, this is where they pup, you know,
14 since the industry has begun to increase more and more
15 their entrance into the Bay. So we are very serious, you
16 know, about addressing that, and we were successful
17 enough to be able to have them fund a three-year study.
18 And they've expressed to us, you know, that they want to
19 know as much as we do whether they're disturbing, you
20 know, those seals during that particular period in time,
21 and that's say from April through the middle part of
22 July.

23

24 But, you know, those are some of the
25 concerns I've heard, and there's a couple of them there
26 that -- a couple of proposals that we'll probably see,
27 you know, at our next meeting to address these. Thank
28 you, Mr. Chairman.

29

30 CHAIRMAN LITTLEFIELD: Thank you, Bert.

31

32 MR. KOOKESH: One of the responsibilities
33 I take when I take on this role, I always like to believe
34 is that, when I read Title VIII, was that my job is to
35 represent Southeast as a region, and when I see the
36 portion on concerns of the village, I'll be happy to give
37 you an idea of how our community is designed and how we
38 function, but if the community has any concerns, I'm sure
39 it would come back to this forum as a proposal.

40

41 And to speak a little bit about what's
42 going on, the concerns I've heard, and speaking as a
43 Regional Council member and basically paraphrasing and
44 sometimes to the word of what the community would like to
45 express is I believe if you really look at the big
46 picture, what they're wondering in our Community of
47 Angoon is, and it's looking at the region as a whole,
48 they don't just think of themselves. And they're
49 wondering why subsistence is such a big fight. Why it's
50 become a process where we're becoming -- why it's

00028

1 becoming criminalized. Why you're subject to penalty
2 when all the desire is to do is to live a lifestyle which
3 offsets a cash -- say like a cash economy. We don't have
4 that -- you can't always go to the store to buy
5 hamburger, you always just can't eat it, and they wonder
6 why the process has become such that it's -- they're
7 becoming looked at as criminals, when their idea of it is
8 we're not breaking any laws, but in somebody else's eyes,
9 we're breaking the law. And that's the perspective from
10 the community that I've seen.

11

12 To give you, those of you who aren't
13 familiar with Angoon, an idea of how our community is
14 functioning, things in our community that we've done is
15 we're probably one of the -- and this isn't patting on
16 the back, but one of the things that Angoon is very proud
17 of is that we have -- we're probably one of the first
18 communities to have a coho subsistence permit program for
19 Salt Lake, which is in our backyard. And we do have
20 three salmon streams. We have -- right behind Angoon we
21 have a coho, a sockeye and a dog salmon creek all in the
22 -- and there's one opening going into Angoon, and they
23 all go -- it branches off into three parts there. And
24 they're very proud of that, and I think that -- I think
25 they're always concerned about protecting that resource
26 from any kind of -- anything that can impact it, because
27 we're not the only users of that. We do have our friends
28 that come from town and participate. And also the
29 tourism industry also partakes of the -- probably if
30 anything, the coho streams. And that was one of the
31 things.

32

33 The other thing that Angoon's involved
34 in, is we're involved in the 30-hook halibut process,
35 which is an on-going thing.

36

37 And the other one is that we've
38 instituted years ago, Angoon has been -- it's been --
39 it's sort of been of benefit to our community to have a
40 January hunt. We don't all agree that January's always
41 the appropriate time to be hunting deer, but for some
42 people, the need seems to outweigh, you know, everybody
43 else's -- how other people look at it.

44

45 Last year Angoon had a problem up in
46 Kanalku where we had a sockeye stream that was in
47 trouble, and we wanted to know how to address it as a
48 community. We thought about using the regulatory process
49 and closing it, but that regulatory process opening it
50 back up would be harder. So looking at it that way, we

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1 asked if -- we asked Com Fish if it was possible to open
2 up other sockeye streams and give us a larger -- allow
3 the permit system to be increased so that we can get more
4 out of those other bays, because what the system was
5 apparently designing for our community to do was they had
6 shut down Sitkoh Bay and Basket Bay, and basically shut
7 them down by decreasing the numbers of fish we're allowed
8 to take, therefore the ability for us, and when you look
9 at the economy of scale, it wasn't worth it to go over
10 there and get some sockeyes from those streams. So what
11 it basically had done was it allowed us to basically stay
12 in our own back yard in Kanalku and almost destroy it,
13 because of the regulatory process had closed all those
14 other systems. And we had asked if they could increase
15 the takes for -- I believe Salt Lake was also the other
16 one. So that we wouldn't be impacting just one spot.
17 And what happened was, instead of closing Kanalku by
18 regulation, we asked the residents if the residents would
19 abstain from fishing in Kanalku, and this was self-
20 limiting. This was self-imposed by the community
21 residents when I was the mayor and working with the tribe
22 and with the fishery people. We asked if everybody could
23 stop. It's something that was hard on a lot of people,
24 because its access was -- it was like going down to the
25 grocery store, it was that easy, going to Kanalku. And
26 this whole process kind of put people at -- they weren't
27 feeling good about it, but the other streams that we were
28 -- that we did go to, that we did participate in, it
29 proved to be very beneficial. We were very successful in
30 going to the other streams. By closing them, by closing
31 through the regulatory process, we had almost killed a
32 salmon stream. We don't know what's going to happen for
33 the coming year. That's up to the new leadership that is
34 sitting there and the residents. But the residents have
35 taken it upon themselves to be doing some self-regulating,
36 and I don't know if anybody else has done that, because I
37 think that if we never would have did it, I think we'd
38 have killed that sockeye stream because of not being
39 allowed to take from Sitkoh Bay and Basket Bay.

40

41 Thank you.

42

43 CHAIRMAN LITTLEFIELD: Thank you, Floyd.

44 Mike.

45

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

47 I'm from Craig, and as we all know, Craig has a lot of
48 concerns about -- or Prince of Wales, I should say, has a
49 lot of concerns about the deer, which we will discuss
50 later on. There are others, to. We get to try steelhead

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1 fishing for the first time in almost 10 years here pretty
2 soon. We're looking forward to that.

3

4 But there seems to be a real problem with
5 the deer. Everybody complains. And hopefully we can get
6 to the bottom of it and resolves some of the issues,
7 which are many. Habitat. Predation. Other hunters, and
8 so on.

9

10 But I'd like to point out that I do
11 represent Southeast region; however, I am most
12 knowledgeable about my -- where I live. And I encourage
13 all the RAC members to represent their villages as well
14 as the region as a whole.

15

16 I have a couple questions about the bag
17 limits that we may discuss later. I'm not sure. The
18 regulation says you can have two bag limits. I don't
19 think it really says how many designated hunter permits
20 you can have, though, so two bag limits for deer on
21 Prince of Wales would be eight deer, so there's some
22 confusion there for me.

23

24 And I'm happy to see a little simplified
25 designated hunter form. Last fall I was in getting a
26 designated hunter form, and had a Forest Service
27 personnel that didn't even know how to fill it out, so,
28 anyway, that's all I have.

29

30 Thank you.

31

32 CHAIRMAN LITTLEFIELD: Thank you, Mike.
33 And now from a long-term member, we will learn how to do
34 this portion correctly. But we will allow Patricia
35 Phillips as well as Mary Rudolf to comment when they
36 arrive. Ms. Garza.

37

38 MS. GARZA: Thank you, Mr. Chairman. I
39 do apologize for running back and forth, but it is my
40 dance group that's doing the luncheon, so I need to
41 support them as well.

42

43 I have several concerns, and so I'll like
44 Bert try and stay under a half hour.

45

46 My first concern, I'm a Ketchikan
47 resident, and many Ketchikan residents are not happy that
48 we are not considered rural under the Federal system.
49 John, you are aware, but other people are not, that last
50 year the Institute of Social and Economic Research, ISER,

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1 came in here as a contract through OSM to look at the
2 issue of rural and urban. We had a focus group in
3 Saxman, it was predominantly native people. They all
4 said, we want rural. We love rural. Don't change us.
5 We came to Ketchikan, did a focus group with non-natives,
6 except for John, myself and Bill Thomas who were there,
7 and those non-natives with one exception said, we are
8 rural. Ketchikan is rural. It has no economic base any
9 more. People here are poor. People here by choice go
10 out to get deer, to get cockles, to get clams, to get
11 beach greens. They are living in Ketchikan because they
12 choose to have this lifestyle.

13

14 And so it will be my intention, Mr.
15 Chairman, when we address rural, that I will ask this
16 Council to consider Ketchikan as rural, to expand the
17 definition to include this part of Southeast, because
18 Ketchikan people use these resources. And with the
19 economy as it is, people are getting these resources
20 because they have to put food on their table. It's that
21 simple.

22

23 Other issues, Mr. Chairman, in terms of
24 Stikine, I was invited along with Dick Stokes to meet
25 with the ADF&G Staff who were part of the Pacific Salmon
26 Commission Transboundary Panel Process. Apparently we've
27 had a number of misunderstandings, and we seem to be
28 coming closer to the direction we need to go. We have
29 clarified that the Pacific Salmon Commission does not
30 address coho and does not address sockeye, but that the
31 potential barrier may simply be king salmon. I did
32 attend part of the Pacific Salmon Commission meeting in
33 Portland two weeks ago, and it's my understanding that
34 the Pacific Salmon Commission came out with a policy
35 statement that said they do not want to be involved with
36 allocations within states or within countries, so it's up
37 to the State of Alaska to do their own allocation.
38 They're not interested in saying whether or not
39 subsistence should get a portion or not.

40

41 Other issues, of course, is hooligan.
42 It's a very important resource for Ketchikan. Despite
43 the fact that we are an urban community, we live for when
44 we see the hooligan boat come in, and then there's a line
45 there a mile long as soon as probably Mary and Willard
46 Jones call from Wrangell when they see it come -- or from
47 North Tongass when they see it coming in. It's very,
48 very important to us, and it's my understanding that it
49 has still not been clarified what the process is, what
50 the -- what is legally proper, and what we can do. I

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1 mean, Ketchikan residents are still under the assumption
2 that they may be doing something illegal if they go down
3 to the docks and try and buy it, and whether or not they
4 have to give gratuity, or whether or not they're supposed
5 to be paid, and whether or not we can buy things on
6 Federal versus State lands. Those things need to be
7 clarified quite clearly, and they need to be got out to
8 the public so that me as Joe Shmoe in Ketchikan can know
9 that I can go down, stand on the dock and buy my bucket
10 of hooligans.

11

12 And looking at other things, in terms of
13 the FACA requirements, it's my understanding that this
14 will be the first year that this will be implemented to
15 go toward 30 percent commercial and sport. We are still
16 concerned that whether or not it's 30 percent at this
17 round, in which case either John or myself or perhaps
18 Marilyn -- is it Marilyn or Mary -- will lose their
19 seats. So we need to know for a fact if it will just be
20 a phasing in or if next year we will have 30 percent on
21 this board, because it makes it very difficult for us to
22 look at each other and say, okay, which one of us is not
23 going to apply, and which one is going to apply if it's
24 only going to be one person getting on.

25

26 I have been thinking about that issue for
27 some time. And in terms of the commercial and sport, I
28 think that there should be an opportunity for these
29 Council members who would like to say, okay, my income
30 comes from commercial, as an example Mike, maybe say,
31 okay, I would like to be the commercial seat, and he
32 would just change from subsistence to commercial and it
33 would be done with.

34

35 In terms of other issues, and this may be
36 more for Ketchikan, but it may be also Southeast, I think
37 there are many times when ADF&G is looking for direction
38 in terms of developing new fisheries. I know that when I
39 was in Sitka, I would be called as a marine advisory
40 agent in regards to developing seaweed commercially or
41 getting a commercial license for beach asparagus, the
42 Salicornia species. Those are technically not within our
43 jurisdiction, but they surely fall within our traditional
44 and customary foods. And I think that we as a Council,
45 although we don't have rights to say, okay, we're going
46 to make regulations and rules on this, I think that we do
47 need to come up with policy that we can share with ADF&G
48 staff, and let them know that they can approach us when
49 it comes to these types of questions, and we should have
50 policy that says we do or don't support black seaweed

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1 commercial production, we do or don't support beach
2 asparagus commercial production. Because if we don't
3 have policy anywhere, then policy will be made simply
4 like that, and it may not be what we want. And so I was
5 just thinking about that this morning, Mr. Chair, and I
6 will try and put it into something that I can add to the
7 agenda.

8

9 Thank you.

10

11 CHAIRMAN LITTLEFIELD: Thank you, Dr.
12 Garza. As always, that was a wonderful report, and it
13 raised an issue that I think I'm going to ask someone who
14 can answer some of those issues to be prepared in a few
15 minutes, and that would be Tom Boyd, to answer some of
16 those questions. But prior to that, I tried to keep
17 notes here of what was coming up from several
18 communities. And one of them, I heard coho a couple
19 times as well as the FACA and habitat in various ways,
20 and encroachment. And what I would like to do is ask the
21 Council members if they want to add any of these subjects
22 that they talked about under item 15 for discussion at
23 further time, we can add those to the agenda. Any
24 Councilman?

25

26 MS. GARZA: Mr. Chairman?

27

28 MR. ADAMS: Mr. Chairman?

29

30 CHAIRMAN LITTLEFIELD: Ms. Garza.

31

32 MS. GARZA: Maybe we could go with Bert,
33 because I'm trying to think real fast.

34

35 CHAIRMAN LITTLEFIELD: Okay. Bert.

36

37 MR. ADAMS: Think fast, because I'm going
38 to be short. Mr. Chairman, I'd like to put under
39 discussion for that item number 15, you know, the
40 designated hunter just for discussion, as well as the
41 requirement for antlers to be turned in as proof of a
42 bull.

43

44 CHAIRMAN LITTLEFIELD: It's my
45 understanding I made a mistake. It's item 12 that we'll
46 add as A designated hunter program. Is there any
47 objection to that from the Council? Hearing none, that's
48 item A. Any others? Ms. Garza?

49

50 MS. GARZA: Mr. Chairman, under whatever

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1 it was, if it's item 12, new business, that we add
2 developing subsistence concerns that we can share with
3 the State in regards to State territory resources.
4 That's too long, but I think you get the gist. And
5 separately habitat concerns.

6

7 CHAIRMAN LITTLEFIELD: Ms. Garza, it's my
8 understanding we will talk about under item B subsistence
9 concerns with the State, and then under item C we will
10 talk about habitat concerns, is that correct?

11

12 MS. GARZA: Yes.

13

14 CHAIRMAN LITTLEFIELD: Is there any
15 objection from the Council. Okay. Those are added to
16 the agenda. Any others under 12? Perhaps I might
17 suggest that we cover one other point that you did, and
18 maybe we should have a discussion on the rural, Ketchikan
19 status, and other communities, maybe comment on rural
20 determination, and add that as item D. Any objection?
21 Any others? We can -- this is a guide. We've approved
22 the agenda as a guide, and we can add others. Ms. Garza?

23

24 MS. GARZA: Mr. Chairman, I don't see it
25 on, but Council sponsored proposals for this cycle. This
26 cycle has not ended.

27

28 CHAIRMAN LITTLEFIELD: Item E is Council
29 proposals. Any objections? Any others? Dr. Schroeder?

30

31 MR. SCHROEDER: I'd just like to have a
32 discussion about the annual report probably as a later
33 item in the agenda, and hopefully I'll be able to meet
34 with you individually over the next couple of days.

35

36 CHAIRMAN LITTLEFIELD: Okay. We'll add
37 an F, annual report items. That kind of -- it's filling
38 it up. Is there any others? We'll get to these at the
39 end, but I think they are deserving of discussion.

40

41 Okay. What I'd like to do now is -- one
42 of the things that was raised was the FACA composition,
43 and there were some others, actions that were taken at
44 the Hoonah meeting where this Council adopted
45 resolutions, many of which were addressed to the Federal
46 Subsistence Board and Secretaries, and perhaps we could
47 have Mr. Boyd from the Office of Subsistence Management
48 respond to that? Do you have a copy of those Council
49 resolutions?

50

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1 MR. BOYD: I'm not sure.

2

3 MR. SCHROEDER: Mr. Chairman, the
4 resolutions passed in Hoonah can be found starting on
5 Page 21 of the Council book.

6

7 MR. BOYD: Mr. Chair, if I may so that I
8 understand what you're asking from me in terms of a
9 response, first of all, I've heard Ms. Garza's concerns
10 with regard to the Regional Advisory Council changes in
11 composition, and specifically the question that she posed
12 was whether or not the changes being imposed are going to
13 be phased in over the three-year period or whether or not
14 changes can occur to the Councils within one year. I may
15 not quite have the question right, but I understand the
16 direction that this is going. And I actually anticipated
17 this concern being raised, and I made myself a few notes
18 that I'm going to refer to.

19

20 And I -- earlier last week I'd talked to
21 Mr. Schroeder and understood the concerns that you are
22 raising, particularly as they were focused on the
23 frequently asked questions, the questions and answers
24 that we put out to clarify this issue. And unfortunately
25 at least one of the questions perhaps misled members of
26 the Council, so I want to clarify -- and I want to clarify
27 that now for the record.

28

29 I also understand, Mr. Chair, that you
30 raised this to the Chair of the Board, Mitch Demientieff
31 when you spoke to him last week on some other issues.
32 And we had a Board meeting, a work session on last Friday
33 and this issue was raised. And as a result of that Board
34 meeting and the questions that were being asked, we
35 changed the answers, the questions and answers to try to
36 clarify the issue of whether or not we would make changes
37 to the Council in one year.

38

39 So let me state clearly that those changes will
40 be phased in over the three-year period, particularly for
41 this Council. It was the Board's intent when they ask
42 for a phase-in period from the Office of the Secretary
43 that essentially they be fair to the incumbents that are
44 currently seated on the Council, recognizing number 1,
45 they may want to reapply for their same seat or they may
46 want to reapply as a commercial fisherman or sport hunter
47 or something along those lines, so the idea of a three-
48 year phase in was to allow that to occur. I think
49 clearly from my understanding, the Board is not going to
50 make wholesale changes. They will not replace all four

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1 members in year one of the phase-in, which begins this
2 year.

3

4 I anticipate it will go something like
5 one or two members a year until the goal is reached after
6 the three years. So from 2003 to 2006. The goal will be
7 reached in 2006.

8

9 At that point when hopefully we'll
10 receive -- we've achieved the target of 30 percent sport
11 and commercial, and 70 percent subsistence, that's when
12 we would start not filling those seats if we -- if they
13 were left vacant. But in the intervening interim period,
14 those seats would continue to be filled by even
15 subsistence users. So the phase-in period is a true
16 phase-in period intended to allow incumbents to re-apply
17 for their seats for any user interest for that matter.

18

19 I'm not sure that I made myself clear,
20 but I want to pause here to see.

21

22 CHAIRMAN LITTLEFIELD: Thank you, Tom,
23 and I believe she had one other question, and that was if
24 a bona fide commercial user or charter operator could
25 fill -- could be redesignated to fill one of the
26 designated sport and commercial seats?

27

28 MR. BOYD: Well, the way we've set the
29 process up, starting this year on the applications we are
30 asking those applying to designate the user group that
31 they will be representing on the application. And so
32 that's how the process will unfold. If you're already
33 seated on the Council, we're not asking you to designate
34 until you reapply for your seat. So the assumption is
35 that you're currently a subsistence -- you're
36 representing a subsistence use until you reapply. And
37 then after the phase-in period, I think hopefully at that
38 point we'll have reached the target of 30 and 70.

39

40 MR. ADAMS: Mr. Chairman.

41

42 CHAIRMAN LITTLEFIELD: Ms. Garza?

43

44 MR. ADAMS: Go ahead, Dolly.

45

46 MS. GARZA: Mr. Chairman, thank you. I'm
47 following, but just for -- there are some people in the
48 public who may not be aware of this whole process, if you
49 could just quickly summarize what has changed, and then
50 the current deadline in which they could apply if they

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1 choose to apply.

2

3 MR. BOYD: I'm sorry, I don't have the
4 dates in front of me, so I may not have the specific
5 dates right. It's the end of the month, I knew that.
6 Okay.

7

8 The application period for applying for
9 Council seats, generally every year, last year was an off
10 year because we had a delay as we worked through this
11 process, but generally every year it starts early in
12 January, and ends the -- and it runs for about 60 days
13 and it ends the end of February where we solicit
14 nominations or applications for seats on the Council.

15

16 Beginning this year and running through
17 2006 -- well, let's say beginning this year, we are
18 instituting a new policy by the Secretary, instituted by
19 -- or directed by the Secretaries, policy of the Board to
20 allow -- or to provide for 30 percent sport and
21 commercial interests to be represented on the council,
22 and 70 percent subsistence interest to be represented on
23 the councils. The intent was that through 2033 through
24 the 2006 application period, that we would be phasing in
25 achieving the 30 percent/70 percent goal.

26

27 I'm not sure exactly what you were
28 looking for, but that's generally the process. Okay.

29

30 CHAIRMAN LITTLEFIELD: Bert.

31

32 MR. ADAMS: Mr. Chairman, thank you.
33 Just a reminder, Mr. Chairman, if you don't get me when I
34 hold my hand up right away, I'll forget real quick. But
35 all due respect to Dolly, you know, I yielded. I did
36 forget.

37

38 Tom, I just got reappointed for another
39 three-year term, and I'm assuming from what you said
40 that, you know, my designated place on this board would
41 be as a subsistence user. Now, if I want to reapply
42 again, you know, after three years is gone, could I
43 indicate whether I'm commercial, sport or, you know,
44 whatever else it is in there to fill out that 30 percent,
45 or how it -- what that -- what would that kind of process
46 be? What -- if I wanted to be on this Board again after
47 three years, how would you recommend that I reapply?

48

49 MR. BOYD: Well, I'm presuming if you
50 were just reappointed, that your term would be up at the

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1 end of say 2005, that you would be reapplying for the
2 2006 term. So at that time you would fill out an
3 application and in that application you would be asked to
4 designate whether you were representing sport or
5 commercial interest. I'm not going to recommend which
6 one you're going to designate yourself for. I mean,
7 that's really up to you and what you feel your interest
8 you are currently serving. And so I would refrain from
9 offering that recommendation to you.

10

11 But I think at that point, you know,
12 we'll probably start seeing whether or not, you know, and
13 who's applying and whether or not we're going to, you
14 know, meet the targets of the 30 and 70 percent. But
15 essentially you're going to be on sort of the end of the
16 phase-in period. I'm anticipating that there are going
17 to be one or two seats remaining for those other
18 interests, and I think you could probably look and gauge
19 to see whether or not it's in your interest to designate
20 yourself whatever. Okay.

21

22 MR. ADAMS: Mr. Chairman. I didn't mean
23 to, you know, put you in a position. I wanted you just
24 to use that as an example, how would I go about doing it,
25 and I think you answered my question. Thank you, Tom.

26

27 CHAIRMAN LITTLEFIELD: Any others?
28 Floyd.

29

30 MR. KOOKESH: I guess I kind of struggle
31 with this issue all the time, because that doesn't seem
32 to gel with me, but to me when I first came on board, I
33 came on as a Southeast Regional Council member, which
34 didn't say that I had a commercial or a subsistence or
35 any kind of other interest like that. But I always felt
36 that when we took this role on, that our highest priority
37 was subsistence. So how does it work if you're a
38 commercial representative? What are you searching for?
39 I'm kind of lost in it.

40

41 MR. BOYD: With regard to the Regional
42 Advisory Councils, both function and selection to the
43 Councils generally fall under two statutes: Title VIII
44 of ANILCA and the Federal Advisory Committee Act. Title
45 VIII clearly lays out the purpose and functions, mission
46 if you will, of the Regional Advisory Councils. And I
47 think clearly as you've indicted, Mr. Kookesh, the
48 purpose and function of the Council is to focus on
49 subsistence.

50

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1 The Federal Advisory Committee Act, on
2 the other hand, among many other things states that
3 Federal advisory committees, no matter whether they're
4 Regional Advisory Councils operating under Title VIII of
5 ANILCA or other Federal advisory committees, must be
6 structured or composed such that all affected interests
7 -- that membership balance -- that the membership of
8 these committees be balanced so that all affected
9 interests are included. And as the Office of the
10 Secretary reviewed not only this set of Regional Advisory
11 Councils or Federal advisory committees, but all those
12 nationwide in terms of their composition and structure, a
13 concern that came to them was that our Councils were not
14 structured to ensure that we had an adequate balance of
15 those that were directed affected, those other interests
16 that were directly affected, principally sport and
17 commercial interests.

18
19 We had not come up with a plan that
20 specifically indicated where those interests were
21 represented across the board on all of our Councils, so
22 they directed us to take a look at that, to review it.
23 We did over the last year, and eventually the Board came
24 up and adopted this policy where 70 percent of the seats
25 would be for rural and -- or for subsistence users, and
26 30 percent would be for sport and commercial users, with
27 the idea of ensuring, number 1, a majority of subsistence
28 users would be retained on the Councils, but that other
29 interests would also have a seat at the table and thereby
30 ensuring compliance with the Federal Advisory Committee
31 Act.

32
33 In essence, we're trying to balance the
34 two statutes. One, ensuring that the subsistence
35 priority is implemented as structured in Title VIII, and
36 the other to ensure that other interests that are
37 affected have a voice in the process and have a seat at
38 the table.

39
40 CHAIRMAN LITTLEFIELD: Any others?

41
42 MR. KITKA: Thank you, Mr. Chairman. My
43 name is Harvey Kitka, and I just had one thing that's
44 been kind of bothering me. I realize what you're saying
45 on the make up of the Board, but it seems to me like the
46 make up of the Board is we need to carry this not just to
47 our Board, but to the Fisheries Board, so that our
48 subsistence people are on the Fisheries Board as well as
49 this part. It seems like when we make some of the
50 decisions here, it seems like it stops, and what we say

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1 at these meetings doesn't make it any further than that.
2 And I would say that all the way to the top, we need at
3 least to have some say in the process as well. I realize
4 these other groups need to have a say, but we need to
5 have a say as it goes on further, too.

6

7 Thank you.

8

9 CHAIRMAN LITTLEFIELD: Thank you. As I
10 looked over the new frequently asked questions, I'd like
11 to say first it's a vast improvement over the first one
12 that came out. The first one mandated no upper limit for
13 the number of commercial or sport seats, and no lower
14 limit for subsistence users, and that concerned me
15 greatly. It said there shall be no more than 70 percent
16 at any time, no lower limit. And it also said there
17 shall be no less than 30 percent sport and commercial,
18 with no upper limit. So the way I read that, it was quite
19 possible that you could have 13 seats sport and
20 commercial. And I'm glad that that went out and this
21 clearly says, and I hope that's the intent, is these will
22 remain 70 percent subsistence and 30 percent commercial,
23 which for our Council would be four members I believe, so
24 that's an improvement.

25

26 And the other thing that -- are there any
27 questions on this FACA?

28

29 Perhaps you could explain for us and the
30 public exactly what happens in the selection process, how
31 a member is selected, because there was some confusion of
32 what happened this year. So if you could go through the
33 process of when an individual submits an application, and
34 when they finally are appointed?

35

36 MR. BOYD: Well, as I said earlier, the
37 application begins early in the year, application
38 process, where we solicit applications from the public at
39 large. Receive the applications, and in each of the 10
40 regions of the State there is a panel appointed of
41 Federal employees. Generally these -- this is an
42 interagency panel made up of generally field staff of the
43 various agencies that are represented in each of the
44 regions of the -- each of the 10 regions of the State.

45

46 These panels take all of the applications
47 for that particular region, and they conduct a screening
48 process, pretty much like you would screen when you hire
49 someone. They contact the references listed on the
50 applications. They solicit input from what we call key

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1 contacts in the regions, and these could be organizations
2 within the region or individuals that we know in the
3 region. And we basically interview -- also interview the
4 candidates. And so we gather all that information with
5 the application material, and the panels assess that
6 information against a set of rating or ranking criteria.
7 And then the panel themselves develop a recommendation
8 which they then bring forward.

9

10 The next step in the process is
11 essentially a screening process for the Federal
12 Subsistence Board. You may have heard mentioned a group
13 we call the Interagency Staff Committee. These are
14 senior staff that are representing all five of the
15 Federal agencies that participate in the Federal
16 Subsistence Program. And this Staff serves to do
17 basically staff work for the Board. And they take all of
18 the panel recommendations, review it to ensure
19 consistency in application of the ranking criteria, for
20 example, ensure that there -- you know, they followed all
21 of the guidelines of the Board. And they also kind of
22 look over to make sure that, you know, everything is sort
23 of in order for the Board, and they also develop a set of
24 recommendations based on the panel recommendations. Very
25 often, very often they're the same recommendations that
26 the panel's recommended. Sometimes there are changes.
27 And those recommendations then go forward to the Federal
28 Subsistence Board.

29

30 At that point, hopefully the Staff work
31 is done, and the Board doesn't have a great deal of work
32 to do, but at times they also make changes in the
33 recommendations, and they develop a set of
34 recommendations that then go forward to the Secretaries
35 of Interior and Agriculture.

36

37 That process at that point goes something
38 like this: Before the recommendations from the Board go
39 forward to the Secretary of the Interior, we get a
40 concurrence letter from the Secretary of the Agriculture.
41 And the concurrence step from the Secretary of the
42 Agriculture has actually been delegated to the Regional
43 Forester. So we solicit a letter of concurrence of the
44 Federal Subsistence Board recommendation from the
45 Regional Forester, and then as a package all of that
46 moves forward to the Secretary of the Interior.

47

48 I wish I could go through the details of
49 what happens to that package after it leaves our office,
50 but generally what I understand is that all of the

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1 different Assistant Secretary Offices in the Department
2 of the Interior review the package. There's also an
3 office in the Department of the Interior that is
4 organized to review selections for all federal advisory
5 committees that reviews the package. And I understand
6 that this is an office that is not part of the
7 Department, but is part of the White House if you will.
8 So they screen not just these Councils, but all of the
9 Federal advisory committees that come forward. And only
10 after they sign off on this package does it go to the
11 Secretary of the Interior, which then generally concurs
12 with the recommendations that have moved forward.

13

14 I know that the Secretary of the
15 Interior's Office looks for advice and counsel from the
16 Office of the Secretary in the State of Alaska, or the
17 Secretary's Special Assistant if you will for Alaska, and
18 receives advice from that office when they look at the
19 recommendations that come forward from the Federal
20 Subsistence Board.

21

22 Once the Secretary makes their recommenda
23 -- or makes their decisions, obviously the selections are
24 made, and then the selection letters go out to those that
25 have been appointed by the Councils. We receive that
26 information and then my office sends out letters that
27 were not selected. Generally that's the process, Mr.
28 Chair.

29

30 CHAIRMAN LITTLEFIELD: Thank you. So
31 there's about a four-step vetting process here, and
32 you're aware that in -- I believe it was in Yakutat that
33 this Council passed a resolution recommending that the
34 Secretary of Agriculture be highly involved or the lead
35 Secretary for issues concerning the Tongass, because it
36 was predominant area. And I'm -- and in these last
37 appointments or non-reappointments, the Secretary of
38 Agriculture, I'd like to know, or designee, how much that
39 role was complied with as you described?

40

41 MR. BOYD: Well, I do know that a letter
42 of concurrence from the Board's recommendations went
43 forward went from the Regional Forester, or the designee
44 of the Secretary of the Agriculture. Beyond that, I do
45 not know what communication occurred between those
46 offices.

47

48 CHAIRMAN LITTLEFIELD: Okay Thank you.
49 Any other questions for Tom? Thank you very much. Go
50 ahead.

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1 MR. BOYD: Mr. Chair, there was one other
2 question that Ms. Garza asked with regard to the eulachon
3 issue. I don't know if you want me to address that now
4 or at a later time?

5
6 CHAIRMAN LITTLEFIELD: Please go ahead.

7
8 MR. BOYD: As you're aware, over the last
9 year we've been dealing with the customary trade issue,
10 and recently in January the Board passed final
11 regulations with regard to customary trade. And I won't
12 do the briefing, there is a briefing in your book and at
13 some point in your agenda you may want to turn to it and
14 ask additional questions.

15
16 But specifically the concern raised by
17 Ms. Garza had to do with whether or not it was legal for
18 people to sell and/or buy subsistence-caught fish as
19 customary trade off -- out of Federal jurisdiction. Is
20 that essentially the question?

21
22 MS. GARZA: (Nods affirmative)

23
24 MR. BOYD: And I wish I had a clear
25 answer for that. I certainly heard Ms. Garza when she
26 indicated that she would like clarification on that. We
27 believe, and we say this in the preamble to our
28 regulations that we just passed, that it is legal.
29 However, we also recognize the State enforcement may take
30 exception to that. And so we -- I can't say with
31 certainty whether or not people will or will not be
32 prosecuted with regard to the sale of subsistence
33 harvested fish away from federal jurisdiction. I just
34 simply can't give you any guarantees that you will be, or
35 anyone will be safe from citation or prosecution. But we
36 believe that those fish that are harvested in Federal
37 jurisdiction and taken back to a community and then sold,
38 that that jurisdiction would then follow the fish. But I
39 can't give you any more certainty than that. It is
40 something that has not been obviously tested in the
41 courts. I would have to say this, that based on the
42 past, that I don't believe the State is out to try to
43 rigorously enforce this regulation, but I can't guarantee
44 that either.

45
46 CHAIRMAN LITTLEFIELD: Okay. Thank you.
47 Mr. Kookesh.

48
49 MR. KOOKESH: Tom, I had hoped that more
50 Council members would have commented a little more about

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1 the appointment process, because one of the positions I
2 take as a Council member, as a Regional Council member,
3 is I believe that this is a very important position, and
4 when I watched the process as it occurred and saw that
5 our honorable Chair had been -- no longer been -- had not
6 received his reappointment, I got kind of concerned that
7 something was wrong with this process. And what I'm
8 saying is that Bill, we were talking about Bill all the
9 time by the way, when I saw what was going on with this
10 process, I felt like Bill was the most qualified member
11 to sit statewide. He could have sat on any Council. I'm
12 sure he could chair all chairs, and he was certainly --
13 he certainly represented subsistence down from the top
14 all the way to the very bottom. And it bothers me that
15 his appointment didn't go through. It kind of makes me
16 feel as a RAC member that as qualified as he was, we
17 don't have -- stand a chance in this next process when
18 our term comes back up. And I'm kind of concerned that
19 it is, because I know everybody sitting here, and I'm not
20 trying to take away from any of their credibility, but I
21 have to put Mr. Thomas at the top in terms of native
22 leadership. I mean, at the very highest in terms of our
23 subsistence on issues, and properly addressing them. And
24 I think that what it amounted to was it kind of shook me
25 down here that we're no longer on stable ground, that
26 somewhere along in this process, we're not going to win.
27 We've had an advocate that was speaking up for and doing
28 his job properly, and all of a sudden he's gone. And
29 it's not by -- he didn't die. He was just not
30 reappointed. I think that what it basically amounted to
31 to me is it's like a slap in the face. It's almost like
32 the 70/30 composition. We're subsistence users, you
33 know, that's what our designation is, but we also sit
34 here representing commercial interests. And I don't know
35 how that's going to work. Apparently it's just going to
36 be -- we're just going to become, from the way I view it,
37 with that kind of composition, we're going to become
38 polarized. We're not going to be any better than when
39 the State had us for our decision-making to be going
40 nowhere. Something seems to be wrong with this process,
41 and that's why I was concerned to that. What happened is
42 not right. And I question it. Our Chair was a very good
43 chair, the best that I've ever seen of chairs.

44

45 CHAIRMAN LITTLEFIELD: Ken, would you
46 like to come forward, please?

47

48 MR. THOMPSON: Yes, thank you, Mr. Chair,
49 members of the Council. This is not the first time that
50 the Secretaries -- Ken Thompson, Forest Service, I'm

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1 sorry. This is not the first time that the Secretary's
2 Office has turned around recommended nominations to the
3 Councils. Unfortunately, it is the first time that it
4 has affected the Southeast Council. And we have
5 generally deferred to the principal department that is --
6 that has jurisdiction over the lands that the Councils
7 are representing in making the final decision. In this
8 case, obviously, as you've indicated, it was the
9 Department of Agriculture. And we were sort of caught
10 off guard if you will. The Regional Forester I will say
11 has expressed strong concern about what has happened, and
12 has instructed this staff on the Agriculture side to be
13 more engaged if this situation comes up again. And he
14 has had some conversations at high levels after the fact
15 about this issue. But I think the message that he's
16 brought back to us and to you is that the Department of
17 Agriculture will be more engaged up front before the
18 concurrence, the final concurrence on any changes to
19 those recommendations are advanced. I don't know if
20 that's comforting or not, but that's the reason for the
21 things unfolding the way they did.

22

23 CHAIRMAN LITTLEFIELD: Thank you. Follow
24 up, Floyd? Ms. Garza.

25

26 MS. GARZA: Mr. Chairman, I'd like to
27 follow up on the hooligan. I guess I find the state of
28 the ability to sell hooligan and this grey area is highly
29 unacceptable. If we have people who are going out and
30 getting hooligans and they come back and they're not sure
31 what to do. And so we need to push through this MOA
32 process or through some process to make this legal so
33 that we as people who are native and non-native who go
34 down and buy those hooligans will know that they're not
35 going to get a ticket. They're not going to have some
36 enforcement person start standing at the top of the dock
37 watching them, which has happened. We've had people
38 standing there with video cameras, enforcement people,
39 and so you're not even going to get close to the boat,
40 and you don't know if that's there because they're just
41 trying to intimidate you or if they're trying to do
42 something, or if it's just for information that they're
43 doing it, and you can actually do it. But I know that
44 people have stayed away because of those types of
45 situations.

46

47 And I think that we have to as a Council
48 push some type of resolution to this end. And options
49 may be that -- I know that Fish and Wildlife Service has
50 a private dock, and Forest Service has a private dock,

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1 then perhaps those boats need to be able to go to those
2 docks so that we're selling on Federal land so to speak,
3 and there won't be any kind of ticketing or negative
4 enforcement issues, because it's simply ridiculous.

5
6 Alternatively, we have to make it clear
7 through the MOA process that the State will not
8 prosecute, because this is a federally-recognized
9 fishery. I mean, we have customary trade and barter
10 going on at AFN. We have customary trade and barter
11 going on in this building when we have native food sales,
12 when we have craft days when people come in and sell
13 seaweed and sell other things. And so that we're making
14 a particular exception to say we can't do this for
15 hooligan in my opinion is ridiculous. And so we need to
16 as a Council push this harder and make sure that there's
17 some resolution done so that these guys who are going out
18 and doing this hard work so that we can get our hooligans
19 don't have to feel like they're -- they have to sneak in
20 at night or not stop in Ketchikan, because they can see
21 the enforcement cars there. Thank you, Mr. Chair.

22

23 MS. WILSON: Mr. Chair?

24

25 CHAIRMAN LITTLEFIELD: Marilyn.

26

27 MS. WILSON: Yes, Mr. Chair and Tom, I
28 wanted to address Bill Thomas. In our culture, we have
29 -- we respect our leaders very highly, and our elders
30 very highly. And for him not to get nominated -- I mean,
31 not to get reappointed is just like a slap in the face,
32 like Floyd mentioned. And it's -- I would like this to
33 be on record is why I'm bringing it up, that the
34 Secretary of Interior did not reappoint this man that we
35 highly respect and honor, and is a good leader and a good
36 person for this job.

37

38 CHAIRMAN LITTLEFIELD: Any other
39 questions for Mr. Boyd?

40

41 MR. ADAMS: Mr. Chairman, on another
42 issue, Mr. Boyd, I would just kind of like to get an
43 impression from you as, you know, if the State of Alaska,
44 you know, decides that they want to come in compliance
45 with ANILCA, you know, what's going to happen to all of
46 the good work that we're doing right here, and, you know,
47 what would, you know, the process be in making that
48 happen, and that's -- I've asked this before in other
49 meetings, and haven't come up with a real good answer
50 yet, or have heard one. So do you want to take a stab at

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1 that?

2

3

MR. BOYD: Well, it's something that I've given some thought to over time. Obviously I've been involved in the program since -- the Federal Subsistence Program since the beginning in 1990, and from time to time we certainly think about the transition is you will when the State resumes unified management of fish and wildlife in the State of Alaska. And certainly that's been a position of both the Secretary of Interior and Agriculture to.....

12

13

CHAIRMAN LITTLEFIELD: everything under control there in the fire line? Okay. Go ahead.

15

16

MR. BOYD: We're dealing with a hot topic here. It's certainly been the position of the Secretaries to return unified management, subsistence management back to the -- return that back to the State of Alaska when the resol -- when we've resolved the legislative or the legal impasse that we're dealing with. And so from time to time as the issues of amending the constitution or some of these other things have come up in front of the Legislature, we've given some thought to it.

26

27

And I think in short, Mr. Adams, I would like to believe that the work that we have done collectively, and particularly with the councils is a model for the State. Obviously I'm like you, I'm speculating a bit, too, but I have heard at least members of the previous administration in the State say that they look to the things that we've done, and particularly the way we've worked together with the Councils as sort of the way to go, the better way to go, and they see -- I think, some people in State Government see this process as the model that they would adopt if they -- you know, if we got back to unified state management.

39

40

But saying that, I can't -- again, I can't say that that's the way it would happen. Obviously once compliance is achieved, then the State has to take their course and do what they need to do. But currently Title VIII, if they're in compliance with Title VIII as it's currently written, requires regional advisory councils, and it sets forth the purpose and the responsibilities and the authorities of the Councils. And it's certainly the model that we built on, or the foundation that we've built on as we have established the Council system and allowed it to operate as it was

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1 I'd refer people to Page 29 in their Council book. The
2 805 letter is the response to the Council explaining what
3 the Federal Subsistence Board, what actions it took on
4 Council recommendations.

5
6 I'd just briefly like to go through
7 those. There may be some questions or some discussions
8 from the Council about specific items.

9
10 Proposal 3-27 concerns ceremonial use of
11 fish. The Federal Subsistence Board substantially
12 concurred with the recommendation of our Council. They
13 did, however, retain a reporting requirement. That was
14 something that wasn't in our recommendation to the
15 Federal Subsistence Board. Some other Regional Councils
16 thought that a reporting requirements should be included
17 in this regulation, and that's what the Federal
18 Subsistence Board passed.

19
20 Proposal F 3-28 concerned proposals to
21 basically defer to State emergency orders in certain
22 situations. Our Council believed that this wasn't
23 something that should be acted on at this time. Perhaps
24 it should be approached in coordination meetings between
25 the Federal program and the State, and we thought that
26 this proposal should not be passed, or that if it was
27 passed, it should apply only to the Yukon-Kuskokwim
28 Rivers where there are a substantial number of emergency
29 orders each year. The Board substantially concurred with
30 our Council.

31
32 Proposal 20 concerned Redoubt Lake
33 issues. The Board accepted the Interagency Staff
34 recommendation and rejected our recommendations on these
35 proposals for the extension of Federal jurisdiction into
36 non-Federal waters. And also did not want to restrict
37 non-federally qualified fishers in Federal waters. We
38 also proposed a change in the -- SERAC also proposed a
39 change in harvest limits, and that was deferred I believe
40 to the planning group that's looking at Redoubt Lake.

41
42 The next set of proposals were ones that
43 we spent -- that SERAC spent a good deal of time on at
44 our fisheries meeting. These concerned sockeye
45 management on Prince of Wales. These Board modified the
46 Regional Advisory Council recommendation on -- what we
47 passed was on Proposal 3-25. Basically there were some
48 conservation concerns with the exact wording that SERAC
49 had proposed.

50

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1 The Federal Subsistence Board passed the
2 regulation as printed on Page 3-2. This split the
3 sockeye -- the steelhead season into two parts, a winter
4 season and a spring season and provided harvest
5 opportunity for subsistence users in each of those
6 seasons, and left a good deal of the details of exactly
7 how these fisheries would be managed to our local
8 manager. So we see that as a pretty -- that the Federal
9 Subsistence Board worked real well to provide the
10 subsistence opportunity requested by SERAC.

11

12 Mr. Chairman, that's a quick summary of
13 the 805 letter. I don't know if Council members have any
14 points that they'd like to discuss with Staff.

15

16 CHAIRMAN LITTLEFIELD: Any questions on
17 the 805 letter from Council? Hearing none, I guess we
18 could go on to the next item, B.

19

20 MR. ADAMS: Mr. Chairman.

21

22 CHAIRMAN LITTLEFIELD: Wait a minute.
23 Bert.

24

25 MR. ADAMS: Excuse me. Maybe Tom Boyd
26 could answer this question for me, but there's a couple
27 of proposals in here that were submitted by the Office of
28 Subsistence Management, and the way that I view proposals
29 is that it should come from the bottom up. And in this
30 case it came from the top down. And I really feel, you
31 know, that a proposal needs to start from an individual
32 or an organization and go through public comment and
33 hearings and so forth, and then it works its way up to
34 this body and then from here, you know, we recommend to
35 pass or not, and then it, you know, goes up the ladder.
36 But I wonder, you know, if Mr. Boyd can answer that
37 question for me as to why did this proposal -- these two
38 proposals come from the Office of Subsistence Management
39 and did it go through public comment and that process?

40

41 CHAIRMAN LITTLEFIELD: Mr. Boyd.

42

43 MR. BOYD: Mr. Chair, a good question.
44 Generally speaking we would refrain from submitting any
45 proposals as the Office of Subsistence Management, and
46 preferring rather that proposals be generated from the
47 grass roots level.

48

49 However, there are times when, you know,
50 we've got to -- we're seeing sort of in a broad sense

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1 what's going on in the State, and we're hearing concerns
2 coming from a variety of different areas of the State.
3 We see the need to get something on the table so that the
4 public can address it. And it's in those instances that
5 we as an office put forward a proposal.

6
7 And, yes, they do go through the public
8 process. We publish them in the proposal booklet so that
9 everyone has an opportunity to see them, comment on them,
10 and for them to come before the Councils as well, but
11 very rarely do we want to do this as an office. I think
12 we would prefer I think they come up from the Councils,
13 from the people that are -- from the users of the
14 resource.

15
16 Also, occasionally an agency may see a
17 need, you know, perhaps in a local area, region, the
18 local field manager may understand something about a
19 wildlife population where they need to do either --
20 institute some conservation measure or even relax some
21 conservation measure that's currently on the books, so
22 they may come forward with a proposal, but in all cases
23 these come through the public process.

24
25 CHAIRMAN LITTLEFIELD: Mr. Casipit?

26
27 MR. CASIPIT: Yeah, Cal Casipit, Forest
28 Service. I just wanted to elaborate a little bit more
29 the specific, if you will for FPO3-27, which was the
30 ceremonial fish use one. Actually originally that was a
31 Forest Service proposal. It was generated -- I did much
32 of the work on the proposal based on some comments I
33 heard from in-season managers, our own in-season managers
34 and some users that said -- that were asking for the
35 opportunity to use fish for ceremonial purposes. And
36 basically what I did is I looked at what we did for
37 wildlife and I tried to craft something for fish for the
38 Southeast area.

39
40 We took it -- when we started discussing
41 that in the Interagency Staff, folks decided, well, hey,
42 this is -- this shouldn't just be something that just
43 applies in Southeast, it ought to apply statewide. So
44 that's how it kind of got adopted up into more of a
45 statewide proposal, but initially it did come from the
46 people and it did come from folks on the ground who had a
47 concern about providing for ceremonial use. So that's
48 all I had.

49
50 MR. ADAMS: Mr. Chairman. Then I would

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1 prefer it to be reflected that it did come up through
2 that process, you know. For a layman to look at that,
3 you know, a lot of them who feel like I do that proposals
4 should come from, as Mr. Boyd says, you know, from the
5 grass roots and work it's way up the ladder would have a
6 hard time, you know, understanding that, so, again, you
7 know, thank you for your explanation.

8

9 And while you're still there though, I
10 was reading the minutes last night and last year in our
11 Hoonah meeting, you know, we had a concern that some of
12 your Staff, you know, would come to the meeting, and then
13 they would, you know, give their reports and once they
14 were done with their reports, you know, they left. And
15 we had a concern, you know, with that, and we felt that
16 it would be more respectful, Mr. Boyd, if you and your
17 staff would stay for the full duration of the meetings.
18 Just a comment, Mr. Chairman.

19

20 CHAIRMAN LITTLEFIELD: Any comment?

21

22 MR. BOYD: Okay.

23

24 CHAIRMAN LITTLEFIELD: Thank you. Okay.
25 We're on item B, customary trade update, and I believe
26 that's on Page 35. Dr. Schroeder.

27

28 MR. SCHROEDER: Thank you, Mr. Chairman.
29 You have a short briefing on customary trade. I think
30 customary trade has been before the SERAC, well, a number
31 of times over the past at least two or three years,
32 before I started this job. There was a good deal of
33 discussion at the Federal Subsistence Board meeting that
34 passed a regulation on customary trade. That passed
35 regulation is shown on Page 36 of your Council book.

36

37 You all will recall that quite a few
38 issues were raised in the course of the lengthy Council
39 discussions on customary trade. At various times
40 Councils discussed whether there should be cash limits
41 put on customary trades, whether things should be
42 specified very tightly over exactly who could trade,
43 exactly how much, and in which directions trade would
44 take place.

45

46 The Federal Subsistence Board acted as
47 shown on Page 36. The key elements here are that
48 transactions between rural residents, that basically
49 legally harvested fish, their parts, their eggs may be
50 traded among rural residents. So that's rural resident

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1 to rural resident.

2

3 The transactions between rural residents
4 and others, the regulation passed by the Federal
5 Subsistence Board says that, as Mr. Boyd stated, that
6 legally taken subsistence fish may be traded as long as
7 these are for personal and/or family consumption of the
8 person who gets the fish.

9

10 And the provisions 13 are a legal way of
11 keeping fish out of commercial channels.

12

13 I could spend more time on this and go
14 through other issues connected with customary trade. I'm
15 not sure whether the Council needs further information,
16 or if you're satisfied with a very brief briefing at this
17 point.

18

19 CHAIRMAN LITTLEFIELD: I know we have Mr.
20 Probasco here who I believe was the task force leader, if
21 you would care to make any comments on this? Dolly?

22

23 MS. GARZA: Mr. Chairman, there's
24 possibly a typo in the briefing, on number 2. Prohibit
25 sale to and purchase by businesses of subsistence
26 harvested fish, as well as sale of subsistence harvest
27 fish to anyone. Is it supposed to -- anyone by nonrural
28 individuals? I'm a bit confused on that one.

29

30 MR. PROBASCO: What number -- Mr. Chair,
31 I don't have anything prepared, but I'd be more than
32 willing to answer.....

33

34 MS. GARZA: On the briefing.

35

36 MR. PROBASCO:answer questions.

37

38 MS. GARZA: Okay. On the briefing,
39 number 2.

40

41 MR. PROBASCO: Uh-huh.

42

43 MS. GARZA: So what does that mean?

44

45 MR. PROBASCO: Number 2 on Page 36
46 prohibits sale to and purchases by businesses of
47 subsistence harvested fish, as well as subsistence
48 harvested fish to anyone by nonrural residents.
49 Essentially what that says, if you're a nonrural
50 resident, you cannot resell subsistence harvested fish in

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1 customary trade.

2

3 MS. GARZA: Okay.

4

5 CHAIRMAN LITTLEFIELD: Any other
6 questions for Pete, or do you have any comments you'd
7 like to add on the process here?

8

9 MR. PROBASCO: I think the key element, I
10 mean, this was a long process, no quite two years that we
11 worked on it. Both Dolly and Mr. Thomas served on the
12 committee that helped us to develop the initial language.
13 And I think what the Board has captured with the help of
14 the Councils is a regulation that safeguards what we have
15 traditionally done under customary trade and subsistence.

16

17

18 But the important part also is this
19 regulation is designed in that if a Council so elects and
20 sees areas of concern or modifications, that this
21 regulation can be modified regionally if so desired, and
22 that can be done on an annual basis. So we have a
23 regulation that I look at has got the sideboards to
24 define cash sales of customary trade, and we may find in
25 the future we may need to refine it, and we may find out
26 that we don't need to, but I think what we have before us
27 is a good regulation with the sideboards, Mr. Chair.

28

29 CHAIRMAN LITTLEFIELD: Thank you. Mr.
30 Meyers, do you have any comment on this?

31

32 MR. MEYERS: This is Marty Meyers, U.S.
33 Forest Service Law Enforcement. Yes, I do. As a matter
34 of fact I'm pretty pleased to see the language that's
35 been brought about through all the discussions we've had
36 in the last couple of years on this issue. And I think
37 it pretty much, especially for the Southeast, really
38 takes care of the subsistence users being able to do what
39 they traditionally do.

40

41 It also gives law enforcement the tools
42 it needs to take care of the individuals or businesses
43 that tend to go outside the regulation and abuse what
44 opportunities are available to them.

45

46 And the other thing it does is it erases
47 the ambiguity of the significant commercial enterprise
48 theory which we would have to try to develop and prove to
49 an unknown degree about what that is. And I think that
50 was a pretty important process to this whole thing to

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1 come up with something that actually has a little more
2 black and white between what is and what isn't versus the
3 grey area that was there before.

4

5 Thank you.

6

7 CHAIRMAN LITTLEFIELD: Thank you, Marty.
8 Anything else, Pete? Okay. I would just like to note
9 for the record that -- excuse me. Ms. Garza?

10

11 MS. GARZA: Mr. Chairman, either for Pete
12 or Marty, so in the issue of the hooligan boat coming in,
13 if those hooligans are going bucket by bucket to
14 individuals and families, then there's no issue?

15

16 MR. PROBASCO: You know, as far as Forest
17 Service law enforcement's concerned, there is no issue
18 with that aspect of it. I mean, the only issue I think
19 you probably alluded to earlier is are there any more
20 parameters to be able to sell fish in the State of
21 Alaska. I don't know without doing some research, but
22 the act in itself, to be able to take that fish and to
23 sell or trade it with the auspices of the parameters
24 here, it was fine. Now, that doesn't mean you might have
25 to do something else as well, but.....

26

27 MS. GARZA: Mr. Chairman, so when in part
28 of this process, and this was a two-year process that had
29 a lot of, you know, good energy from all the different
30 regions who wanted some more restrictive interest, but in
31 Southeast -- or not in Southeast, but one of the
32 recommendations I saw that came through, and so I'm
33 supposing that this died from this, that it said that you
34 could only sell on federal lands. Was that an attempt
35 that did not go through?

36

37 MR. PROBASCO: I think what you're
38 referring to Dolly, that was never in the regulation as
39 proposed. What you're referring to is a series of
40 questions we as a committee wrestled with, and Mr. Boyd
41 gave a very good answer on the uncertainty of what occurs
42 as far as the sale of that fish that was harvested on
43 Federal lands if it was sold off Federal lands. We view
44 in the Federal system that the regulations follows the
45 fish. However, Mr. Boyd did caution that the State may
46 view that differently. Mr. Chair.

47

48 MS. GARZA: Okay. And so I guess we need
49 to as the Federal side make that very clear, knowing that
50 we can't tell the State what to do, but recognizing that

00056

1 there are many rural-caught subsistence foods that are
2 traded and bartered in all parts of the State, including
3 the Anchorage Airport. Just, you know, two guys walking
4 past each other and trading. We need to hear more
5 clearly from the State, and perhaps it needs to be
6 through this MOA process that they don't intend to
7 prosecute, because we have people who are conducting this
8 activity, and we can't as a council just let it stand
9 that they're conducting this activity in a gray area.

10

11 MR. PROBASCO: Mr. Chair, Ms. Garza, we
12 are in the process of working with the State to clarify
13 that issue among others, and hopefully working with the
14 State as they embarked on a path of dealing with
15 customary trade. I think it's important to say that
16 during the Federal Subsistence Board that the attorney
17 for the State was asked those specific questions, and he
18 gave answers that implied that the practices that have
19 currently been going on, these small practices, these
20 small sales, they will not prosecute. They will look
21 only at the large sales. Mr. Chair.

22

23 CHAIRMAN LITTLEFIELD: Thank you very
24 much. And I'd just like to make one last comment on
25 this. As you had mentioned, Mr. Thomas and Ms. Garza led
26 this through. And I believe if you look at this
27 language, it's very, very similar to what was presented
28 by the SERAC, and I think they were the leader on this,
29 so, thank you.

30

31 Okay. We'll try to take care of, on Page
32 37, Federal Subsistence Board rural determination.

33

34 MR. SCHROEDER: Mr. Chairman, in the
35 interest of time, I'd just like Don Rivard to come up in
36 case we have a couple of questions concerning rural
37 determinations. Okay.

38

39 MS. GARZA: And, wait, before we do that,
40 can we just check with the lunch people?

41

42 CHAIRMAN LITTLEFIELD: Okay. How's the
43 lunch? Are you guys ready now? We can take a break.
44 They're ready. I suggest we take an hour and a half,
45 because that will allow enough time for people to get
46 down and cash checks of they have to. The Haida dancers
47 are sponsoring dinner, and I hope you attend. We'll
48 reconvene at 1:30.

49

50 (Off record)

00057

1 (On record)

2

3

CHAIRMAN LITTLEFIELD: Before we left for
4 lunch we were on C. We were getting ready to go to
5 statewide determinations I think. But before that, we're
6 going to have, if you'll just hold with me, we have
7 someone who wants to testify. This is the one time they
8 can be here. And throughout our meetings, if that
9 happens, if you can only be here at a certain time, we'll
10 make every effort to make sure that you can testify. We
11 do have a couple special orders on the agenda, and that
12 would probably be the only case in which we wouldn't do
13 that.

14

15 So, Willy, if you'd like to come forward
16 and testify, you have the floor. Please use the
17 microphone, and then state your name for the record.
18 Push the button.

19

20

MR. JACKSON: My name is Willard Jackson
21 from the Tongass Tribe, Tonkta-quantic Reday (ph) and the
22 Hitsati (ph). I'm here to discuss proposition 8, up in
23 the Unuk River. I'm also here to discuss sacred sites
24 with the U.S. Forest Service and Tongass Tribe.

25

26 I want to recognize the chair person,
27 John Littlefield. Philip Kookesh is a Tekwide (ph)
28 brother. Bert Adams. Harvey Kitka. His father and him
29 know our story of the Tekwide (ph) and our migration.
30 Dick Stokes. My grandfather's people from the Stikine.
31 Dolly.

32

33

34 I came in response to my grandchildren.
35 My grandmother, Alice Harris, Alice Brown, who migrated
36 out of the Unuk River and the Knauss (ph).

36

37

38 My Tlingit name is Klawan (ph). It means
39 by the side of the bay. My brother Butch, my brother
40 Richard, my brother Howard and my brother Norman all have
41 names that came out of the Nass (ph) River. Tlingit
42 names. Chief names.

42

43

44 I'm here to talk about the Unuk River as
45 a sacred site of our survival trail when our people came
46 out during the flood. I'm here to talk about the
47 petroglyphs and the village sites that we don't talk
48 about in our migration. My brother from Metlakatla
49 oftentimes goes up to the Unuk River for the subsistence
50 fishery, and I have a lot of respect for him. And him
51 coming down to Ketchikan and making it one of his first

00058

1 stops of the hooligan trail.

2

3 The Unuk River in the past has been
4 overlooked as a historical site. It is one of our
5 migration trails as the Stikine, as the Unuk and the
6 Great Nass itself.

7

8 I'm here to talk about my grandchildren
9 as a whole, because my grandmother talked about me.
10 Esther -- Alice Harris and Dick Harris from Wrangell.
11 They kept our culture alive in subsistence. We're
12 bartering people. Today we barter in a different manner,
13 with money. When we talk about receiving our hooligans
14 or any other subsistence that we get.

15

16 I was up in the forum in Anchorage a few
17 years ago, and it was just like this where we talked
18 about subsistence as a body, as human people. As I
19 watched this forum go on, they used an old Yup'ik chief.
20 All he spoke was his Yup'ik language. And the
21 facilitator kept on asking this Yup'ik chief different
22 ideas on how he thought about subsistence. His grandson
23 would translate in English. As they talked about
24 subsistence and the hours went on, they finally done a
25 closure on it, and asked him to make his final speech.
26 And the young man went up to the mike with his
27 grandfather, and the Yup'ik man spoke in his Yup'ik
28 language, and what he said was I have a house and you
29 have a house. I don't come into your house and change
30 your rules. Why do you come into mine?

31

32 As we live in the year 2000, there's a
33 lot of ideas out there. For my grandchildren, at times
34 they're going without, because my brother at times can't
35 do his subsistence fishery so our people can live in the
36 manner that we once lived.

37

38 I'm here on behalf of my grandchildren.
39 My mother's Esther Shay, and her time is limited in this
40 world, and so is mine. I'm 56 years old, and we're still
41 talking about our way of life. I don't know what's going
42 to happen tomorrow for my children. I don't know if
43 there's going to be anything on the table for my children
44 if we continue to conduct ourselves in this manner as
45 Tlingit people.

46

47 My father, Norton Jackson is from
48 Klukwan. My father raised me in the right manner as a
49 Tlingit man. My grandmother spent an awful lot of times
50 with me and my other brothers and sister to bring us up

00059

1 in the right manner. My father would be ashamed of me,
2 and my grandfather would be ashamed of me if I didn't
3 come to this mike and speak on behalf of the Tongass
4 people, the Tek-wa-dee (ph).

5

6 In the future of all subsistence
7 fisheries, we really need to look at the value of what
8 it's bringing to our people. Everything that we do in
9 our life as Tlingit, Haida and Tsimsian people has a
10 ceremony to it. Hooligans brings degrees and the value
11 that we're losing in our lifetime. If we don't continue
12 to follow in that pattern, we're going to lose
13 enlightenment of who we are.

14

15 Tlingit means human being, and it took me
16 a long time to understand that I was a human being.

17

18 I'm not here to embarrass anyone. I'm
19 here to be a voice for my grandchildren, because they
20 can't be here. If I was to leave this world tomorrow and
21 their grandfather didn't say anything, then he wasn't a
22 good Tlingit man. So I'm merely just here to say that we
23 really need to review our Tlingit values and our history
24 of who we are. I want to leave the right of passage for
25 my grandchildren. There's been a lot of things attached
26 to us in our lifetime, and I appreciate Dolly in bringing
27 the subsistence fishery board here.

28

29 I'm the ANB president of Camp 14 here. I
30 want to welcome you to Ketchikan. I'm the ANB sergeant-
31 at-arms, Grand Camp. I want to welcome you to Ketchikan.
32 I am the Tongass Tek-we-dee Hit-sa-dee (ph) of the Bear
33 House. I want to welcome you to our territory. I want
34 to welcome my brother, my sisters. And I hope that when
35 I leave here, I leave here with a good taste in my mouth,
36 I'm not disturbed or angry at anyone. I'm just bringing
37 some information of my people and our feelings. Life has
38 a lot of feelings in it, and that's a circle of life.
39 There's feelings in the spiritual world, there's spirits
40 in the mental, physical and emotional. And that's part
41 of being a human being. So I want to thank you for
42 coming to Ketchikan. I hope that in the future of
43 subsistence that our needs are met as human people, and
44 that our people are bringing back their rituals and their
45 way of life.

46

(In Tlingit)

47

48
49 CHAIRMAN LITTLEFIELD: Willard, I would
50 like to say thank you very much for your kind words in

00060

1 welcoming the Council to your community. We are glad to
2 be here and we were glad to receive the invitation, and
3 we'd -- we'll do our best for you to do what you've
4 asked. Thank you for your words. Any others?

5

6 MR. JACKSON: Thank you, John.

7

8 MR. ADAMS: Konachesh, Willard.....

9

10 MR. JACKSON: Uh-huh.

11

12 MR. ADAMS:for your fine words.

13 You mentioned something that kind of struck me, because
14 so many times, you know, we are under criticism because a
15 lot of people think that we don't need to go back, you
16 know, into our culture, and retain those things that are
17 of value to us. And I just wanted to say that I
18 appreciated you saying that, because sometimes it's
19 necessary for us to go back if we need to go forward.
20 And what I mean by that is it's necessary for us to take
21 those values that you mentioned and fatten them out and
22 to take those that have worked for us since time
23 immemorial, because we have drifted away, you know, quite
24 a bit from our history and our culture and our
25 traditions, and then bring those back into our lives so
26 that we can bridge it, you know, with the new way of
27 thinking, and also as a result of that, you know, improve
28 our lives. But I really believe, you know, that what you
29 said has a great value to me, and I'm sure to the rest of
30 the Council, and we need to look at that. So Gunachesh
31 and I appreciate your comments.

32

33 MR. JACKSON: Thank you.

34

35 CHAIRMAN LITTLEFIELD: Ms. Garza.

36

37 MS. GARZA: Thank you, Mr. Chair. I just
38 wanted to let you know that the invitation was extended
39 from Bill Thomas and myself, and it's just unfortunate
40 he's not here to hear you thank us for being here, but he
41 was an important person on this Council, and it was a
42 loss for Ketchikan and Saxman to not have him here.

43

44 MR. JACKSON: Thank you.

45

46 CHAIRMAN LITTLEFIELD: Thank you,
47 Willard. Could you turn that mike off, please?

48

49 Okay. At this time we are on item 7(C)
50 statewide rural determinations under tab B, Page 37.

00061

1 Have a question in the back?

2

3 MR. HUFFINE: Yes.

4

5 CHAIRMAN LITTLEFIELD: Would you please
6 come forward and state your name.

7

8 MR. HUFFINE: I don't mean to interrupt
9 everybody's time or anything, but most of us are working
10 and have jobs or whatnot.

11

12 CHAIRMAN LITTLEFIELD: Would you state
13 your name, please, for the record?

14

15 MR. HUFFINE: Steve Huffine. I'm sorry.
16 Steve Huffine. What I'm trying to find, and I'm not
17 trying to burn up your time, but if you guys are going to
18 get to talking Proposal 8, I can come back and talk
19 during then, during a later time or whatnot. I was just
20 trying to find out about these cards somebody was saying
21 at the door there, and when and if that you might get
22 with this, because my daughter's in school, she wanted to
23 be here. And my wife wanted to be here on this. It's an
24 important issue for all of us. I'm rattling on, I'm
25 sorry. Were you guys going to get to Proposal 8 at a
26 later time? Do you have any idea when? This evening or
27 tomorrow?

28

29 CHAIRMAN LITTLEFIELD: Yes, we do, Steve,
30 and you're not interrupting us. I'm going to let Dr.
31 Schroeder explain that, what the purpose of the white
32 cards is, and we do have a time for testimony, although
33 we will, if you need to testify now, we will take your
34 testimony.

35

36 MR. HUFFINE: I would be a little bit
37 more comfortable with my wife and daughter here on that,
38 but I could do now, too. Either way.

39

40 MR. SCHROEDER: Mr. Chairman, Steve, we
41 have a couple of reports, probably about another 45
42 minutes or an hour of my estimate of material. And then
43 we'll have one period of public testimony which could be
44 on any concern that someone had. It's a little hard to
45 say exactly when we'll be dealing with the Proposal 8
46 that you're mainly concerned with. It depends on how far
47 we get in our agenda. But we will be going through the
48 proposals in order, so eight is obviously the eighth
49 proposal. We are taking the deer proposals out of order.
50 WE're going to do those starting tomorrow morning. So

00062

1 there's I suppose a chance that we get to eight today.
2 More likely it would be later tomorrow. But we'd
3 entertain your public testimony or your family's
4 testimony, and remember if you came in in this public
5 testimony, that starts in about an or so.

6
7 MR. HUFFINE: Okay. If I can then, I
8 would probably just like to go and -- I've got to pull my
9 daughter out of school, and I need to pull my wife off of
10 work. She's the breadwinner for the family here, so I'll
11 try to get her to get a little bit of time. So if that's
12 all right with you guys, I'd just like to wait until
13 maybe tomorrow morning. I'm also speaking on behalf of
14 some other people that they've got to take time off from
15 work, too, so I can just kind of let them know that you
16 guys will take testimony tomorrow then.

17
18 MS. GARZA: Mr. Chairman, there are a
19 number of people that wish to testify to Proposal 8, so
20 maybe we should take an at-ease and figure out when the
21 best time is so that they don't have to sit here, or they
22 can make sure they're here. Because I think eight and
23 then four and five will be the issues, and we don't want
24 to miss the opportunity for public comment because
25 someone does have to go to work or pick somebody up.

26
27 CHAIRMAN LITTLEFIELD: Thank you, Ms.
28 Garza. Those words are well taken. Proposals 4 and 5
29 are very critical to us, and we know we're going to have
30 a lot of public testimony so we've assigned that as a
31 special order. I'd like to take a five-minute at-ease
32 and the Council discuss when we can put Proposal 8 on
33 there, and we'll try to get that time tied down for you.

34
35 MR. HUFFINE: Thank you very much.

36
37 (Off record)

38
39 (On record)

40
41 CHAIRMAN LITTLEFIELD: Okay. We're back
42 on the record. We'll try again for 7(C), rural
43 determination.

44
45 MR. SCHROEDER: If I could ask Tom Boyd
46 up, and while Tom's coming up, I'd note that you do have
47 an announcement concerning statewide rural determinations
48 under tab C, and I've also distributed to Council
49 members, and there are a couple of copies for the public,
50 a beige-colored document which is a summary of a report

00063

1 from ISER under contract to Office of Subsistence
2 Management.

3

4 One thing that came up, ISER presented
5 their report to the Federal Subsistence Board. There was
6 a good deal of discussion, and part of that discussion
7 included the need for having something, a report like
8 this, which clearly deals with a controversial area, and
9 suggest methodologies for evaluating urban and rural
10 questions, to have this peer reviewed. Peer review in
11 this case means that we contact scientists who will take
12 an objective look at this report and criticize it based
13 on its content rather than on how it directly affects
14 Alaska users. So they would be something which is like a
15 scientific review of the methodology proposed. Because
16 it takes some time for that peer review to take place,
17 we're in a holding zone on urban/rural determinations,
18 and I think Tom can add to that.

19

20 Thank you.

21

22 MR. BOYD: Mr. Chair, if I may? Probably
23 it's a good thing to remind the council that -- what this
24 report is and what it is not. Number 1, it is a report
25 that the Federal Subsistence Board requested be produced
26 to help it, help the Board develop a method whereby they
27 could make future rural determinations.

28

29 Let me back step a minute to say that we
30 made determinations in 1990 when the Federal Subsistence
31 Program began. And the regulations require us to review
32 those regulations every 10 years, following the
33 publication of the decennial census information. Of
34 course, we had the decennial census in 2000, and that
35 publication is coming on line now.

36

37 So a couple years ago when we were asking
38 the Institute of Social and Economic Research to develop
39 this report, we had in mind they were going to research
40 the available literature on this topic, and to try to
41 come up with a method that we could use for future rural
42 -- reviews of our rural determination. So what this
43 report is, is really the ideas of the Institute of Social
44 and Economic Research and Robert J. Wolfe and Associates
45 who worked on this report. It is not at this point the
46 views of the Federal Subsistence Board or the Fish and
47 Wildlife Service or any of the participating agencies.
48 It is a technical reference, if you will, that the Board
49 may choose or not choose to use in developing its future
50 methods. So that's in short what it is and what it is

00064

1 not.

2

3

I think Dr. Schroeder reviewed the fact that the Board met in December and received a briefing from the researchers, ISER and Dr. Wolfe. And as a result of that briefing, had several questions about the report. Primarily we're concerned about its credibility, and wanted to have additional eyes to look at the report. I requested that we do a more extensive peer review than what has already occurred to make sure that we were on firm ground.

12

13

So that's kind of where we're at with this process. We are launching -- the final report has been published by ISER and Dr. Wolfe, and we are embarking now on soliciting experts from academia and other realms to look at this report and to provide their commentary on it to the Board so they know what we're going to do to move forward.

19

20

Now, we don't know what the -- when all of this -- we don't have a firm schedule for all the steps that follow. We are simply at this point getting the report reviewed. Following the review and depending on the content of the review and assuming that the report more or less stays intact, the Board will probably ask the Staff to develop some recommendations with regard to a method so that they can proceed with the review of the rural determinations. And at that point, once the Board adopts a method, then it will actually implement that method and review the communities and develop decisions regarding the rural determinations. Through that process, of course, the public will be involved, the Regional Advisory Councils will be involved to review and comment every step of the way, including the methods that are chosen to make these reviews. I'm anticipating we're into 2004 before this process is finished. So that's kind of it in a nutshell.

38

39

I might also add that the ISER report itself did some test runs of their methodologies on 195 communities, so you'll see in that report, if you read it, some suggestions that some communities are rural and some communities are not rural. And I'm going to strongly add here that those are not decisions of the Board. They are merely test runs of the methods that ISER and Dr. Wolfe have developed for us to look at. And nor are they -- or should suggest what the Board may decide at a later date.

49

50

00065

1 CHAIRMAN LITTLEFIELD: Is it fair to say
2 that of the three methodologies, there's -- the results
3 are fairly similar? IN other words, if you look at the
4 two that were developed by ISER and the criteria that
5 they selected, that there is actually very little
6 difference between the community's current status under
7 the existing Federal regulations?

8
9 MR. BOYD: Probably better if one of the
10 report writers were here to answer that question, but
11 that's my understanding of looking at -- I've read the
12 report a couple of times, and I generally agree with that
13 statement. There may be one or two communities one way
14 or the other that don't agree with the current findings,
15 but generally they support the current findings.

16
17 CHAIRMAN LITTLEFIELD: Any other
18 questions? We're now on the three reports. We have
19 three special reports at this time. First would be Mike
20 Turek, and followed by -- maybe in conjunction with Jim
21 Brainard, and Ken Thompson. I suppose they're all
22 separately, so first Mike Turek, State of Alaska.

23
24 MR. TUREK: Good afternoon, my name is
25 Michael Turek with the Alaska Department of Fish and
26 Game, Division of Subsistence. I'm the Southeast
27 regional supervisor.

28
29 And, Mr. Chair, Council members, what I'd
30 like to do right now is give you a report on the Board of
31 Game, State Board of Game and State Board of Fisheries
32 meetings that I attended. The State Board of Game in
33 November 2002, and the Board of Fisheries meeting in
34 January in Sitka.

35
36 I attended the Alaska Board of Game
37 meeting in Juneau on November 1 through 7, 2002. And
38 what I would like to do today is give you a brief report
39 on the Board's actions concerning Southeast Alaska Game
40 proposals for wolves, brown bear, black bear, deer and
41 moose. A more detailed report has been submitted to Bob
42 Schroeder.

43
44 A proposal to align wolf hunting and
45 trapping season throughout the region passed as amended.
46 For Units 1 through 5, the Board set hunting season as
47 September 1 through March 31, and the ending for trapping
48 season March 31. The Department reported that half of
49 the wolf harvest in Southeast Alaska comes from Unit 2,
50 that most illegal is from out of season rifle hunting,

00066

1 and that most early season harvest is not for the value
2 of the hide, which is considered of poor quality at that
3 time. The Board discussed the impact and dependent wolf
4 pups in September and the quality of pelts during
5 different times of the year. The relative value of pelts
6 as compared with the Interior region of Alaska. Some
7 Board members considered past wolf seasons overly liberal
8 and wanted to have the season dates better reflect wolf
9 conservation concerns.

10

11 Two other proposals requesting seasons
12 from October 15 to March 15, and from October 15 to March
13 31 failed to pass.

14

15 A proposal to establish a non-resident
16 brown bear drawing hunt in Unit 1(D) was amended and
17 passed. A non-resident brown bear drawing hunt will open
18 September 15 through December 31, and March 15 through
19 May 31. Up to 20 permits may be issued.

20

21 A proposal to open registration permit
22 hunts for brown bears in Unit 3 failed.

23

24 And a proposal to open a fall brown bear
25 season in the entire Northeast Chichagof Controlled Use
26 Area, Unit 4, passed.

27

28 One proposal was submitted requesting the
29 prohibition of black bear baiting in Units 1 through 5.
30 The Board did not support the proposal, and it failed.
31 The Board considered the impact on reasonable opportunity
32 for subsistence hunters in their deliberations of this
33 proposal.

34

35 And the Board did not support an amended
36 proposal to prohibit black bear baiting in Unit 1(D).

37

38 A proposal to open deer season two weeks
39 later in Units 1(A) and 2 failed.

40

41 A proposal to reduce deer bag limits from
42 four to two bucks in Unit 2 also failed.

43

44 A proposal requiring waterproof tags to
45 be attached to harvested deer in Units 1 through 4 was
46 deferred to the January 2004 Board of Game meeting.

47

48 A proposal requiring validated harvest
49 tickets to be attached to deer in Units 1 through 4
50 failed. A proposal removing specific area bag limit

00067

1 restrictions for use of deer harvest tickets failed.

2

3 A proposal requiring an end of season
4 harvest report for deer taken in Units 1 through 4 also
5 failed.

6

7 And a proposal allowing antlers as
8 evidence of sex and identify for deer taken in Units 1
9 through 5 passed.

10

11 A proposal allowing big game hunting only
12 during specific daylight hours in Units 1 through 4
13 failed.

14

15 A proposal to expand the restriction on
16 using spotlights in Units 1 through 4 was amended and
17 passed, restricting the use of artificial light to
18 illuminate deer from a motorized land vehicle in Units 1
19 through 5. The Department indicated a spotlighting is a
20 very serious management issue in Southeast Alaska,
21 despite restrictions against their use in taking game.
22 The Department of Public Safety explained the value of
23 addressing spotlight use on a statewide basis and for all
24 animals. The Board focused more on methods and means of
25 taking game than possession of spotlights in vehicles.
26 They also limited the intent to just deer to keep from
27 banning use in spotlight -- in situations such as
28 checking smokehouse for bears. The Board concluded the
29 provision would be easier for the public and more
30 effective if a parallel change was also made in the
31 Federal regulations, and directed the Department to
32 submit such a request.

33

34 A proposal to extend Unit 1(B) and Unit 3
35 moose season by a month, September 1 through October 31
36 failed.

37

38 The Board revised the customary and
39 traditional use finding for this moose population by
40 extending the positive Stikine River finding to all of
41 Unit 1(B) and adding Unit 3. This was based on the
42 pattern of use as moose population expanded their range
43 into these areas.

44

45 There was no change in the 40 moose
46 amount reasonably necessary for subsistence uses.

47

48 A proposal to modify moose bag limit in
49 Units 1(B) and Unit 3 to require two or more brow tines
50 on both sides failed.

00068

1 A proposal to increase number of
2 antlerless moose permits in Unit 1(C), Gustavus area,
3 passed.

4
5 A proposal to increase number of Tier II
6 permits for moose in Unit 1(D) passed.

7
8 And a proposal clarifying the area
9 description of the Nunatak Bench moose hunt in Unit 5(A)
10 also passed.

11
12 A proposal adding a requirement for prior
13 reporting when taking game for religious ceremonies was
14 in front of the Board at this meeting. The proposal was
15 amended to allow for either of two provisions. Number 1,
16 prior reporting through a tribal chief, village council
17 president or their designee, and maintaining of
18 successful hunters and decedents for the village or
19 tribal ceremony, making that information upon request;
20 or, (2) prior reporting by the hunter outside a village
21 or tribal organized ceremony, when and where the harvest
22 will occur, and the name of the decedent.

23
24 In other words, what they did in that
25 case is that in some areas people are hunting and they
26 aren't affiliated with any particular tribe, but they
27 still want to participate in a ceremonial hunt. So
28 they've given the individuals that want to participate in
29 a ceremonial hunt can still do that, if they priorly
30 report. If an individual is doing this and has the
31 support of a tribal organization, then the tribal chief
32 or the village council president, or their designee can
33 report to the Department and maintain the records of the
34 hunter.

35
36 Under either provision, there must be a
37 report within 15 days with the location, species, sex,
38 and number of animals taken.

39
40 An additional provision was added for the
41 Koyukon potlatch funerary or mortuary ceremonies where a
42 written permit is not required.

43
44 The proposal was deferred from the
45 January 2002 and March 2002 meetings. The Board
46 considered protections for religious practices as First
47 Amendment Rights and weighed those protections with
48 resource management concerns. The Board heard from the
49 Department of Public Safety regarding enforcement
50 difficulties arising from not having a previous reporting

00069

1 requirement. The Board expressed the importance of
2 preserving religious practices and recognized the
3 cooperative efforts by native leaders and agency staff in
4 developing the amended language.

5

6 This whole issue came up from the
7 Department of Public Safety primarily in the Fairbanks
8 area where a number of people were using the ceremonial
9 hunting provisions and not being -- and they weren't
10 affiliated with any tribal organization. And the
11 Department of Public Safety wanted to have something in
12 regulation so they would be able to handle this a little
13 more efficiently legal-wise.

14

15 I also attended the Board of Fisheries
16 meeting in Sitka in January 20 through 27th, 2003. And I
17 have submitted a more detailed report to Bob Schroeder
18 and Mr. Littlefield I think, and several other people.
19 And I can go over -- briefly I'll go over some of those
20 issues now.

21

22 The Board had four new members attending
23 the Sitka meeting: John Jensen from Petersburg, Mel
24 Morris of Kodiak, Art Nelson of Anchorage, and Rupert
25 Andrews of Juneau.

26

27 There was one proposal before the Board
28 concerning the Sitka Sound subsistence herring egg
29 fishery. The proposal requested a permit for the
30 subsistence fishery. The Department opposed this
31 proposal on the grounds that a permit was unnecessary due
32 to the harvest survey conducted by the Subsistence
33 Division and the Sitka Tribe of Alaska. This proposal
34 drew the most public comment at this meeting, all of
35 which was in opposition. A large number of Sitka
36 residents testified against the proposal. 25 oral
37 comment opposing. The Sitka Tribe of Alaska also
38 submitted a lengthy report in opposition to the proposal.
39 And during the meeting the proponent of the proposal
40 requested that the proposal be withdrawn. So there will
41 not be a permit for the Sitka Sound herring egg fishery,
42 and we plan on continuing our harvest survey this year,
43 working with the Sitka Tribe of Alaska during the
44 fishery.

45

46 The Department also submitted a proposal
47 a proposal for a positive customary and traditional use
48 finding for hooligan in Units 1(C), 1(D) and Districts 7
49 and 8. That's the Bradfield, Klahini, Unuk and Stikine
50 Rivers. The Board voted unanimously to support this

00070

1 proposal. Alaskan non-rural residents not qualified to
2 fish the Federal subsistence fishery now have a legal
3 method to harvest hooligan and distribute fish to people
4 outside their immediate family. In order to monitor
5 fishery harvest, the Department requested that
6 subsistence permits be required for the fishery. The
7 Federal Staff support the idea -- support the permits for
8 this fishery.

9

10 The Wrangell Cooperative Association
11 submitted three proposals requesting positive customary
12 and traditional use findings for herring, herring roe,
13 bottom fish, halibut, salmon, dolly varden, char,
14 steelhead trout, hooligan, and shellfish in Districts 7
15 and 8. The Board made positive C&T findings for these
16 species. And in the shellfish area they made C&T
17 findings for shellfish, except for king and tanner crab
18 in these districts, Districts 7 and 8.

19

20 Mr. Richard Stokes submitted a proposal
21 requesting a subsistence and/or educational permit in the
22 Stikine for taking king, coho and sockeye salmon. And
23 the 1999 Pacific Salmon Treatment Agreement specifies
24 U.S. and Canada fishing regimes and harvest sharing
25 arrangements for Stikine River salmon. The PST requires
26 consent of both nations before implementing directed
27 chinook salmon fisheries and specifies that the U.S. and
28 Canada develop and implement abundance-based management
29 regimes for Stikine chinook, sockeye and coho salmon by
30 May 2004. Until such regimes are developed, the harvest
31 shares are negotiated -- excuse me. Until such regimes
32 are developed and harvest shares are negotiated, passage
33 of the proposal would violate provisions of the Pacific
34 Salmon Treaty. Discussion of Stikine River fisheries
35 continues with the Trans Boundary Panel of the Pacific
36 Salmon Commission.

37

38 The Department -- excuse me. The
39 Department of Law noted that although the Board has
40 authority to establish subsistence fisheries on the
41 Stikine River stocks, only the Commissioner of the Alaska
42 Department of Fish and Game issues educational permits.

43

44 Members of the public attending the
45 Committee meeting felt it important to recognize that
46 subsistence fisheries in the Stikine River had a long
47 history and should not be considered new fisheries.
48 Canadians have a subsistence fishery on their side of the
49 border, and some Alaska residents simply fish with
50 relatives in Canada to obtain Stikine River salmon.

00071

1 Others are using sport fishing licenses to obtain salmon
2 for subsistence use.

3

4 The Panel suggested that the Board of
5 Fish direct the Department through a letter from the
6 Board Chairman, to submit an agenda change request to
7 establish Stikine River subsistence fisheries if treaty
8 agreements are reached before the next Southeast Board of
9 Fisheries meeting.

10

11 Richard Stokes also submitted a proposal
12 requesting the subsistence -- that subsistence halibut
13 and king salmon fishing be allowed in Gray's Passage.
14 The chinook salmon issues are the same as those covered
15 in the previous proposal, and the Board has no authority
16 to act on the halibut aspects of this proposal.

17

18 I could briefly give you an update on the
19 subsistence Federal halibut status, subsistence halibut
20 regulations if you'd like right now. Halibut are managed
21 under Federal authority, the North Pacific Fisheries
22 Management Council, which is developing subsistence
23 halibut regulations for the waters of Alaska. The North
24 Pacific Fisheries Management Council took final action on
25 subsistence halibut regulations on April 2, 2002. The
26 resulting regulations are a compromise combining elements
27 of the original package passed by the Council in October
28 2000, the Alaska Board of Fisheries recommendations from
29 May 2001, the Subsistence Halibut Committee
30 recommendations from February 2002. The proposed rule
31 was published in the Federal Register on August 26th,
32 2002. Final regulations should be published later this
33 spring or early summer.

34

35 The Federal regulations will legitimize
36 current customary and traditional practices, and are not
37 intended to create a new fishery or substantially
38 increase harvest. The regulation will allow subsistence
39 harvest by approximately 88,000 eligible Alaska residents
40 of 118 rural communities and 123 Alaska federally
41 recognized native tribes who the Council identify as
42 having customary and traditional use of halibut.

43

44 In general, the regulations define legal
45 gear. Up to 30 hooks per long line, hand line, rod and
46 reel, and spear.

47

48 Customary and traditional trade and daily
49 harvest limit of 20 fish per person per day. Sale of
50 subsistence halibut will be prohibited.

00072

1 In Southeast Alaska, Area 2(C), except
2 the Sitka Local Area Management Plan, 30 hooks and 20
3 fish per day for individuals and vessels will be allowed.
4 For the Sitka Local Area Management Plan from September 1
5 to May 31, 30 hooks per vessel, 10 halibut a day per
6 vessel. And for June 1 to August 31, 15 hooks per
7 vessel, and five halibut a day per vessel. Stacking of
8 gear and the use of community harvest permit within the
9 Sitka Area Local Area Management Plan will not be
10 allowed.

11
12 The Division of Subsistence has been
13 contracted by the National Marine Fisheries Service to
14 develop a harvest assessment program for subsistence
15 halibut.

16
17 Several proposals were submitted to the
18 Alaska Board of Fisheries requesting the State issue
19 subsistence fishing permits for coho salmon in Southeast
20 Alaska. Overall coho stocks of Southeast Alaska are
21 healthy. Currently there are Federal coho subsistence
22 fisheries in fresh water, and it makes biological sense
23 to harvest coho in marine waters to reduce risk of
24 overharvesting smaller runs, and to disburse harvest over
25 a larger area.

26
27 Several of the public attending the
28 Committee meeting stating that some subsistence needs are
29 currently being met under State sport fishing
30 regulations, but when sport fishing is restricted, it
31 limits the harvest.

32
33 Establishing State subsistence fisheries
34 for coho will reduce differences between State and
35 Federal regulations, and reduce confusion among the
36 public about these regulations. The Department will
37 establish harvest locations, bag limits and gear
38 specifications using existing permitting authority for
39 other species. This system has worked to distribute
40 effort and protect small stocks or weak runs. The
41 Department agrees that existing permitting authority
42 would be adequate to manage subsistence coho fisheries.
43 Subsistence coho fisheries cannot be established at the
44 present time for the Trans Boundary Stikine and Taku
45 Rivers because of provisions of the Pacific Salmon
46 Treaty.

47
48 Proposals requesting local area closures
49 to commercial dungeness crab fisheries were also
50 addressed by the board. These proposals addressed areas

00073

1 near Wrangell, Kake and Hoonah. None of the proposals
2 passed. No one from Hoonah, Kake or Wrangell who
3 supported these proposals attended the meeting. A number
4 of commercial crabbers did attend the meeting and were
5 opposed to these proposals.

6
7 The Village of Wale Pass on Prince of
8 Wales Island sent a representative to the Board, Mr. Bill
9 Thomason. Mr. Thomason petitioned the Board to address a
10 Wale Pass request for limiting commercial dungeness crab
11 fishing near the village. The Board authored a proposal,
12 and passed a proposal, 421, to restrict commercial
13 crabbers near Wale Pass.

14
15 A proposal for Redoubt Lake Management
16 Plan was approved by the Board, and the plan is the
17 result of an intensive collaborative public process which
18 achieved consensus among all local user groups of Redoubt
19 Lake sockeye.

20
21 This abundance based management plan also
22 included -- includes recognition of rod and reel as
23 subsistence gear. Rod and reel was justified at Redoubt
24 Lake, because it is necessary to provide reasonable
25 opportunity. There are very few fishing sites available
26 for gaff, spear and dipnet fishing. Allowing rod and
27 reel makes it possible for more subsistence users to
28 participate in the fishery at the same time. So this is
29 the first State -- first regulation in Southeast Alaska
30 recognizing rod and reel under State authority as a
31 subsistence gear.

32
33 The Board also established the first
34 community harvest permit in Southeast Alaska for the
35 Redoubt Bay sockeye fishery. A subsistence community
36 harvest permit will provide the opportunity for the
37 designated community harvester to harvest sockeye salmon
38 for subsistence uses within or outside the community who
39 aren't able to participate in this fishery.

40
41 That's all I have on the Board of Fish
42 and Board of Game. I know that was quite a bit at one
43 time. I passed out this report to Bob Schroeder to pass
44 out to Board members. If you have questions now, I'll be
45 more than happy to answer them.

46
47 For the Redoubt Bay fishery, Chairman
48 Littlefield was involved with that from the beginning, so
49 he's probably more of an authority than I am on it. We
50 also have Terry Suminski here who can help on any

00074

1 questions on that -- development of that fishery.

2

3 I'll be here through Thursday. Tomorrow
4 morning I'll probably not be here for the first couple
5 hours. I'm going to be attending the Board of Fisheries
6 meeting here in Ketchikan that's going on right now.

7

8 There are two proposals in front of the
9 Board on chinook management on the Chilkat River and in
10 the Yakutat area that I was going to come and attend the
11 committee meeting for that. Unfortunately they
12 rescheduled the committee meeting, so I missed that. But
13 tomorrow morning they should be deliberating on those two
14 proposals, and I'd like to be there when they do that.

15

16 I do have brief reports concerning those
17 two proposals with me that I could pass out Board members
18 -- excuse me, Council members, if you'd like to have a
19 little more information. It's on the Chilkat River and
20 on the Yakutat subsistence fisheries.

21

22 So I can answer any questions if you'd
23 like now, or any time during the meeting that I'm here.
24 Like I say, I think I'll only be gone from this meeting
25 maybe a couple hours tomorrow morning, and I should be
26 back for the rest of the meeting.

27

28 MS. GARZA: Mr. Chair. So we have not
29 gotten those copies yet, Bob?

30

31 MR. SCHROEDER: Do you have them right
32 here?

33

34 MR. TUREK: Yeah, I have them here. I
35 haven't handed them out yet for those two proposals the
36 Board have looked at at this meeting. I can hand those
37 out right now if you'd like.

38

39 MS. GARZA: The one before that, the one
40 you've been reading from. You said you made copies?

41

42 MR. TUREK: Yes. I gave Bob I think a
43 dozen -- excuse me. I gave Bob about a dozen copies of
44 this report that I just read.

45

46 MS. GARZA: Thank you. I don't have any
47 questions for you. I just want to thank you for
48 summarizing the actions from the Board of Game and from
49 the Board of Fish. That's quite helpful, because it's
50 impossible to attend all these meetings, and yet the

00075

1 actions do affect us. Thanks.

2

3 MS. WILSON: Mr. Chair.

4

5 CHAIRMAN LITTLEFIELD: Marilyn.

6

7 MS. WILSON: I would like a copy of that
8 Chilkat.

9

10 CHAIRMAN LITTLEFIELD: Turn your mike on,
11 Marilyn, please.

12

13 MR. TUREK: Marilyn, I can give that to
14 you this afternoon. I've got those right here in my
15 briefcase, and I'll pass it out to all the Board members.

16

17 MR. TUREK: Richard.

18

19 MR. STOKES: I know you can't do anything
20 about it.....

21

22 REPORTER: Microphone, please?

23

24 MR. STOKES:but I disagree with
25 your statement saying establishing a new harvest on the
26 Stikine River. I took.....

27

28 CHAIRMAN LITTLEFIELD: Please turn your
29 mike on.

30

31 MS. WILSON: Oh, I thought we did. It
32 might not be working. I spilled something on it.

33

34 MR. STOKES: I can't think of Tom's last
35 name, the anthropologist that was in -- stationed in
36 Juneau, but I took him up the Stikine River. And we
37 started right on the delta and I pointed out the areas
38 that we had harvested the salmon right up into World War
39 II, and because I left and most of us young fellows left
40 at that time, that the Stikine harvest was gone. Some
41 renewed in 1947. But it didn't pick up like it did. And
42 I showed Tom where our people had fish camps and
43 smokehouses, and we started right at the delta and went
44 clear on up. And I pointed out an area that was -- I
45 don't know how many thousands of years old it is. It's
46 right near the border. And it went all the way clear to
47 Telegraph and beyond where Chief Shakes had a village
48 clear beyond Telegraph Creek. And this was all confirmed
49 by him. And he's got it written somewhere. So we're not
50 trying to establish a new fishery, and we're going to

00076

1 continue to pursue this.

2

3 Thank you.

4

5 MR. TUREK: Mr. Chair, Mr. Stokes, I
6 agree with you, Dick. And the Board really did agree
7 with that, because they did make a C&T, a customary and
8 traditional use finding, traditional use finding for
9 salmon and hooligan on the Stikine River. So the problem
10 is the Pacific Salmon Treaty. And once they can address
11 those issues, then they could address permits for
12 subsistence fisheries on the Stikine River. So they did
13 recognize the customary and traditional area of the
14 Stikine River there. Excuse me.

15

16 MR. STOKES: Yeah, I am aware of this,
17 and I know those Taltans that are subsistence fishing,
18 each and every one are my friends. And they are in
19 agreement that we should have this privilege. There is a
20 treaty somewhere floating around that my grandfather had
21 told me about, where the Taltans could come down the
22 Stikine River and go into the salt water and harvest the
23 clams, the cockles, the halibut, and what have you down
24 there, and we in turn could go up there and dry our fish,
25 and hunt moose and sheep and goat without worrying about
26 the government interfering. So the Taltan chief up there
27 is looking into this also.

28

29 And I have friends that are commercial
30 fishermen that are Canadians. And the first day of the
31 king salmon season last year, in four hours they got 1500
32 pounds. So -- and that continues right on through. So I
33 don't see where we would be hurting anything on the lower
34 river, because I didn't request to go into tributaries.
35 I wanted to fish in the delta, and we'd have to look
36 around to different areas now, because the river has
37 changed the old sites, but we wouldn't hurt.

38

39 And I wanted to testify to the Trans
40 Boundary people and I was able to briefly when Dolly and
41 I were up there in December. But they didn't allow us
42 very much time. That's all I've got to say.

43

44 CHAIRMAN LITTLEFIELD: Thank you. Mike,
45 there was a letter that was -- I don't know if it was
46 drafted for the Chairman's signature and sent out, or
47 whether it was just drafted and attached to the Committee
48 report. It was -- I believe it was to Mr. Duffy, that
49 explained the position of the committee report. And is
50 that available for the Council to get ahold of? And then

00077

1 Ms. Garza is next.

2

3 MR. TUREK: Mr. Chairman, I'm not sure if
4 I have that. I'll check. I may have it in my computer.
5 I don't have a hard copy of it, but if I don't have it at
6 this meeting, I can get it to you as soon as I get back
7 to Douglas. I may have it thought electronically. It
8 won't have the signature, but it would be the letter.

9

10 MS. GARZA: Mr. Chairman, thank you.
11 Mike, I guess I just have to keep saying things over and
12 over again, and you're not the person making the
13 decisions. However, if you look at the Pacific Salmon
14 Commission Treaty and read it, the only reference to new
15 fisheries is in regards to chinook, not to coho, not to
16 sockeye.

17

18 In addition, further down, and I don't
19 have the numbers memorized. I have them back at my
20 office with the treaty. It says that they will not --
21 that the Pacific Salmon Commission Treaty was not
22 intended to interfere with any existing rights or
23 treaties, and that includes the subsistence rights of
24 Alaska people. So if you read the treaty correctly, the
25 actions should be made by the Federal Subsistence Board,
26 certainly notifying the State of Alaska, but in my
27 reading of this treaty, they have no right stalling this
28 process.

29

30 As Dick stated, we did meet with the
31 Trans Boundary Panel, and it looks like we are going
32 forward on it, and we just need to continue to work at it
33 until we've resolved some of the issues that apparently
34 -- and they had concerns that we didn't understand, and
35 we had concerns that they didn't understand, so hopefully
36 it is going forward.

37

38 But I do always want to make it clear
39 that we should be able to take this action just through
40 Federal Subsistence Board.

41

42 Thank you.

43

44 CHAIRMAN LITTLEFIELD: Any response,
45 Mike?

46

47 MR. TUREK: Mr. Chairman, Ms. Garza, no,
48 I have no response to that.

49

50 CHAIRMAN LITTLEFIELD: Don.

00078

1 MR. HERNANDEZ: Dolly essentially asked
2 the same question I was going to ask about the.....

3
4 CHAIRMAN LITTLEFIELD: Mike.

5
6 MR. HERNANDEZ:clarification on new
7 fisheries under the Pacific Salmon Treating, and
8 apparently you're not the experts on Pacific Salmon
9 Treaties, but I think what Dolly said probably was pretty
10 true about new fisheries not interfering with traditional
11 uses and referring more to the king salmon fisheries than
12 the sockeye, so I'll -- I think she answered my question.

13
14 CHAIRMAN LITTLEFIELD: Bert first, then
15 Dolly.

16
17 (Pause - changing out Marilyn's
18 microphone)

19
20 CHAIRMAN LITTLEFIELD: Are we back in
21 business?

22
23 REPORTER: Yeah.

24
25 CHAIRMAN LITTLEFIELD: Try that. Okay.
26 Bert and then Dolly.

27
28 MR. ADAMS: Thank you, Mr. Chairman.
29 Okay. I think I'm okay. I hope people just kind of take
30 my sense of humor here a little bit as, you know, a sense
31 of humor, but as I was listening to Mr. Turek, you know,
32 give his presentation, I noted that he used this word
33 pass out about three or four times. And, you know, among
34 us native people, that's a dirty word, and I know in our
35 ANB and ANS meetings, you know, any time anyone uses that
36 word, I'm going to pass out, you know, this or that, we
37 always fine them, you know, about five or \$10. So just a
38 word of caution, Mike, if you ever happen to go to one of
39 those meetings, you know, be careful you don't use that
40 phrase very much.

41
42 Thank you.

43
44 Distribute or hand out would be more
45 better.

46
47 MS. GARZA: So you made me learn my
48 perfectly good -- ruin my perfectly good train of thought
49 for that?

50

00079

1 Mr. Chairman, Mr. Turek, the other point
2 I want to make on that is it's my understanding that the
3 Pacific Salmon Commission at its meeting in Portland two
4 weeks ago did clarify that they are not involved in the
5 allocation of these resources within the state or
6 country, that it's up to each state or country to do
7 their own allocation, which means that the Alaskans do
8 not need permission from the Canadians to figure out who
9 gets the coho, who gets the king salmon, who gets the
10 sockeye, and so I think they're tired of hearing from the
11 Stikine people, and are just saying you guys have to do
12 what you have to do. Don't blame it on us.

13

14 And, Dick, maybe you could just tell your
15 Taltan chiefs, no more cockles or clams until they help
16 us resolve it, okay?

17

18 CHAIRMAN LITTLEFIELD: He probably has
19 his hearing aid off.

20

21 Anyway, you'd mentioned the Redoubt
22 Sockeye Management Plan. I did not bring it up, because
23 Mr. Lorrigan was not here. He has signed up to testify
24 on that, and if he wants to come forward at this time and
25 sit with you, and you guys want to discuss the Redoubt
26 Sockeye Management Plan, I have no objection. Any
27 councilman have an objection? Okay. Jack, would you
28 come forward?

29

30 MR. LORRIGAN: Thank you, Mr. Chairman,
31 Council members. My name is Jack Lorrigan. I'm the
32 biologist for the Sitka Tribe. And I'd like to thank the
33 Ketchikan people for hosting us in their homeland.

34

35 I'm specifically reporting to you on the
36 Redoubt Sockeye Management Plan. The reason why is, and
37 it's not part of this cycle I realize, but the Board of
38 Fish acted on it last month, and I'd like to tell you
39 about it while it's still fresh in my mind.

40

41 We had a proposal before the Council in
42 years past regarding C&T use of sockeye in the Redoubt
43 drainage area. One of the things that the tribe's
44 observed in the past is the steady increase of guided
45 sport effects on our fisheries. We watched our halibut
46 decrease, and we reacted to it. We've watched our
47 chinook decrease, and we reacted to it. And we're
48 starting to see them move into sockeye streams, and
49 instead of reacting to that, we decided that we want to
50 be proactive, because sockeye is one of the near and dear

00080

1 fisheries that we first had subsistence priority for.

2

3

4 So with that in mind, we proposed a
5 subsistence priority-based management plan for that area.
6 And this Council took it up in 2001 I think, and enacted
7 regulations on the fresh water portion only of that area.
8 And that was all good and fine, but the saltwater portion
9 was -- it needed some attention, too, but since the
10 Federal agency did not have jurisdiction in the marine
11 waters, we had to live with the existing sport
12 regulations that we were under for the State. So we put
13 this proposal pretty much the same way. After a lengthy
14 process and a task force with all user groups in Sitka,
15 Eric Jordan was the facilitator for that group. And we
16 had everybody that's concerned with fishing for sockeye
17 there. WE had the subsistence users, we had the sport,
18 we had the fly fishers, we had commercial, we had at
19 large, gillnetters, and I think that was pretty much it,
20 the ones who were the most concerned about use of that
21 area. And what we hammered out was a subsistence
22 abundance-based sockeye management plan that in wording
23 had subsistence as a priority, depending on the strength
24 of the run. And I won't go into specifics of that, but
25 at low abundances or low forecasts, the subsistence users
26 would have priority in there. And as that abundance
27 increased, then you'd start using -- allowing other user
28 groups in there.

28

29 And another thing that we pushed for and
30 got was the snagging is a subsistence use or method,
31 because at Redoubt there's only four or five places you
32 can dipnet sockeye, and if there's a lot of people down
33 there after a lot of fish, you have to wait your turn,
34 and you have to do it on certain tides. And if they're
35 sitting there dipping fish, and the tide goes out on you,
36 you're kind of -- you have to wait another six hours or
37 wait for them to go home because you can dip in certain
38 areas, so snagging is an option in an extensive portion
39 of the marine waters in front of the falls, that people
40 can -- if they can't get them with dipnets, they can get
41 them with snagging.

42

43

44 There's -- we had trouble working
45 community permits, which we really didn't address,
46 because that wasn't one of our priorities, and the
47 wording was something that if there's forecast of 4,000
48 or more sockeye going into Redoubt, biologists feel that
49 that lake at this time wouldn't support that many fish,
50 or the fry of that many fish impacting the lack. There
51 wouldn't be enough food for them, so you'd want to keep

00081

1 the abundance down around 40,000 or lower to allow better
2 survival of the juveniles so that the commercial
3 interests and community permits could be exercised at an
4 abundance rate of 40,000 or more. And they came up with
5 a compromise, well, let's see if we can live with it, but
6 so far we haven't had to do that. Based on past numbers,
7 we've only -- we would have only been able to do that two
8 or three times in the past.

9

10 So that proposal has gone through to the
11 satisfaction of everybody involved, and the Tribe would
12 like to, I guess, pull the language from the record
13 before the Federal Board -- unless there's a problem in
14 the future, I guess we could readdress it, but at this
15 time I think the Tribe is comfortable with pulling all
16 the language in the proposal at this time.

17

18 CHAIRMAN LITTLEFIELD: Jack, the only
19 remaining item as I understand it was the limits, is that
20 correct, that the Tribe is talking about now that the
21 Federal Subsistence Board deferred the limits?

22

23 MR. LORRIGAN: Yes, and I'm not clear how
24 we're going to fix that part yet. I guess -- when's the
25 next meeting?

26

27 CHAIRMAN LITTLEFIELD: Fisheries issues
28 will be the next meeting in Craig, October 6th
29 tentatively.

30

31 MR. LORRIGAN: I guess we can work on the
32 language, have another C&T meeting with the tribe and see
33 what they want to put forward as far as limits, but I
34 don't have anything off the top of my head right now.

35

36 CHAIRMAN LITTLEFIELD: Any questions or
37 comments from Council members? Mike?

38

39 MR. TUREK: Mr. Chair, Council members,
40 I'd just like to say that besides this being a really
41 good community-based proposal where a lot of people got
42 together and sat down and worked this thing out together,
43 two significant things came up in this proposal. And
44 that's the first time in State regulations in Southeast
45 Alaska that rod and reel is recognized as subsistence
46 gear. And also this is the first time that there's been
47 a community harvest permit developed for any subsistence
48 fishery in Southeast Alaska under the State regulations.
49 So those are two significant things that I think are real
50 positive, and I think that a lot of good things will come

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1 out of that. And I think if people would like to do this
2 in other places, submit proposals to the State Board of
3 Fisheries for rod and reel as subsistence gear for other
4 species in other places, and for a community harvest
5 permit, I think this opens the door for them. So I think
6 it's a real opportunity people should take advantage of.

7

8 CHAIRMAN LITTLEFIELD: Dolly. Bert.

9

10 MR. ADAMS: Mike, you said rod and reel,
11 and then you said something else. What was that other
12 thing?

13

14 MR. TUREK: Mr. Adams, community harvest
15 permit.

16

17 MR. ADAMS: Mr. Chairman. How would that
18 work?

19

20 MR. TUREK: Well, the way it's set up,
21 it's -- let's see, I can read this to you from my notes
22 what the community harvest permit will look like. Okay.
23 In the case of this Redoubt Bay fishery -- oops. Excuse
24 me, I'm using my computer, so.....

25

26 MR. LORRIGAN: There it is right there.
27 Number 5.

28

29 MR. TUREK: Number 5, okay. Here we go.
30 Okay. In the case of the sockeye fishery, Redoubt Bay,
31 when the projected total escapement is more than 40,000
32 sockeye, the Commissioner or authorized designee by
33 emergency order may open portions of Redoubt Bay to
34 commercial fisheries for the purpose of harvesting
35 sockeye salmon to Redoubt Lake.

36

37 The Commissioner or authorized designee
38 may also issue subsistence community harvest permits for
39 taking up to 500 sockeye per permit. Designated
40 community harvester may fish for any number of
41 beneficiaries, but may not have more than 500 sockeye
42 salmon in his or her possession at one time. These
43 provisions apply to the issuance of a community harvest
44 permit for Redoubt Bay Community Harvest Area, described
45 as the area outside of those waters closed to commercial
46 fishing, and south of the line at 56 minutes north, 54.71
47 inches (sic) latitude.

48

49 The permit will list all
50 individuals/households for whom the community harvester

00083

1 is fishing. The designated community harvester must have
2 in his or her possession an individual subsistence
3 harvest permit for each name listed on the community
4 harvest permit. The allowable harvest may not exceed the
5 combined daily harvest limit of the individuals listed on
6 the community harvest permit, up to a maximum of 500
7 fish. A subsistence user can only designate one person
8 to fish on his or her behalf at any one time.

9

10 Prior to leaving the Redoubt Bay harvest
11 area, the designated community harvester must record on
12 each individual permit in his or her possession the
13 number of fish harvested for that individual, not to
14 exceed the daily harvest limit.

15

16 The use of beach seines, dip nets, gaffs,
17 spears, and rod and reel is allowed.

18

19 So those are the regulations that came up
20 for this Redoubt Bay fishery, and these are based on an a
21 community harvest permit regulations on the Copper River
22 for the community fish wheels. So any other community
23 that was thinking of this could use this as a model. And
24 some of the numbers of the amount of fish would be unique
25 to the particular community. Right now we're talking
26 with people in Klukwan, the tribe in Klukwan about
27 perhaps coming up with a proposal for the next Board of
28 Fisheries for a Klukwan community harvest permit similar
29 to this. So I think know that it's in regulations in
30 Southeast, it really makes it easier for us to get this
31 perhaps for other communities.

32

33 CHAIRMAN LITTLEFIELD: I'd like to thank
34 both of you for your work on this. This has been before
35 this Council several times. I'd like to thank the Sitka
36 Tribe for bringing this forward, and also, Mike, and your
37 Department for resolving this. You're correct, I think
38 it is unique in the management of subsistence. It's
39 looking more and more like a single management species,
40 which is something that we're all looking for.

41

42 This collaborative process, which
43 involved local users is something that I hope we're
44 headed for on the Unit 2 deer. We can resolve these
45 problems to everyone's satisfaction best with local
46 input, and less with five years of studies. And I thank
47 you gentlemen for your work.

48

49 MR. LORRIGAN: I'd like to add there's a
50 provision in the plan that designates Fish and Game to

00084

1 make an announcement about what the forecast will be by a
2 certain time period. There's been a weir on that system
3 for a number of years, so they've established a data set
4 that gives them confidence at certain times of the year
5 about when they're seeing what portion of the run at what
6 time. So that gives people -- because in Sitka the
7 default place to go for sockeye is Redoubt, and if
8 Redoubt fails, then people have to make plans to go a
9 little further afield to Klag Bay or Necker Bay to get
10 sockeye, and if they know ahead of time, they can make
11 plans to go and hit those runs when their timing is right
12 if they can't go to Redoubt. So there's a provision
13 there that asks Fish and Game to make an announcement
14 about what their forecast -- they believe the forecast
15 will be for that drainage, and what the limits will be.
16 And once people hear that, they can make plans to either
17 fish Redoubt or go elsewhere.

18

19 MS. WILSON: I have a question.

20

21 CHAIRMAN LITTLEFIELD: Marilyn first, and
22 then Dolly.

23

24 MS. WILSON: I have a question on the
25 proposed regulations that you have now, the plan. What
26 was the existing regulations before on the way you catch
27 the fish? Was there net? Or just dip? Or could you
28 snag it? I thought it was very limited on the way you
29 caught them. That's all.

30

31 MR. TUREK: Marilyn, prior to this change
32 of regulations, just dip net and gaff were legal for the
33 Redoubt Bay fishery. And as Jack explained, there's
34 limited places to be able to stand and do that. And that
35 was one of -- that was the main reason why the rod and
36 reel, snagging with the rod and reel was accepted as a
37 subsistence gear for that fishery. So that will open up
38 reasonable opportunity for a lot more people.

39

40 And then also at the meeting Mr.
41 Littlefield and several other people from Sitka testified
42 that they'd been doing that, catching salmon with rod and
43 reel, snagging them since they were little kids. And so
44 that goes back quite a ways.

45

46 CHAIRMAN LITTLEFIELD: Thank you. Jack,
47 you have a comment?

48

49 MR. LORRIGAN: A long time ago.

50 Anyway.....

00085

1 CHAIRMAN LITTLEFIELD: Before there was
2 dirt.

3
4 MR. LORRIGAN: Snagging was allowed in
5 Redoubt, but it's under sport fish regulations and you're
6 only allowed a six a day. It's considered a sport
7 method. And then Mr. Littlefield and Mr. Payton
8 testified there that they'd done that before statehood,
9 and before -- there was a 1977 rule that made rod and
10 reel snagging a sport method and not a subsistence
11 method, and so they did that even before then, so.....

12
13 CHAIRMAN LITTLEFIELD: Dolly. Do you
14 give up?

15
16 MS. GARZA: I forgot.

17
18 CHAIRMAN LITTLEFIELD: Are there any
19 other questions or comments from the Council? Than you,
20 gentlemen, for your report. Very good. And I'd like to
21 make sure we get Mr. Duffy's -- the letter addressed to
22 Mr. Duffy for the Council.

23
24 Next on the agenda is Mr. Brainard, but
25 before that, I'd like to take a 10-minute recess.

26
27 MS. GARZA: Before the recess I'd just
28 want to report the Haida dancers raised \$172 I believe
29 for travel for celebrations. We thank you for that.

30
31 (Off record)

32
33 (On record)

34
35 CHAIRMAN LITTLEFIELD: Okay. We're back
36 in session. The next presenter is Mr. Jim Brainard.

37
38 MR. BRAINARD: Thank you for inviting me.
39 My name's Jim Brainard. I'm a wildlife biologist for the
40 Forest Service. I'm stationed in Petersburg. Last year
41 I was asked to be the data steward for the Federal permit
42 system on the Tongass. We did a pilot to see how well we
43 could do this on the Petersburg and Wrangell districts
44 for the designated hunter and the antlerless deer
45 program. We since this year have expanded that.

46
47 Last year we got 100 percent return rate
48 of all the permits for both antlerless deer and
49 designated hunter on the Petersburg Ranger District, and
50 we got about 98 percent on the Wrangell District. The

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1 two or three permits we didn't get back, people had moved
2 away, and we couldn't locate them.

3

4 Overall last year we had about an 80
5 percent return rate on those permits. The antlerless
6 deer, we had 342 permits issued last year, 275 were
7 returned, for an 80 percent return rate. Fifteen of the
8 people reported they hunted -- they harvested male deer,
9 and 67 said they harvested female deer from Prince of
10 Wales.

11

12 This year so far in the permitting
13 process, getting information is still going on. We have
14 about a 77 percent return rate on the permits. We issued
15 341 permits, and 23 of those were filled with male deer,
16 and 42 with female deer. We still have about two or
17 three more weeks before we should get the rest of those
18 permits in by that point. So we're right about where we
19 were last year at this time.

20

21 Also I'd like to tell you that with the
22 Yakutat moose hunt this year, we issued 126 permits, 18
23 moose were harvested for 15 percent success rate for the
24 hunters, and all 126 of those permits were returned to
25 us.

26

27 The goat permits in yakutat, there were
28 five issued. We have about three back, and I should --
29 the other two should be back to my office this week.

30

31 So I'm just wanting you to know that we
32 can get some pretty good results from these permits. And
33 this year when we started the antlerless permits,
34 Wrangell and Yakutat have already returned more than 90
35 percent of their permits, and that's just probably
36 because people were asked last year, were really asked to
37 get this in, and they remembered this year, so they -- we
38 had a lot more -- a lot higher success rate at the
39 beginning. The other districts that we didn't do that
40 with, they're still a little behind, but I think they're
41 all going to come. WE're going to be probably in the
42 high 80s, low 90 percent rate this year.

43

44 We will -- if people do not return these
45 permits, the regulations allow us to cite them, and also
46 they will not get a permit next year. And that's what
47 we're pursuing at this point in time. Any questions?

48

49 CHAIRMAN LITTLEFIELD: Maybe you could
50 correct me. I believe the regulations say you may not

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1 issue them a permit, not that you will, mandatory? In
2 the back? Your name? Come forward, please?

3

4 MR. PEARSON: Ken Pearson with the Forest
5 Service Subsistence Enforcement. Actually the CFRs are
6 fairly clear, and they say that if you do not return your
7 permit, then you are ineligible to receive a permit the
8 following year.

9

10 CHAIRMAN LITTLEFIELD: I think we debated
11 that at a meeting, and I thought it was brought out that
12 the word may was going to be substituted there, because
13 there may be a condition that you didn't want to be so
14 rigid on. Maybe we could look that up and make sure that
15 that's the case, because it was my understanding that it
16 was -- that word was changed.

17

18 MR. PEARSON: Well, there actually are
19 some provisions. They say if you can prove that through
20 loss in the mail or some other conditions, then that
21 doesn't apply, but bar that, then it says you are
22 ineligible is what it says.

23

24 CHAIRMAN LITTLEFIELD: Okay. I just
25 wanted to make sure there was some latitude. And I'm
26 very impressed with these numbers, very impressed. 100
27 percent return, 98 percent. That's very impressive to
28 what I've seen in the past, and that's a good job.

29

30 Any other Council members comments? Don?

31

32 MR. HERNANDEZ: Go ahead stay there. Mr.
33 Chairman. Jim, I was just wondering about the
34 requirements for proving your residency as far as getting
35 a permit? What do you look at to determine whether a
36 person is a rural or nonrural resident?

37

38 MR. BRAINARD: Well, we ask to see their
39 licenses, their driver's licenses. A lot of the people
40 we know personally so we don't -- you know, it's most of
41 these communities we're living in. We know a lot of the
42 people, but if we're not sure who they are, we ask for
43 their driver's licenses and their hunting licenses.

44

45 Also, to answer one of the questions over
46 here earlier this morning, they asked about how many
47 permits people are allowed to have for designated hunter.
48 A person can designate hunt for any number of people.
49 They just cannot have more than two limits at one time
50 for the -- with them. So if you're on Drembo Island, you

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1 are allowed to have four deer with you at one point in
2 time.

3

4 And the other question concerned the
5 permit itself, and we're working on trying to make these
6 permits easier to use, and to get better information, and
7 that's just a process we're learning as we're going
8 through this, so hopefully it's going to get a little
9 easier and a little better, and we're working on it. And
10 we're also working on trying to get the people that give
11 these out, give them a little better training before we
12 go. This is new to me, and I've been working real hard
13 on this, but hopefully we're going to get that a lot
14 better -- a lot better handle on that.

15

16 CHAIRMAN LITTLEFIELD: Don.

17

18 MR. HERNANDEZ: Mr. Chairman. Jim, do
19 you have reporting numbers for the number of deer taken
20 under designated hunter permits?

21

22 MR. BRAINARD: Yes, we do. The permit,
23 the designated hunter permit has six lines for -- you can
24 put six people on one permit, and when you harvest for
25 the -- you put the person's name that you're hunting for,
26 where you hunted, how many deer you harvested for them.
27 So we know how many people -- how many deer are going to
28 different people and the like.

29

30 MR. HERNANDEZ: Do you have any numbers
31 available as to how much that take has been under
32 designated hunter permits in the last few years?

33

34 MR. BRAINARD: I have it for last year, I
35 don't have it for this year yet. We're still in the
36 process of collecting that information. I have it on my
37 computer. I can give it to you by community, you know,
38 several different ways.

39

40 MR. HERNANDEZ: Okay. Thank you.

41

42 CHAIRMAN LITTLEFIELD: Any other
43 questions? Mike?

44

45 MR. DOUVILLE: Thank you, Mr. Chairman.
46 I just have a comment that I really do appreciate this
47 designated hunter. It is where you have a Forest Service
48 office, you can go in there and get your paperwork and go
49 hunting the next day. I hunt for one person in Ketchikan
50 here, and it's a proxy hunt, and it involves several days

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1 of mailing things back and forth in order to get the
2 State proxy authorization. And it's cumbersome and it's
3 time consuming, and it really doesn't have to be.

4

5 Thank you.

6

7 CHAIRMAN LITTLEFIELD: Bert?

8

9 MR. ADAMS: Thank you, Mr. Chairman.
10 Jim, I agree with you, you know, two moose per, you know,
11 designated hunter, but once that is completed, and I
12 haven't looked at the regulation, you know, to find out
13 for myself, and maybe you could help me, if that
14 designated hunter goes out and gets, you know, his two
15 moose, is he allowed to go out and get another permit,
16 you know, for another that same season, or is that it?

17

18 MR. BRAINARD: You can have as many
19 permits as you want. You know, we don't limit people to
20 permits. We can -- the only is that they can -- if
21 you're hunting on Prince of Wales Island where there's a
22 four deer limit, you can't have more than eight deer in
23 your possession at one time. You have to take those deer
24 and distribute them back to people before you can go out
25 and hunt again. Does that answer your question?

26

27 MR. ADAMS: Yeah. Thank you. But this
28 pertains to deer only, am I correct in that assumption?
29 All right. Thank you.

30

31 CHAIRMAN LITTLEFIELD: Marilyn, go ahead.
32 Did you have a question?

33

34 MS. WILSON: No.

35

36 CHAIRMAN LITTLEFIELD: I had one comment
37 that was -- actually it was a complaint that was raised
38 by a community harvester in Sitka who routinely over the
39 last 15 years that I've known him, has harvested for
40 many, many unmarried women with children and stuff like
41 that, and in the past he'd always go out and get them --
42 they would just have a -- he'd take their tags, and the
43 children would be under 10, and he was looking at this
44 State regulation that was passed by the Board of Game
45 that you could not -- no longer have a license
46 requirement. So is there any provision at all for people
47 who are like this who are high community harvesters, and
48 they're known in the community. These are not people who
49 are abusing this, but they go out and many times will
50 take 20 or 30 deer on a trip to Whale Bay. You do not go

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1 to Whale Bay or Slocum Arm, make a 40-mile trip just to
2 go get a couple deer. You just don't do that. So is
3 there any provision to allow those people to continue
4 that? Special provisions?

5

6 MR. BRAINARD: They can get the permits.
7 I don't think so. You know, I don't think they can go
8 out and take 40 deer, you know, that's not a provision in
9 the system as far as I know. Also, I think the Federal
10 Board last year said they would go along with the State
11 and not issue permits to anybody under the age of 10
12 also. We've had quite a few people bring in the harvest
13 tags, proving that the children are old enough this year,
14 so we are getting that. But I don't think that we have a
15 provision set up for what you're talking about. I know
16 the Village of Kake has done this for a number of years,
17 too, and I just don't think there's anything in the
18 provisions as I read them.

19

20 CHAIRMAN LITTLEFIELD: Thank you. Any
21 other questions? Comments? Thank you very much for your
22 testimony.

23

24 Next, Mr. Ken Thompson.

25

26 MR. THOMPSON: Yes. Ken Thompson, Forest
27 Service, Anchorage.

28

29 I wanted to give you an update on where
30 we are with the proposal to conduct a cooperative
31 management planning process for deer on Prince of Wales
32 Island. For the new members, as you've heard during this
33 meeting, deer allocation issues are reoccurring issues
34 that come before the Council and the Board. They've done
35 so for a number of years. I believe beginning in about
36 '94 and then '97 and I think we all envision that they
37 will continue to come up probably more frequently rather
38 than less frequently in the future as conditions change,
39 habitat conditions, population and what not.

40

41 Well, anyway, last May when the Board
42 considered regulation proposals for Unit 2 deer, they
43 said this situation is ripe for local involvement, local
44 planning, local consensus building or recommendations if
45 you will, and directed Staff to look into conducting a
46 cooperative management planning process not unlike what's
47 been done for a number of other fish and wildlife issues
48 around the State, all of which I guess I could
49 characterize have been very successful. And as you've
50 heard here, a prime example of successful effort of

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1 locally led planning process which has been fruitful to
2 both the State and the Federal Boards is the Redoubt
3 situation. That is an excellent example of how you can
4 get stakeholders together and identify solutions that can
5 be amenable to everybody's interests. Everybody who uses
6 those resources. And we would like to -- the idea was to
7 do the same thing for deer on Prince of Wales Island.

8

9 Well, unlike those other planning efforts
10 that I've cited, they were I believe almost without fail
11 under State-sponsored leadership. And whenever you get
12 the Federal Government involved, you have other Federal
13 laws that affect how these planning processes are
14 conducted, primarily the Federal Advisory Committee Act,
15 which I believe there's been some discussion about, and
16 we'll certainly have more.

17

18 But to make a long story short,
19 provisions in the Federal Advisory Committee Act as well
20 as in Title VIII of ANILCA has raised some interesting
21 questions, and has caused this to be a rather convoluted
22 process of trying to identify a way for a federally-
23 sponsored planning process to be carried out. There are
24 implications under FACA of increased cost because it
25 would require a federally-chartered committee, which in
26 this case probably most logically would be the Regional
27 Advisory Council, and in which case you have to have a
28 Federal coordinator at all of the meetings. There are
29 questions about ability to appoint members, which could
30 achieve consensus, and which would be the objective in
31 this process. There are other questions that have been
32 raised about the ability of a federally-sponsored
33 planning process to be carried out.

34

35 So to make a long story short, in
36 December after learning a number of potential roadblocks
37 and hurdles that we would have to undertake under a
38 federally-sponsored process, we recommended to the Board
39 that we abandon a federally-led or federally-sponsored
40 process and look for other ways to involve the local
41 people and local stakeholders in kind of a consensus
42 building process.

43

44 And the reaction was, no, we had not done
45 all of our homework. They instructed us to go back and
46 look for other ways to do this under Federal sponsorship.
47 We did that. We reported back to the Board a number of
48 options, and we recommended as a first step, and this is
49 where we are right now, as a first step that we would
50 conduct a scoping or maybe you could call it a conflict

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1 assessment of the issue to identify the scope of the
2 issue, who the stakeholders are, and what are some
3 possible areas of common ground that might constitute a
4 point of initiating some consensus building in this
5 planning process. Do the scoping process under a third-
6 party, perhaps under a contract where perhaps a
7 contracting firm, for instance, might come to you folks,
8 and to other entities who may not be represented here,
9 and to get a better handle on the nature of the issue,
10 the scope of it, and everything involved, so then the
11 Board could assess which of these options, which of these
12 alternatives might be the best way to go for doing a
13 local community-led planning process.

14

15 So that's where we are now. We will be
16 convening some folks, both State and Federal, probably in
17 consultation with you folks to identify the nature of
18 such a scoping contract, and we'll get that under way
19 ASAP. Hopefully we'll have some kind of an answer back
20 from the scoping process by fall.

21

22 The Board wants to assure you that
23 initiating this scoping process or a planning process
24 will not -- it's -- they don't intend for it to interfere
25 with yours or the Board's consideration of regulatory
26 proposals. It will be a separate process, and if it
27 somehow or another interfaces with answering questions or
28 adopting regulations that you would concur with, fine.
29 If it doesn't, it would be a separate on-going process,
30 and when that's finished then, it would be woven into the
31 regulatory process that you folks are involved in.

32

33 But I wanted to bring you up to speed on
34 why this is dragging out so long, where we are and what
35 the timeline is. So unless you have some questions,
36 that's probably about all I can say.

37

38 CHAIRMAN LITTLEFIELD: Thank you, Ken. I
39 draw your attention to some action that we took in
40 Hoonah, that's on Page 23 of the Board book, and that was
41 SERAC Resolution 8, and at that time we wanted to
42 establish a deer subcommittee and actually in fact
43 recommended members as well as other ologists and
44 community members. And is this a report on this
45 resolution on where it stands? Could you comment,
46 please?

47

48 MR. THOMPSON: Yes, Mr. Chairman. We did
49 bring this to the Council in Hoonah last fall, and we
50 thought we were on a faster timeline. At that time we

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1 did encourage you, and you did volunteer a couple of
2 Council members names to participate in this process, and
3 we very much still want to take you up on that offer. At
4 this point I can't say exactly the nature of what this
5 planning process will look like, but I could almost
6 assure you, guarantee you that we will be involving -- we
7 will want to take advantage of your offer for these two
8 individuals to participate in that process.

9

10 CHAIRMAN LITTLEFIELD: Questions from the
11 Council? Thank you, Mr. Thompson.

12

13 We're now in public testimony unless I've
14 missed something, and the public testimony phase starts
15 now on any subject and continues through the remainder of
16 the meeting. If you can't testify now about a proposal,
17 a specific proposal when it comes up, you can do that
18 now, or you can testify about anything that you feel
19 like. It's fair game. I would -- there are some rules
20 to this that the coordinator will put up and go through
21 these on how we do these, so if -- I'll turn that over to
22 Dr. Schroeder.

23

24 MR. SCHROEDER: Mr. Chairman, we do have
25 an open process for public testimony. If you are giving
26 public testimony, we'd like you to come up to the table
27 as other presenters have been doing, use the microphones
28 in front of you, identify yourself so our court reporter
29 gets your name and community correctly.

30

31 Generally people testify and their
32 testimony -- we allow enough time for someone to clearly
33 state their interest. Should we have a really large
34 number of people testifying on any issue, we may need to
35 restrict the time available.

36

37 With that, Mr. Chairman, we could see if
38 we have any public testimony at this time.

39

40 CHAIRMAN LITTLEFIELD: Thank you. For
41 the record, I'd like to remind you that we've scheduled
42 Proposal 8 for 9:00 a.m. tomorrow morning, specific time,
43 and then 2:00 p.m. tomorrow for Proposals 4 and 5, but
44 you're more than welcome to testify about those at this
45 time.

46

47 Unless anybody needs to get out of here
48 today, I'm just going to shuffle these up and pull one
49 out and we'll get going. I think he may have left.
50 Willard Jackson, Proposal 8. John Morris, Craig

00094

1 Community Association.

2

3 MR. MORRIS: Good afternoon. First of
4 all I'd like to thank the Tongass.....

5

6 CHAIRMAN LITTLEFIELD: Your name?

7

8 MR. MORRIS: Oh, my name is John Morris,
9 Jr. My name is John Morris, Jr. I'm from Craig, Alaska.

10

11 And first of all, I'd like to thank the
12 Tongass Tribe for conducting this meeting here, so thank
13 you.

14

15 I've never done this before, so it's a
16 new process for me, and from the looks of it, it looks
17 like this will be an on-going process until we get
18 something resolved at least in our favor.

19

20 We at the Craig Community Tribal
21 Association, or CCA, Craig Community Association,
22 submitted Proposal 5, but under a little bit more review
23 from this year's hunting season, we went ahead and
24 amended Proposal 5 to what we have here now. Does each
25 Council member have an amended proposal with them?

26

27 CHAIRMAN LITTLEFIELD: I believe we do.
28 That would be Craig Community Association letterhead,
29 WPO3-05.....

30

31 MR. MORRIS: Yes.

32

33 CHAIRMAN LITTLEFIELD: And are those
34 available for the public?

35

36 MR. JOHNSON: Mr. Chairman, I had about
37 35, 40 copies made, and they're all gone. We can make
38 more if need be.

39

40 CHAIRMAN LITTLEFIELD: Great. I would
41 suggest that prior to tomorrow morning that we have some
42 more copies available if they would like to look at them.
43 Go ahead, John.

44

45 MR. MORRIS: Yes. And also, too, Mr.
46 Chairman, I'd want to -- that we do have a number of
47 residents out on Prince of Wales, Hydaburg, Klawock,
48 Craig, and Kasaan, and also there's a Council member from
49 Kasaan who would like to testify tomorrow, and the
50 residents from the area would also like to testify by way

00095

1 of teleconference.

2

3 CHAIRMAN LITTLEFIELD: Dr. Schroeder,
4 would you go over that again, please?

5

6 MR. SCHROEDER: Mr. Chairman, under our
7 normal operating procedures, people who notify us 72
8 hours in advance that they'd like to provide input on
9 proposals will be accommodated. Craig Community
10 Association gave us a list of names of people who wished
11 to provide testi -- names and organizations of people who
12 wish to provide testimony. Tomorrow we will have
13 teleconferencing capability. The teleconference
14 testimony is tentatively scheduled for 2:00 o'clock.
15 We'll have an open line through most of the day tomorrow
16 to accommodate that need.

17

18 CHAIRMAN LITTLEFIELD: Okay. So in
19 answer to your question, at 2:00 o'clock we'll have that
20 line open and be taking comments, so go ahead and
21 proceed.

22

23 MR. MORRIS: Thank you, Mr. Chairman, Mr.
24 Schroeder. I guess I just read the amended proposal.
25 Suggested amended by the Craig Community Association,
26 February 20th, 2003. About 10:42 in the morning. Unit 2
27 deer.

28

29 We have decided to amend Proposal 5 to
30 reflect discussion that has taken place in the community
31 since the proposal was submitted in September 2002.
32 That's supposed to be corrected to 2002. We had 2003
33 there.

34

35 We have been able to discuss the
36 2002/2003 deer season with Prince of Wales hunters and
37 residents to review the Alaska Department of Fish and
38 Game mail-out survey report for the 2001/2002 hunting
39 season. We have found that subsistence hunters have been
40 having an increasingly difficult time meeting their
41 subsistence needs as of that last season, and as well as
42 this season. We believe that because of this situation,
43 ANILCA Title VIII requires establishing a meaningful
44 preference for subsistence users in Game Unit 2.

45

46 The most serious difficulty takes place
47 in the Prince of Wales Island core area where hunting
48 pressure from both subsistence and urban hunters has been
49 most intense by the use of intensive road systems and
50 commercial development in this core area. Prince of

00096

1 Wales is pretty well developed and continues to get
2 developed. And that's a concern for us out in that area.

3
4 Our amended proposal also reflects our
5 desire to put the minimum amount of restrictions on non-
6 rural hunters. We recognize the importance of deer
7 hunting in the lives of these hunters, and wish to
8 maintain their hunting opportunity.

9
10 Accordingly, we are proposing no
11 restriction on nonrural hunters for most areas of Prince
12 of Wales. The restrictions we propose will only apply in
13 the POW subsistence core area at this time. We do note,
14 however, that further reductions for nonrural hunters may
15 be needed in the future as the deer population declines
16 and as increased pressure from nonrural hunters may make
17 it difficult for subsistence users to meet their needs.

18
19 Amended Proposal 1, Unit 2 will be
20 divided into two subunits. 2(A) consists of area north
21 of Hollis/Klawock Road and south of the Nakati Coffman
22 Road area. This area is the area of Unit 2 most heavily
23 used by deer hunters, where subsistence hunters have most
24 difficulty meeting their subsistence needs.

25
26 2(B) remainder of Unit 2, including the
27 offshore islands. In Subunit 2(A) non-federally
28 qualified hunters will have a yearly bag limit of two
29 deer per year on Federal land.

30
31 3. In Subunit 2(A) Federal land will be
32 closed to non-federally qualified hunters during the
33 first month of the five-month deer hunting, August 1
34 through August 31.

35
36 WPO-3 revised document.

37
38 CHAIRMAN LITTLEFIELD: Yeah, John, for
39 clarification, the last paragraph, 3, perhaps the August
40 1st through August 31st should have been after the first
41 month, comma. In other words, it almost looks like the
42 five-month deer season should have been August 1st to
43 December 31st. I think that might have been before the
44 first month, just for clarification. Your intent was the
45 first month is closed, no matter how long the season is?

46
47 MR. MORRIS: Right. Excuse me. Non-
48 federally qualified hunters during the first month, there
49 should have been a comma there, of the five-month season.
50 That the first month be closed down to non-federally

00097

1 qualified hunters, or subsistence users.

2

3 CHAIRMAN LITTLEFIELD: Do we have a map
4 of this area, Dave? Is there a map that clearly shows
5 this? Or maybe one that we could put up on the screen?

6

7 MR. JOHNSON: We'll have one tomorrow.

8

9 CHAIRMAN LITTLEFIELD: Are there any
10 questions for John? Don is first.

11

12 MR. HERNANDEZ: Yeah. Mr. Chairman,
13 John, yeah, thanks for coming over this week, and I guess
14 maybe my first question would be would you say that you
15 are fairly knowledgeable as to the methods and means of
16 transportation and where your locals are hunting
17 presently? Can you provide information about essentially
18 a good portion of your community members hunt presently?

19

20 MR. MORRIS: Yes, I can, Don. I'm fairly
21 knowledgeable of the whole island.

22

23 MR. HERNANDEZ: Good. I guess one of the
24 things that I noticed in the staff reports was they set
25 up check stations the last few years, and one of the
26 things they reported from their check stations was an
27 approximately 45 percent increase in deer hunting effort
28 on the north end of the island, which I think they
29 described in the report as essentially being north of
30 what you propose of your core area. I was just
31 wondering, are you seeing some of your Craig community
32 members, are they starting to utilize that north end of
33 the island more in recent years, or do you think that is
34 more Ketchikan hunters that are going to the north end?

35

36 MR. MORRIS: There are times, Don, Mr.
37 Chairman, Don, that we will have to go that far to meet
38 our needs, and there's also -- there's many a times where
39 we probably get into the Red Bay area, and we pass
40 numerous hunters, road hunters. Being on the Prince of
41 Wales I believe is a community, island community. We're
42 pretty much recognized, people, who they are just by
43 passing them throughout the grocery stores and what not,
44 but when we're travelling them long distances to meet our
45 needs in hunting, we do pass a lot of nonlocals, and we
46 could generally tell who they are.

47

48 MR. HERNANDEZ: Uh-huh. Yeah, I realize
49 in a small community you recog -- when you see somebody
50 on the road, you usually recognize where they're from. I

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1 realize that.

2

3 The second question I have, Mr. Chairman,
4 this proposal would require in my view quite a bit more
5 enforcement effort. If you're establishing subunits,
6 knowing where everybody is taking their deer is going to
7 become very critical in knowing whether they're rural or
8 nonrural hunters. Have you prior to your amendment, had
9 you discussed this with enforcement people at all?

10

11 CHAIRMAN LITTLEFIELD: Excuse me. Past
12 practice has been that we let the presenters make their
13 presentation, and we don't want to be debating with them,
14 and that -- it seems to me that maybe that's something
15 that we should address to Marty whether it's enforceable
16 or not, and just John can make his proposal on any
17 subject he wants, but we don't want to be -- you know,
18 we're not trying to debate anything that you say. With
19 that in mind, just go ahead, Don.

20

21 MR. HERNANDEZ: Okay. Yeah, thank you,
22 Mr. Chairman. I understand. That would be a question
23 for enforcement. I was just trying to bring out the
24 point that, yeah, this might require more enforcement.
25 We can discuss that later.

26

27 Thank you.

28

29 CHAIRMAN LITTLEFIELD: Any other Council?
30 Bert.

31

32 MR. ADAMS: Mr. Morris, I just want to
33 compliment you. You came before us, and you said you
34 haven't done this very much, or it was your first time,
35 and I just wanted to let you know that you presented
36 yourself real well, and your points are well taken. I
37 just wanted to say that to you, and I would encourage you
38 to keep in the process and keep involved. Thank you very
39 much.

40

41 MR. MORRIS: Thank you, Mr. Adams.

42 Thanks.

43

44 CHAIRMAN LITTLEFIELD: Any other Council?
45 Mr. Douville?

46

47 MR. DOUVILLE: Thank you, Mr. Chairman.
48 I just have -- what are we -- I want to know what we're
49 doing here. I agree with letting him tell us what he's
50 doing, however I don't believe we're taking action at

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1 this time. Are we just to listen, make notes for
2 questions later or tomorrow? I believe at two we're
3 going to have a teleconference on this. Or just what --
4 explain to me what our procedure is right now?

5

6 Thank you.

7

8 CHAIRMAN LITTLEFIELD: I will turn that
9 over to Bob to answer, but it seems to me that we are
10 letting him make his presentation. If you have questions
11 about his presentation, what he made, you can ask those
12 of him, but we are not debating Proposal 4 or 5 at all at
13 this time, and we don't -- we're not supposed to be
14 asking him questions about something that he hasn't
15 testified to. That's my interpretation, and maybe Dr.
16 Schroeder can add some to that.

17

18 MR. SCHROEDER: Mr. Chairman, Mike, it
19 seemed that the amended proposal by CCA should be before
20 the public and before the Council prior to general public
21 testimony so that the members of the public who were
22 concerned with this issue would know what proposal the
23 Council would be likely to consider. But you're
24 absolutely correct, we're -- the proposal's not on the
25 floor at this time. So this simply serves as a means for
26 CCA to introduce and make people aware of this change
27 that they want in their proposal.

28

29 CHAIRMAN LITTLEFIELD: Ms. Garza.

30

31 MS. GARZA: Thank you, Mr. Chairman. So
32 I don't have questions at this time, but will you be here
33 tomorrow so that when we discuss Proposal 5, you'll be
34 able to answer questions then?

35

36 MR. MORRIS: Mr. Chairman. Yes, Ms.
37 Garza, I will be, and I want to be here present during
38 that time.

39

40 CHAIRMAN LITTLEFIELD: Any other
41 questions for Mr. Morris? Did you have anything further?

42

43 MR. MORRIS: No, I don't, Mr. Chairman.

44

45 CHAIRMAN LITTLEFIELD: Okay. I want to
46 echo Mr. Adams' comments. It's a first for us, too.
47 Many of us, we're changing, and you did a good job, and
48 we look forward to seeing you tomorrow.

49

50 Thank you.

00100

1 MR. MEYERS: Mr. Chairman?

2

3 CHAIRMAN LITTLEFIELD: Marty.

4

5 MR. MEYERS: Yeah, I'd like to excuse
6 myself at this point in time. I need to get back to
7 Juneau. But I want to let you know that Officer Ken
8 Pearson will be here for the duration to answer those
9 questions you brought up here about what our capabilities
10 are and what responses we may have to some of these
11 proposals. So there will be somebody here. So he'll
12 take me to the airport now, but -- and he should be back
13 here afterwards, but he'll be here for the duration. So
14 thank you.

15

16 CHAIRMAN LITTLEFIELD: Thank you. It's
17 good to see you again, Marty. I'm not certain, is this
18 Lionel Waggoner and Cindy Waggoner? Jack Lorrigan on
19 other issues.

20

21 MR. LORRIGAN: Thank you, Mr. Chairman,
22 you caught me off guard. I have a couple issues. Again,
23 for the record my name is Jack Lorrigan. I'm the
24 biologist for the Sitka Tribe.

25

26 The Tribe does not have any proposals
27 before you at this time, but we did meet on a few of them
28 and we have some things we'd like to pass along to you
29 regarding some of these.

30

31 Proposal 1, the Tribal supports the
32 proposal, but we'd like to -- we're concerned about the
33 language that limits it to ceremonies and funerary
34 gatherings. There are other reasons why we would like to
35 have permits to harvest animals, and that would be for
36 pole raisings, buildings and canoe dedications. Those
37 are also times when people get together and fresh meat
38 would be apropos for those. So not necessarily limit it
39 to the two reasons as stated in the regulation.

40

41 Proposal 2, the Tribe is supportive of a
42 proxy hunting scheme. The Tribe would suggest that for
43 Southeast Alaska, hunters should be allowed to hunt for
44 up to six people at time rather than just two. As in
45 Sitka, sometimes we go long distances to find deer, and
46 sometimes if we get in a hot spot, we have to stop and
47 come home with a legal limit of two, we feel that if
48 there's opportunity to go ahead and harvest those
49 animals. Because we don't have wolves on our island, the
50 biggest mortality that would happen to deer in our area

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1 is snow kill, so why let them waste that way. Go ahead
2 and harvest those animals and bring them home and give
3 them to the people who need them.

4

5 Proposals 4 and 5, we're aware of the
6 conservation effort this would impose, but we want to
7 maintain that a subsistence priority should exist for all
8 these proposals.

9

10 There was another one that -- I can't
11 remember the -- we addressed the one for the brown bear
12 hunting in Hoonah, and we felt that was more of a sport
13 regulation or a sport hunting action rather than a
14 subsistence action, and we couldn't find a reason to
15 support it. Plus it wasn't part of our area anyway.

16

17 Regarding permits and State licenses, we
18 are -- many of our citizens wonder why they have to have
19 a State permit to do a Federal activity, and we believe
20 that should be addressed by powers that be. It seems
21 like a double indemnity kind of situation there.

22

23 The other issue, I would beg my Council
24 member's indulgence, Mr. Kitka. I've been attending
25 these Board meetings, or these Council meetings for some
26 time now, since at least '96 or '97, and so I have the
27 confidence of the Tribe and the Council to speak my mind
28 and feel that it would carry weight with the people I
29 represent.

30

31 And I think it's sad that Mr. Thomas was
32 relieved of his duties in the manner that he was. From
33 our perspective or from my perspective, we see the make
34 up of the RAC going 70/30. Okay. Fine. But then we see
35 a strong native leader being eliminated from his position
36 of voicing his opinions. So what message does that send?
37 I think it sends the one that there will be less
38 tolerance for effective native leadership. And when will
39 the RAC make up stop? Right now it's 70/30. Will it go
40 60/40, 50/50? Those people that are setting this up
41 should be aware that the perception they're sending to
42 the native community is it's setting off some bells that
43 our forum for protecting our rights and our ways of life
44 are in jeopardy, that if we don't -- I don't know how to
45 put this into words. We don't find a way to -- all
46 right. I don't know how to formulate my thought.
47 There's already -- fortunately or unfortunately, how you
48 look at it, I think the sport industry and the commercial
49 industry would rather we would have to ask them
50 permission to go after some of these resources, but it's

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1 set up that we can come before a forum like this, all of
2 us, subsistence user, the commercial and the sport and
3 address these issues in a situation where the native
4 people of not only Alaska, but the United States and
5 Canada have lost significant portions of their heritage
6 and their lands, and they have something to hang onto.
7 And it's sad to see things like this happen in such a
8 public and I think sneaky way. And that's -- I wanted to
9 share that with the Council.

10

11 CHAIRMAN LITTLEFIELD: Thank you, Mr.
12 Lorrigan. Are there any questions, Council? Mike.

13

14 MR. DOUVILLE: I just have a comment. He
15 said he had no wolves up in his area. You know, just to
16 show good will, we could him a handful. We have a few
17 extra.

18

19 CHAIRMAN LITTLEFIELD: Any others? Thank
20 you. I'd like to remind you that this period is open,
21 you have the option if you signed up for only one
22 proposal, you can testify later at that proposal. This
23 is an opportunity if you may not be here. We have some
24 that are for both, and you'll be given an opportunity
25 then. Next on the list is Merle Schultz, thinning
26 process by the United States Forest Service.

27

28 MR. SCHULTZ: Yes, I just wanted to
29 comment. I've been hunting on Prince of Wales for over
30 25 years now, the same area. And within the last two
31 years the Forest Service has come in in an old clear cut
32 that is now grown up to approximately eight inches in
33 diameter with the trees, 20, 25 feet high. And they came
34 in there the last two years and did their thinning. That
35 whole area right now is impenetrable to any wildlife. I
36 thought the Forest Service was to create habitat and to
37 try and help the animals in the situation of old growth
38 and clear cut areas, and to make the habitat better, but
39 they have completely devastated this area. There's no
40 longer even a deer track on the logging roads within
41 these areas, because it's like running them down a
42 culvert. They can't get off from it, I mean, if they
43 wanted to. The stuff is all laying three, four feet off
44 from the ground. It is just slashed, one tree laying on
45 top of the other, and I believe that it's very poor
46 management on the Forestry end of it to do this to an
47 area when they know far in advance of leaving those trees
48 get to that particular age and diameter.

49

50 They know what species they want to save

00103

1 in certain areas. And I think when that stuff is an inch
2 or two in diameter, they can tell which are healthy
3 trees, which they want to save and what species. And I
4 think that's the time to go in and thin, because right
5 now that area, the way the lasts in this country with --
6 I mean, a limb that's 10, 15 years old, try and break it
7 off, I mean, it's like a rubber band. It just does not
8 seem to rot in this country. And I mean, they have
9 completely devastated this whole area as far as deer
10 habitat for many, many years to come. And I just think
11 that they ought to take into consideration the habitat
12 issue instead of just what is good for the Forestry
13 Service, and when they feel like getting around to
14 thinning.

15

16 And so I just want to comment that I
17 think they can do a lot better job than what they are
18 doing as far as thinning these areas, and at the proper
19 time thin them, instead of waiting until they're in
20 almost pulpwood stage, and then just leaving it lay.
21 They're taking the trees and leaving them stand above the
22 ground to where they do not rot, they do not put
23 nutrition back into the soil, whereas if they were small,
24 they would rot a lot faster and it would help the
25 remainder of the trees that they -- the species they want
26 to save. That is my comment. I think they're doing a
27 very poor job in this aspect.

28

29 CHAIRMAN LITTLEFIELD: Thank you for your
30 testimony, Merle. We did add habitat to 12 under new
31 business on item C, and if you're going to be here, we
32 hopefully will discuss that. And my other question -- I
33 have another couple questions.

34

35 One is, in the 25 years that you've been
36 using the island, are you out there hunting? Is that
37 what you're doing, or recreating? Or what are you doing
38 out there?

39

40 MR. SCHULTZ: Oh, mostly hunting, but I
41 have been there just for recreation purposes.

42

43 CHAIRMAN LITTLEFIELD: Okay. And during
44 that time in these areas, you say that there's -- the
45 deer have basically been disappearing, you can't find
46 them there any more, is that what your statement said?

47

48 MR. SCHULTZ: In these areas where they
49 have just thinned, when the trees get this large. I mean
50 if they're thinned at the proper time, I mean, in a

00104

1 matter of a few years, it goes back to habitat, because
2 the smaller limbs and stuff, they break down and they get
3 back down to where the deer can get around in there, and
4 the bears and whatever have you. But right now the way
5 they have done it in this area, I mean, it is completely
6 devastation for habitat.

7

8 CHAIRMAN LITTLEFIELD: Okay. Then my
9 last question was, of course, we are the Subsistence
10 Council, and we will discuss this, and we will definitely
11 make some kind of recommendation. Well, at least -- I
12 don't say definitely, but probably we will make some kind
13 of recommendation on habitat. But have you brought this
14 up to the Forest Service? Have you mentioned this to
15 them? Because it actually sounds like they're the ones
16 that might -- maybe that it should have been addressed
17 to, although we're going to talk about it.

18

19 MR. SCHULTZ: Well, I know there's a lot
20 of Forest Service people here. I mean -- and so that's
21 why I'm bringing it up now. I mean, I think there's
22 enough top echelon from the Forestry Department here that
23 can, if they want to take it into consideration, there's
24 enough people here that can do that and shed some light
25 on it, and perhaps ward this off in future time with
26 their thinning processes and.....

27

28 CHAIRMAN LITTLEFIELD: Okay. Thank you,
29 Merle. We will -- I have that noted, and we'll make sure
30 that during the habitat discussion that we bring this
31 subject up and hopefully get some kind of an answer, and
32 I hope that you're here at that time.

33

34 Other Council? Marilyn?

35

36 MS. WILSON: I just wanted your name
37 again? And I, for one, appreciate your comments, because
38 we tend to blame hunters and all the other hunters and
39 over-hunting, and we kind of tend to forget the habitat.
40 And we have to look at the whole picture. So what is
41 your name again?

42

43 MR. SCHULTZ: My name is Merle Schultz.

44

45 MS. WILSON: Merle Schultz.

46

47 MR. SCHULTZ: Yeah.

48

49 MS. WILSON: Thank you.

50

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1 CHAIRMAN LITTLEFIELD: Any other Council?
2 Ms. Garza? Just stay with us for a minute, Merle.

3
4 MS. GARZA: Thank you, Mr. Chair. So Mr.
5 Schultz, could you give me an idea of where this area is
6 on Prince of Wales? Is it a large area or is it
7 northwest, southeast?

8
9 MR. SCHULTZ: It's Stoney Creek area.

10
11 CHAIRMAN LITTLEFIELD: Any other
12 questions? Don.

13
14 MR. HERNANDEZ: Mr. Chairman, I just
15 wanted to tell Mr. Schultz that I've -- at one point in
16 my past I've been a tree thinner, and I've worked in the
17 clear cuts, and, yeah, everything you say is very much
18 true, and, yeah, if you wanted to get together with me,
19 talking about it in the course of discussion, I'll be
20 happy to talk to you.

21
22 Thank you.

23
24 CHAIRMAN LITTLEFIELD: Any other Counsel?
25 Thank you for your testimony, Mr. Schultz. We have
26 Johnny Laird signed up for 4 or 5, if you would like to
27 testify now, please feel free to do so.

28
29 UNIDENTIFIED VOICE: Mr. Chairman, Johnny
30 said he would be back tomorrow for the 4 and 5.

31
32 CHAIRMAN LITTLEFIELD: I hope I don't
33 crucify this name too much, Bob Jahnke, in general?

34
35 UNIDENTIFIED VOICE: He left.

36
37 CHAIRMAN LITTLEFIELD: He left. Okay.
38 We'll keep it open. Ron Porter on Proposal 8, would you
39 like to testify now?

40
41 MR. PORTER: Mr. Chairman, members of the
42 Board, I'd like to first comment before I talk about
43 Proposal 8 about a couple of the opening statements made
44 by a couple of the Board members.

45
46 One by Ms. Wilson about clean water. I'm
47 very much in support of what she had to say. Living here
48 in Ketchikan, operating fishing boats in and out of here,
49 we need to pay real close attention to what's going on,
50 because we're the only that cares. And we've found in

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1 the past that some things have not went well. And I
2 certainly agree with her remarks about the clean water
3 issues.

4

5 And I'd also like to speak to Dolly
6 Garza's issue about the urban and rural situation here in
7 Ketchikan. I'm forced to be an urban person. I live
8 here. I'm 60 years old. I'm born and raised in Alaska.
9 I've been involved in commercial hunting, fishing, all of
10 those things all of my life, and I really enjoy doing it,
11 like going out, I do a lot of recreating, but I find that
12 I need to -- I think Ketchikan is rural. Our economy
13 here is zero. Just take a walk through town and see for
14 yourself where we're at. And I'm very much in agreement
15 that we need to, if any way we can, have a rural status
16 here in Ketchikan.

17

18 I'd like to speak with you for a moment
19 about Proposal 8, the Unuk River moose proposal. I have
20 been in the Unuk River for a number of years as a
21 recreational type person. I do a lot of moose hunting up
22 there. During the time when that moose season's open, I
23 try to spend every moment I can there. The hunter
24 success rate on that river, because of what it is, and
25 the herd, is very small. I think this proposal is just
26 an attempt for somebody to have their own little special
27 hunt with all the rest of us gone.

28

29 I have to also say that I know it's
30 frustrating to deal with the airplane situation up there,
31 but there's one group of hunters up there that have a
32 plane, and, of course, the state regulation says that you
33 can hunt and fly the same day. The rest of us don't have
34 that. We do all our hunting out of our river boats on
35 the river, or on the 270 acres of private land at the
36 bottom of the river. It's frustrating to deal with it,
37 but having that airplane does not guarantee them success
38 either. A lot of the moose hunting on the Unuk River is
39 very much luck, because it's not a huge herd, but I would
40 certainly hate to lose my opportunity to be the first
41 group up there doing any hunting because of this issue.

42

43 There's two groups of hunters that hunt
44 up there. There's a group from Ketchikan here that some
45 of those -- most of those guys are private land owners,
46 and group from Metlakatla. Occasionally there will be
47 somebody from one of the other communities will show up
48 up there, but very, very seldom, because you've got a
49 very dangerous river that you're dealing with up there,
50 so people that aren't hep to run on fast, muddy rivers

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1 with riverboats, pretty much leave it alone. But I hate
2 to lose my opportunity, whatever it may be, how small,
3 how big, because I'm going to be classified as an urban
4 hunter and not going to be able to go up there and hunt
5 on this special season.

6

7 And I think here again I'd just like to
8 reiterate, it's just a move for somebody to have their
9 own little personal hunt.

10

11 CHAIRMAN LITTLEFIELD: Thank you, Mr.
12 Porter. I've added the clean water to the habitat issue,
13 and like I said earlier, we will be discussing that
14 toward the end of the meeting. It's a subject that was
15 also mentioned by a couple of other Councilmen and we
16 will talk about that.

17

18 The rural situation again is on the board
19 and we will talk about that. Several Councilmen have
20 come out in support previously for Ketchikan to be rural
21 status, and I suspect that will be on the board.

22

23 And are there any other Council comments?
24 Thank you for your testimony.

25

26 MR. PORTER: Thank you.

27

28 CHAIRMAN LITTLEFIELD: Bob Reesel or
29 Russell, would you like to testify today on 4 and 5?

30

31 MR. REESER: I hope I can make myself
32 heard. I don't have a cold. I've got a vocal cord
33 that's given up on me.

34

35 My name is Bob Reeser. I've been a
36 resident here for about 21 years. Just a little bit of
37 background. I spent a year and a half at Thorne Bay. I
38 had a contract with Southcoast and me and my crew built
39 14 Forest Service buildings at Thorne Bay in 1985 and
40 '86. And we did quite a bit of hunting. Then I went
41 back in 1996, 10 years later, and built the second phase
42 of Boardwalk Wilderness Lodge, and I was there about a
43 year again.

44

45 And when you're in a situation just from
46 year to year to year and things kind of slide and you
47 don't notice it. But being gone for 10 years, when I
48 came back, I went to hunt again, and it was just
49 altogether different. There weren't near the deer. And
50 I think one reason for this, I was raised in Oregon. I

00108

1 hunted there. I've lived in Washington, I hunted there.
2 The situation is the same. Where are the deer? Where
3 are the birds? They're not in the old growth or in the
4 thick forest, they're in the clear cuts. And the clear
5 cuts are disappearing. That -- I mean, if you're a
6 hunter, you'll know that, you realize that.

7

8 I own some property on Prince of Wales in
9 Shamway (ph) I bought 10 years ago. And there used to be
10 deer around there. When I retired in May, and I spent
11 about most of four months in Shamway last summer, and as
12 I recall, I saw probably three fresh deer tracks, and I'm
13 a lot more interested myself in fishing than I am
14 hunting. I like to hike. I hike into lakes. I enjoy
15 that. I take my grandkids to go. But I saw very, very
16 little deer sign there up in the South Arm, up West Arm,
17 Sunny Cove Creek. I've been near the top in South Arm.
18 Very, very little deer sign, but all kinds of wolves.
19 There's wolves all over that place, so I think the wolf
20 -- this fellow from Sitka I think that doesn't have any
21 wolves, I think we ought to ship some up to him.

22

23 But I think that's a problem. You take
24 18 years ago I guess it was when I was in Thorne Bay, the
25 Staney Creek clear-cut, I mean, it wasn't a clear cut any
26 more, but it was already up, a lot of 15, 20 feet high,
27 and I just drove down through there summer, and that is
28 just a thick dark forest any place you go in there. So I
29 don't think there's any deer in there. I mean, that's
30 not where they live, and that's not where hunters are
31 going to find them. They're going to find them in the
32 clear cuts, and I think that's why we're seeing a lot
33 more road hunting than there used to be. People just --
34 there's no place to go to find them.

35

36 I guess that's all I have to say.

37

38 CHAIRMAN LITTLEFIELD: Is the name
39 Reeser? Could you spell that for us, please?

40

41 MR. REESER: R-E-E-S-E-R.

42

43 CHAIRMAN LITTLEFIELD: U-R?

44

45 MR. REESER: E.

46

47 CHAIRMAN LITTLEFIELD: Okay. Thank you.
48 Thank you for your testimony. I had one question for
49 you. You've been there apparently hunting and fishing
50 for 21 years. And in that time, are you characterizing

00109

1 that as less deer and fish now, or maybe just deer now
2 than there was 21 years ago?

3

4 MR. REESER: At least what I'm saying, I
5 guess -- I don't think there's as many deer. I mean,
6 there's not -- there's a lot more places for them to
7 hide. As the logging closes down more and more -- okay.
8 The natives -- I'm not sure here, but I know in other
9 places in the United States, they used to burn areas just
10 for that. I mean, if you're acquainted with any history
11 of Indians in the midwest and the western states, they
12 would -- had controlled burns, just because that's where
13 they would harvest their deer and elk and things like
14 that, so.....

15

16 CHAIRMAN LITTLEFIELD: Okay. Thank you.
17 Are there any other questions? Ms. Garza? Please stay
18 with us for a minute, Mr. Reeser.

19

20 MS. GARZA: Mr. Chairman, thank you. Mr.
21 Reeser, so I'm not sure if you were intending to have
22 comments on either Proposal 4 or 5, if you were in favor
23 or against either one of those? Or if these were just
24 general comments.

25

26 MR. REESER: I don't know. I don't have
27 them in front of my now. I just kind of walked in here
28 off the street, and -- I don't know. It seems to me
29 coming from states where there's a one-deer limit, I
30 mean, I was almost shocked you could shoot four deer
31 here, a person. And I think maybe for people that really
32 subsist on that, that's fine. But still a man and a wife
33 may have a dozen children, I don't know what they do with
34 20 deer. I mean, they could legally shoot that many
35 deer. I don't think it's -- actually I think if the deer
36 population is declining, we ought to cut the limit.
37 That's what I would be in favor of.

38

39 CHAIRMAN LITTLEFIELD: Thank you. Any
40 other Council? Floyd. Mr. Kookesh?

41

42 MR. KOOKESH: I'd like to thank you for
43 your comments, because I'm not really from this area.

44

45 CHAIRMAN LITTLEFIELD: Mike.

46

47 MR. KOOKESH: Okay. I want to thank you
48 for your comments. I'm not really from this portion of
49 Southeast. I think your local knowledge is valuable.
50 When I started looking at these proposals in front of me,

00110

1 it kind of gives me an idea how I should look at it. It
2 helps me in my perspective, and I really appreciate that.
3 And I really want to thank you for that local knowledge.
4 It's really something.

5

6 Thank you.

7

8 MR. REESER: It's really hard to tell I
9 think what the deer population is doing, because there's
10 not near the clear cuts there used to be. We could have
11 a lot of deer that we're not aware of. I don't know what
12 the answer is.

13

14 CHAIRMAN LITTLEFIELD: Any other Council?
15 Mr. Reeser, thank you for your comments. As I mentioned
16 earlier, we look to people who have local knowledge to
17 keep us informed.

18

19 Thank you.

20

21 D. Jay O'Brien on Proposal on Proposal 4.
22 Would you like to testify today?

23

24 MR. O'BRIEN: Yes, that's fine.

25

26 CHAIRMAN LITTLEFIELD: Please come
27 forward.

28

29 MR. O'BRIEN: I'll keep my comments
30 brief. My name is D. Jay O'Brien, and I am a 10-year
31 resident of Ketchikan, of the Ketchikan area. I'm
32 employed as a biology teacher in town, and I've had the
33 pleasure of hunting on Prince of Wales Island as a sport
34 user group person over the last six to eight years.

35

36 And my only comments today are concerning
37 Proposal 4 where there has been evidently an amendment
38 made to that proposal, if that is still in force,
39 concerning with the elimination of doe harvest in Unit 2.
40 And I would like to put forth my support for that
41 amendment to that. That is, to eliminate a doe harvest
42 on that island. My albeit layman's research on this
43 topic is -- there seems to be quite a bit of evidence out
44 in the literature about -- that having a doe harvest in a
45 -- on a population is the best way to limit the growth
46 and the abundance of that population. And so I think
47 that having a doe harvest in place is probably one of the
48 major limiting factors as far as our -- the population of
49 deer that we see over there, or at least it's a
50 contributing factor. And so I would definitely support

00111

1 Proposal 4 with the amendment that a doe harvest be
2 eliminated.

3

4 CHAIRMAN LITTLEFIELD: Thank you, Mr.
5 O'Brien. Counsel comments? Mr. Douville.

6

7 MR. DOUVILLE: Thank you, Mr. Chair. Are
8 you looking at the comments on the original proposal by
9 the ADF&G on Page 93? I don't think it's an amendment.
10 Are you suggesting an amendment, or are you reading this
11 ADF&G comment?

12

13 MR. O'BRIEN: I have something that was
14 faxed to me recently that from what it says here,
15 preliminary comments made by the Alaska Department of
16 Fish and Game, yes. I don't know if those are the actual
17 finalized proposals. I could be speaking about something
18 that is no longer in discussion, but.....

19

20 CHAIRMAN LITTLEFIELD: Mr. O'Brien, the
21 suggested amendment that was presented by Mr. Morris is
22 dated 2/20, the copy I have is dated 2/20 at 10:42 a.m.,
23 heading at the top, the Craig Community Association. I
24 did not see the doe -- and could we make sure that
25 these.....

26

27 UNIDENTIFIED VOICE: That is Proposal 5.

28

29

30 CHAIRMAN LITTLEFIELD: Five. Excuse me,
31 5. Was there anything on 4, any amendment that dealt
32 with 4? So there isn't an amendment.

33

34 MR. O'BRIEN: My apologies if I'm out of
35 -- if I'm on the wrong topic here.

36

37 CHAIRMAN LITTLEFIELD: Ms. Garza.

38

39 MS. GARZA: Mr. O'Brien, I think what you
40 may be looking at is the ADF&G comments in regards to
41 this proposal, which in our book is on Page 93, that the
42 ADF&G recommends amending the proposal to eliminate the
43 current provision allowing the taking of antlerless deer
44 from October 15th to December 31st. So you're supporting
45 actually the ADF&G proposed position.

46

47 MR. O'BRIEN: I believe that's right, if
48 what we're talking about is the elimination of the doe
49 harvest in that unit, because I believe that that is one
50 -- perhaps one reason that -- why we're finding that some

00112

1 folks are having a more difficult time getting their
2 subsistence needs met. And I would like to -- and I
3 think it could be an interesting experiment to see if the
4 doe harvest was eliminated for a number of years to come,
5 if we would see some sort of enhancement as far as the
6 harvest of both subsistence users and sport users such as
7 myself.

8

9 CHAIRMAN LITTLEFIELD: Okay. We've got
10 you down on that proposal. Any other -- Ms. Garza.

11

12 MS. GARZA: Mr. Chairman, Mr. O'Brien, I
13 know that you have not attended these meetings in the
14 past, and Prince of Wales deer has come up every single
15 year as well as Sitka deer usually. And so we've heard
16 many reports, and it's my understanding that at the last
17 year's report, it demonstrated that the doe harvest was
18 fairly minimal compared to the total harvest of deer, and
19 does not have an impact on the population. So I'm not
20 sure if -- we may hear additional information from either
21 Federal or State Staff when we bring this proposal up,
22 and you may want to hear their comments on it. But
23 that's my understanding of the impacts of doe harvest.

24

25 CHAIRMAN LITTLEFIELD: Mr. O'Brien, we're
26 going to discuss Proposal 4 at 2:00 p.m. tomorrow
27 afternoon, and at that time, Federal Staff and State will
28 make presentations. We'll thrash this out, and.....

29

30 MR. O'BRIEN: Okay.

31

32 MR. BOYD:we'd be pleased to have
33 you here again and you're welcome to say a few words
34 again. Any other comments? Thank you for our testimony.

35

36 MR. O'BRIEN: Thank you, sir.

37

38 CHAIRMAN LITTLEFIELD: Are there any
39 other people who wish to testify at this time?

40

41 Okay. The next thing on the agenda is
42 the actual wildlife proposals themselves. Some of these
43 we can take care of. We will go right into Proposal No.
44 1. We're going to go through them in order with the
45 exceptions of 4, 5 and 9 (sic), which we have set
46 specific times for. So again there's a specific way to
47 do these, and I will turn this portion over to Dr.
48 Schroeder.

49

50 I have a question of -- break please for

00113

1 10 minutes.

2

3 (Off record)

4

5 (On record)

6

7 CHAIRMAN LITTLEFIELD:on number 9,
8 wildlife proposals. Dr. Schroeder?

9

10 MR. SCHROEDER: Mr. Chairman, as we get
11 into the proposal portion of our meeting, I'd like
12 Council members and Staff and members of the audience to
13 understand how we go through proposals. I've put our
14 procedures on the screen here.

15

16 First what happens is the lead author or
17 the Staff presents, introduces the proposal, and presents
18 analysis of the proposal. Secondly -- and Council
19 members ask questions, or factual questions at that time.

20

21 Second we read in -- Alaska Department of
22 Fish and Game gives their comments on a proposal.

23

24 Third, and we apologize for your printed
25 copy didn't correctly mention that tribal governments
26 have a special role in this process. Third we take
27 tribal government and other agency comments.

28

29 Fourth, fish and game advisory committee
30 comments, if there are any.

31

32 Fifth, we summarize written public
33 comments.

34

35 And, sixth, we take public testimony on
36 the proposal that is under discussion.

37

38 And, seven, we go into Regional Council
39 deliberations, which comes up with a recommendation and
40 justifications.

41

42 The proposal before us right now is WP-
43 03-01. Is there any question?

44

45 CHAIRMAN LITTLEFIELD: Mr. Kookesh?

46

47 MR. KOOKESH: This oversight on the
48 tribal government portion, was that just typing? Is
49 that.....

50

00114

1 MR. SCHROEDER: Mr. Chair, Mr. Kookesh,
2 I'm not exactly sure where that slip-up took place. But
3 our practice has been to recognize tribal governments.
4 They're frequently our hosts, and they have a special
5 relationship with subsistence issues.

6
7 May I proceed, Mr. Chair?

8
9 CHAIRMAN LITTLEFIELD: Yes. Let's make
10 sure that we know what page we're on, if you could please
11 refer to page in the Board so that everybody knows the
12 same page we're talking about?

13
14 MR. SCHROEDER: Mr. Chair, we're talking
15 about draft Staff analyses, which begin on Page 39.

16
17 REPORTER: Your microphone.

18
19 CHAIRMAN LITTLEFIELD: Microphone.

20
21 MR. SCHROEDER: Excuse me. Draft Staff
22 analyses which begin on Page 39. This particular
23 proposal has its executive summary on Page 41, and
24 continues on.

25
26 I think that this issue is very familiar
27 to Council members. In fact, the reason that we have
28 regulations governing the taking of wildlife for
29 religious and ceremonial potlatch purposes is intimately
30 involved with some Council members actions in the past.
31 Both -- in the 1995 cycle this Council acted to make
32 recommendations on proposals that would establish this
33 use in the game management units that comprise Southeast
34 Alaska.

35
36 I'll also point out that Chairman Bill
37 Thomas and Chief Matthew Fred were instrumental in
38 presenting information on potlatch and funerary use of
39 wildlife to the Alaska Board of Game at a Fairbanks
40 meeting in around 1995. And they worked with the State
41 to establish State regulations concerning this activity.

42
43 I think the Council is well familiar with
44 the nature of this proposal. This proposal seeks to come
45 up with a statewide proposal, a statewide regulation
46 which would govern the taking of wildlife for these
47 purposes. At the present time as we'll see, we have
48 regulations on the books that cover the Southeast units.
49 Council attention may be drawn to the similarities and
50 minor differences between the existing regulations for

00115

1 Southeast Alaska, and the proposed regulation which would
2 apply to all species across the State.

3

4 The main points here are that under this
5 regulation, subsistence users may take wildlife outside
6 posted seasons and bag limits for traditional religious
7 ceremonies, for funerals, or mortuary ceremonies. The
8 person organizing the ceremony must contact the Federal
9 land management agency with information about the species
10 and location where it will be taken, that this taking
11 should not violate general principles of fish and
12 wildlife conservation, that a report should be filed with
13 the Federal land management agency after the harvest has
14 occurred, and no special permit or harvest ticket is
15 required for this activity.

16

17 The State of Alaska parallel regulation
18 to this is found in your Council Book on Page 47. And
19 this also deals again with funerary or mortuary religious
20 ceremonies.

21

22 The Board of Game modified this
23 regulation in its November 2002 meeting to require
24 notification prior to harvesting. This was not in the
25 State regulation at a previous time.

26

27 In the interest of expediency, I'd simply
28 like to highlight the possible differences between -- the
29 similarities and differences between the existing State
30 -- the existing Federal regulations for our area. These
31 are found in Page 53 through 55 of your book. These five
32 regulations govern Units 1, 2, 3, 4 and 5. They appear
33 to be the same, so that if you read through one, you'll
34 see what the existing operating procedure's been for
35 Federal lands in Southeast Alaska since these were passed
36 in 1995.

37

38 The differences between -- the only
39 differences that I note between our existing regulations
40 for Units 1 through 5 and the proposed language would be
41 in -- let's see where I am here. We have some minor
42 wording changes where -- that are highlighted on the
43 screen in bold. So we're simply spiffing up language and
44 wording in provision 1.

45

46 Provision 2 has an elaboration of taking,
47 so our existing regulation states the taking does not
48 violate recognized principles of wildlife conservation.
49 The additional wording adds, and uses the methods and
50 means allowable for the particular species published in

00116

1 the applicable Federal regulations. The appropriate
2 Federal land manager will establish the number, species,
3 sex, or place of taking if necessary for conservation
4 purposes.

5
6 This language you might recall fairly
7 closely mirrors the language that the Federal Subsistence
8 Board acted on in doing parallel regulations for the use
9 of fish for ceremonial uses. So it's -- I believe that
10 this language is in here basically for the purpose of
11 consistency across the fish and wildlife regulations.

12
13 The other sections are as printed and
14 either absolutely identical or very similar to the
15 provisions that exist at the present time under unit
16 specific regulations.

17
18 Were this regulation to -- the proposed
19 regulation to pass, it would essentially supersede the
20 existing regulations for Units 1, 2, 3, 4 and 5.
21 Specifically it would revoke these, and we would have a
22 substitute regulation that would cover statewide use
23 under this provision.

24
25 Mr. Chairman, that concludes my
26 presentation on this proposal.

27
28 CHAIRMAN LITTLEFIELD: Thank you. Any
29 questions from the Council?

30
31 I had one question. The existing
32 pamphlet that's issued has different language, the one
33 that's good through June 30th, 2003 still requires
34 harvesters between the ages of 16 and 60 to possess an
35 Alaska valid hunting license?

36
37 MR. SCHROEDER: Could I ask staff to help
38 me out on that? Don, do you -- can you give me some help
39 on that one?

40
41 MR. RIVARD: Thank you, Mr. Chair. Don
42 Rivard with the Office of Subsistence Management out of
43 Anchorage Alaska. I believe that it would still -- that
44 requirement would still be in there. I don't think
45 that's -- there was no proposal to change that, and
46 there's no language in this proposal to change it in any
47 way, shape or form. I'd have to research that, but I
48 don't believe that would change.

49
50 CHAIRMAN LITTLEFIELD: Thank you, Mr.

00117

1 Rivard. Which is the correct existing language? The
2 language on Pages 54, et cetera, or the language that's
3 on Page 23 in the pamphlet? Which one is the correct
4 language right now?

5

6 MR. RIVARD: Mr. Chair, the current
7 regulation is what you're speaking about?

8

9 CHAIRMAN LITTLEFIELD: The current
10 regulations.

11

12 MR. RIVARD: Well, the current regulation
13 is on Page 46 of your book, and I -- except for Units 1
14 through 5 as Bob pointed out, those are already in the
15 book as well. They're already in the regulations, the
16 existing ones for Units 1 through 5. And I don't see in
17 here, in the Council book the requirement for having a
18 valid State of Alaska hunting license, but I believe that
19 will continue. I'd have to research that. I don't know
20 the answer for sure.

21

22 CHAIRMAN LITTLEFIELD: In any case, if we
23 adopted this, it would disappear, the requirement for
24 that, if it exists?

25

26 MR. RIVARD: I do not know for sure, but
27 I don't think so. I think you'd have to still have the
28 valid State of Alaska hunting license.

29

30 CHAIRMAN LITTLEFIELD: I'm looking at
31 number 4 on Page 41 of the executive summary, and number
32 4 says no permit or harvest ticket is required for taking
33 under this section. However, the harvester must be an
34 Alaska rural resident with customary and traditional use
35 in that area where harvesting.

36

37 And the reason I looked at that is the
38 Page 23 of the pamphlet has a little provision after that
39 that says harvesters between the ages 16 and 60 must
40 possess a valid Alaska hunting license in Unit 1 through
41 5. So my question was if we adopt this, that requirement
42 in Unit 1 through 5 would disappear?

43

44 MR. SCHROEDER: Mr. Chair, in the
45 discussions I've sat in on with respect to this proposal,
46 that wasn't the intention. Whether it is in fact the
47 fact is another matter, but the question of licenses
48 wasn't raised in this context.

49

50 MR. RIVARD: That's correct, that's my

00118

1 understanding as well. It was never brought up in
2 discussion, but it's a good point that needs to be
3 researched, and I will -- I can call the office in fact
4 now and I can talk with Bill Knauer who would help us out
5 wit that as well and get an answer back to the Council.

6

7 CHAIRMAN LITTLEFIELD: Thank you. Mr.
8 Adams.

9

10 MR. ADAMS: Thank you, Mr. Chairman.
11 Last week we had our SRC meeting in Copper Center, and we
12 addressed this same issue, and in regards to the
13 recipient having to be 16 to 60 years old, we accepted
14 that with modification, striking that out of there, as
15 well as the requirement for having a valid Alaska
16 license.

17

18 CHAIRMAN LITTLEFIELD: Thank you. Mr.
19 Douville?

20

21 MR. DOUVILLE: Thank you, Mr. Chairman.
22 I just have a question as to why this does not include
23 fish? It only focuses on wildlife, and I was curious
24 about fish.

25

26 CHAIRMAN LITTLEFIELD: Mr. Douville, it's
27 my understanding that we took care of that with a Hoonah
28 proposal last year, is that correct?

29

30 MR. SCHROEDER: Mr. Chairman, Mike, the
31 fisheries and wildlife regulations sit in different
32 places in the record in the regulations, and so this is
33 dealing with the wildlife side. We've already dealt with
34 fish.

35

36 CHAIRMAN LITTLEFIELD: Any other
37 questions for Staff? Okay. Thank -- in the back, Mr.
38 Eastland, please.

39

40 MR. EASTLAND: Thank you, Mr. Chair. My
41 name is Warren Eastland. I'm the wildlife biologist with
42 the BIA. I'm also Staff Committee member.

43

44 The proposal as it should be read is on
45 Page 50 in your book in italics. Unfortunately we, the
46 Staff Committee in general, allowed some mistakes to
47 creep into this, and the proper proposal is at the bottom
48 of Page 50. And the very last line where it says and the
49 nams, meaning names of the decedents for whom the
50 ceremony was held, is supposed to be stricken. That is

00119

1 not in the proposal. If you'll notice in section one,
2 the requirement for the name of the decedent has been
3 removed, and it was supposed to be removed from section
4 3, and there was a mistake. As I understand it -- there
5 was a mistake in that it was not removed prior to
6 producing this book for your purposes. And as I
7 understand it, the rationale behind removing the name of
8 the decedent had to do with privacy matters.

9

10 Thank you.

11

12 CHAIRMAN LITTLEFIELD: Thank you, Mr.
13 Eastland. Does everyone follow that? It would be at the
14 bottom of Page 50 as I see it, striking everything after
15 and the nams, is that correct?

16

17 MR. EASTLAND: Yes, sir.

18

19 CHAIRMAN LITTLEFIELD: Okay. Then if we
20 follow onto Page 51, this will revoke the following
21 regulations in Unit 1 through 5 where we have the
22 requirement for age 16 to 60, is that correct?

23

24 MR. EASTLAND: As I understand it, yes,
25 sir.

26

27 CHAIRMAN LITTLEFIELD: Thank you, sir.
28 Any other Council comments? Madam Wilson.

29

30 MS. WILSON: I just wanted to ask the
31 question, what do we strike? The names or the nams, you
32 call it, of the decedent for whom the ceremony was held,
33 do you want all of that stricken?

34

35 MR. EASTLAND: Yes, ma'am, everything
36 from the comma after the taking through the colon. In
37 other words, and the nams of the decedents for whom the
38 ceremony was held will all be stricken.

39

40 MR. SCHROEDER: Mr. Chair, Warren, is
41 that is correct on the screen as we have it there,
42 striking under three?

43

44 MR. EASTLAND: Yes, Bob, that's right.

45

46 MS. WILSON: And the nams.

47

48 CHAIRMAN LITTLEFIELD: Just for
49 clarification, the actual language that we are looking at
50 is on Page 50, 51, and 52. Are there any other

00120

1 questions? Okay. ADF&G comments. Or, excuse me, Mr.
2 Rivard, please.

3

4 MR. RIVARD: Yes, Mr. Chair, Don Rivard
5 again. Just talking with Tom Boyd, that is a basic
6 requirement that people have a valid State of Alaska
7 hunting license, so that would continue under this
8 proposal as well. Just to clarify that point. Okay?

9

10 CHAIRMAN LITTLEFIELD: Where does that
11 occur in this regulation? Is that a different section,
12 or is this -- could that be clarified?

13

14 MR. SCHROEDER: Mr. Chair, I believe that
15 that's a general requirement for all hunting, and so it
16 supersedes -- it basically comes at the first part of any
17 hunting consideration under the Federal program.

18

19 CHAIRMAN LITTLEFIELD: Okay. The reason
20 I asked this is because there were comments that I'd
21 received where people had supported this, because the
22 language specifically that's on Page 50, 51, and 52
23 apparently removed the requirement in Units 1 through 5
24 to have that license. So I'm glad that you clarified
25 that for me.

26

27 I have a note here that Ms. Patty
28 Phillips, Councilwoman will arrive tomorrow morning at
29 8:00 a.m., and we'll be glad to have her. Is there any
30 update on Ms. Rudolf? Thank you. Go ahead, Bob.

31

32 MR. SCHROEDER: Mr. Chair, do we have
33 Fish and Game present to read their comments in?

34

35 CHAIRMAN LITTLEFIELD: Mr. Turek.

36

37 MR. TUREK: I'm Mike Turek with the
38 Alaska Department of Fish and Game, Division of
39 Subsistence. And I can read the Department's comments on
40 this proposal for you, and those are on Page 45 of your
41 book.

42

43 And ADF&G comments are to support the
44 proposal with modification. In order to minimize
45 confusion and achieve consistency with State ceremonial
46 harvest regulation that goes into effect on July 1, 2003,
47 the Department recommends this proposal be amended to
48 mirror action taken by the Board of Game at its November
49 2002 meeting in Juneau.

50

00121

1 If a Federal statewide regulation is
2 adopted, the Federal Subsistence Board should clarify how
3 existing unit-specific ceremonial harvest regulations
4 will be affected.

5
6 CHAIRMAN LITTLEFIELD: Thank you. Any
7 questions for ADF&G? Thank you, Mr. Turek.

8
9 Tribal governments? Are there any tribal
10 governments that want to testify? Any other agency
11 comments? Any other agencies? Fish and game advisory
12 committee comments? Summary of written public comments?

13
14 MR. SCHROEDER: Mr. Chairman, we've
15 received two public comments, written public comments
16 supporting this proposal. One is from Alfred McKinley of
17 Alaska Native Brotherhood. He's a member of the Grand
18 Camp, of course. He wrote that all natives should be
19 included when making regulations for the taking of fish
20 and game, or for funerary or mortuary cycle celebrations,
21 including 40-day parties and pay-off potlatches.

22
23 We also received a letter of support from
24 Mike Moses on behalf of the Asa'carsarmiut Tribe of
25 Alaska, and he thought this should be reserved only for
26 Alaska natives if possible, since Alaska natives are the
27 ones who have been doing this for generations.

28
29 Those are the only public comments we
30 received, Mr. Chairman.

31
32 CHAIRMAN LITTLEFIELD: Thank you, Dr.
33 Schroeder. Are there any public testimony? Anybody from
34 the public want to testify on this at this time?
35 Proposal 1.

36
37 Hearing none, I guess we're reading for
38 Regional Council deliberation. I believe again for
39 clarification that we're looking at the proposal starting
40 on Page 50 and continuing through Page 51 and 52. What
41 is the Council's wishes? Madam Garza.

42
43 MS. GARZA: Mr. Chairman, I would move
44 that we adopt or support Proposal 1.

45
46 MR. STOKES: I'll second.

47
48 CHAIRMAN LITTLEFIELD: It's been moved
49 and seconded to adopt Proposal No. 1, and for
50 clarification, that's the language on Page 50, and would

00122

1 you like to speak to your motion?

2

3 MS. GARZA: Mr. Chairman, it is the
4 language on Page 50 and 51. Mike and I were having a bit
5 of confusion about the part that is not included for
6 number 3, where that sentence actually ended. So
7 appropriate Federal land managing agencies, specifying
8 the harvester's name, address and number, sex and species
9 of the wildlife taken, period?

10

11 MR. EASTLAND: Yes, ma'am. Yes, ma'am.

12

13 MS. GARZA: Okay. Thank you. Mr.
14 Chairman, I would move that we amend this proposal, so
15 that in -- above the 1, 2, 3, just in the paragraph right
16 under statewide wildlife, so it's mid-page on Page 50,
17 you may take wildlife outside the seasons or harvest
18 limits provided in this part for food in cultural events
19 or traditional religious ceremonies which are a part of a
20 funerary or mortuary cycle, including memorial potlatches
21 if blah-blah-blah. So the intent of my motion, Mr.
22 Chairman, is to add the word cultural events or.

23

24 MS. WILSON: Where -- what place is that?

25

26 MS. GARZA: Page 50, halfway down, right
27 under where it says in bold, statewide/wildlife.

28

29 CHAIRMAN LITTLEFIELD: We have an
30 amendment to add the words cultural event or.

31

32 REPORTER: Your microphone.

33

34 CHAIRMAN LITTLEFIELD: We have an
35 amendment. Is there a second. Is there a second?

36

37 MR. DOUVILLE: Right here. Mr. Chairman,
38 I'll second it.

39

40 CHAIRMAN LITTLEFIELD: Okay. We have a
41 second to add the words cultural events or. I'll let the
42 maker of the motion speak first.

43

44 MS. GARZA: Mr. Chairman, this was
45 sounding rather familiar, and I was wondering why it was
46 in front of us again, and then Mike had that clarified
47 that we did this for fish, and under fish we did also add
48 for cultural events. And so this takes into account the
49 comments that Mr. Lorrigan spoke to for Sitka Tribes,
50 that there may be pole raising events, there may be the

00123

1 seating of a new chief, there may be the opening a new
2 clan house, et cetera where you have a large gathering
3 and you need lots of food.

4

5 CHAIRMAN LITTLEFIELD: Mr. Kitka.

6

7 MR. KITKA: Thank you, Mr. Chairman, I
8 would just.....

9

10 REPORTER: Microphone.

11

12 MR. KITKA: Thank you, Mr. Chairman, I
13 was just going to speak to what Dolly just spoke of, and
14 I agree with her.

15

16 CHAIRMAN LITTLEFIELD: So you support.
17 Is there any other comments on the amendment?

18

19 (No comments)

20

21 CHAIRMAN LITTLEFIELD: Are we ready for
22 the question on the amendment?

23

24 MR. ADAMS: Question.

25

26 CHAIRMAN LITTLEFIELD: The question's
27 been called for. All in favor of amending the language
28 to include adding the words cultural events or in the
29 first sentence after the words in, please signify by
30 saying aye.

31

32 IN UNISON: Aye.

33

34 (No opposing votes.)

35

36 CHAIRMAN LITTLEFIELD: And just for
37 clarity I would like to make -- put those words up there,
38 is that correct? Any discussion on the main motion. Mr.
39 Adams.

40

41 MR. ADAMS: Mr. Chairman, I want to stand
42 corrected. When I mentioned earlier that the SRC
43 supported the same proposal, you know, eliminating the
44 requirement for a valid State license. That is not so.
45 The requirement is to have a State license, so I just
46 wanted to clarify that.

47

48 CHAIRMAN LITTLEFIELD: Any other Council
49 comments. I would like to add that the Sitka ANB
50 endorsed Proposal No. 1, and their endorsement was

00124

1 contingent upon the fact that this was a benefit to Unit
2 4 in that it eliminated the requirement, apparently
3 eliminated the requirement for the licensing. In other
4 words, what was in the book. So I is just want to
5 clarify that. I do not know what their stand would be
6 other than that. Any other comments?

7

8 (No comments)

9

10 CHAIRMAN LITTLEFIELD: Are you ready for
11 the question.

12

13 MR. ADAMS: Call for the question.

14

15 CHAIRMAN LITTLEFIELD: The question's
16 been called for. All those in favor of adopting Proposal
17 No. 1 as amended on Page 50, 51, 52, please signify by
18 saying aye.

19

20 IN UNISON: Aye.

21

22 CHAIRMAN LITTLEFIELD: Those opposed,
23 same sign.

24

25 (No opposing votes.)

26

27 CHAIRMAN LITTLEFIELD: The motion is
28 adopted.

29

30 MS. GARZA: Mr. Chairman.

31

32 CHAIRMAN LITTLEFIELD: Ms. Garza.

33

34 MS. GARZA: Just as clarification, this
35 may be in the information that goes forward to the
36 Federal Subsistence Board, become a unit criteria for our
37 area. And I mean, that we may be one ones that want
38 this. And so if there are other regions that are not
39 asking for this cultural event, then I would like it to
40 be specific for the Southeast region, so that it doesn't
41 get lost.

42

43 CHAIRMAN LITTLEFIELD: Okay. If I can
44 address that, if this does not pass, I believe the
45 existing regulations that are on Page 23 will remain in
46 effect, is that correct?

47

48 MR. SCHROEDER: Mr. Chairman, that.....

49

50 CHAIRMAN LITTLEFIELD: Ms. Garza.

00125

1 MS. GARZA: Mr. Chairman, I was speaking
2 more specifically to the amendment, or cultural event,
3 that if this Proposal 1 goes forward to Federal
4 Subsistence Board, and they are liking it without the
5 amendment, then I would like to say we want the amendment
6 for Southeast.

7
8 CHAIRMAN LITTLEFIELD: So noted. If the
9 record will please note that we want the amendment
10 attached if this does not pass at the statewide level.
11 Mr. Boyd, Mr. Rivard, did you have any other further
12 comments on this? Dr. Schroeder.

13
14 MR. SCHROEDER: Dr. Garza, I think what
15 you're saying is that you like, if this doesn't pass,
16 that this would apply to Units 1 through 5, is that
17 correct?

18
19 MS. GARZA: (Nods affirmative)

20
21 MR. SCHROEDER: The record will reflect
22 that.

23
24 MS. GARZA: Mr. Chairman, that's what
25 Floyd's tell me to tell you.

26
27 CHAIRMAN LITTLEFIELD: Thank you. Are we
28 ready for Proposal 2. Proposal 2 is a statewide proposal
29 to provide for designated hunter provisions for most
30 species and hunts. Introduction of the proposal.

31
32 MR. SCHROEDER: Mr. Chairman, I think
33 this proposal is also fairly familiar to the Council,
34 because the Council pursued establishing designated
35 hunter provisions some years ago, and those have been
36 successfully implemented with respect to deer and moose
37 in Southeast Alaska for certain hunts.

38
39 Let me get myself organized here a little
40 bit.

41
42 The background on this is that the
43 Federal Subsistence Program had a task force dealing with
44 designated hunter issues in 1994. Designated -- the
45 current designated hunter system was adopted in 1995.
46 What this proposal attempts to do is regularize
47 designated hunter procedures statewide following on the
48 success of the designated hunter programs that have been
49 in existence.

50

00126

1 What's occurred since 1995 is that
2 specific proposals have come up requesting establishment
3 of designated hunter regulations on a unit by unit basis.
4 At this time what the federal program would like to do is
5 establish a blanket regulation to ensure uniformity
6 across the State.

7
8 At the present time we have -- let me
9 just page through here. If you look at, let's see, the
10 proposal in question begins on Page 59 in your books. In
11 the interest of time, I'll hit what I consider the
12 salient features of this proposal.

13
14 At the present time, if you look at Page
15 70, at the top of the page you'll see the units where we
16 have ungulate hunts in Southeast Alaska. For deer we
17 have deer hunting in all five units, 1, 2, 3, 4, and 5,
18 and we have designated hunting provisions for those
19 units. At the present time we have goat hunts in Units
20 1, 4, and 5, and we do not have designated hunting
21 provisions in those units. We have subsistence hunts for
22 moose in 1, 3, and 5, and we have designated hunter
23 provisions in GMU -- in, excuse me, Unit 5.

24
25 What this proposal would do would
26 establish uniform designated hunter provisions across all
27 of these hunts.

28
29 Page 68 and table 2 and table 3 show you
30 the performance of designated hunts over recent years.
31 In Units 1 through 5, we've had seven years of designated
32 hunter hunts for deer. A total of 1444 permits were
33 issued, 1411 deer were taken under this program. Mr.
34 Brainard reported on the high level of success we have in
35 tracking performance of the designated hunter program in
36 the last couple of years.

37
38 We've had designated hunters for moose
39 also in Unit 5 since 1995. There have been 15 permits
40 issued, and a total of three moose have been taken.

41
42 Looking at table 3, the designated
43 hunters have taken approximately three percent of the
44 total deer taken in the last -- for the last year where
45 we were able to do this computation, in the 2000/2001
46 season. In that year no moose were taken under the
47 designated hunter permit system.

48
49 Again as I said, the original designated
50 hunter program for Southeast was a result of Regional

00127

1 Advisory Council-generated proposals.

2

3

4 One thing I'd like the Council to be
5 aware of that is not reflected in the written material
6 before you, but was provided to me by Pat Petrovelli,
7 who's the anthropologist who's the anthropologist who has
8 been most closely tracking this issue is that some
9 concerns have come up since the staff write-up concerning
10 the potential impact of designated hunting on ungulates
11 with small populations. Some people have pointed out
12 that this could have -- that designated hunting could
13 have a particular impact on goat, musk ox and sheep
14 populations. There's some discussion that this proposal
15 may eventually be modified to apply only to moose, deer
16 and caribou. And if that modification did take place
17 further down the line in this regulatory process, users
18 would need to request special provisions for these
19 species. In other words, there's some possibility that
20 the proposal may be limited to deer, moose and caribou.

20

21 Mr. Chairman, with that thumbnail sketch,
22 I'd like to open the presentation to questions by the
23 Council.

24

25 CHAIRMAN LITTLEFIELD: Any questions for
26 Staff? And just for clarification, is the proposal that
27 we are looking at on Page 72?

28

29 MR. SCHROEDER: Mr. Chairman, that's
30 correct.

31

32 CHAIRMAN LITTLEFIELD: Any Council
33 comments?

34

35 (No comments.)

36

37 CHAIRMAN LITTLEFIELD: Hearing none,
38 we'll go to ADF&G. Just questions for staff. If
39 there's no questions, we'll go to ADF&G presentation.

40

41 MR. TUREK: Mr. Chair and Council, I'm
42 Mike Turek, Alaska Department of Fish and Game, Division
43 of Subsistence.

44

45 The Department's comments are on Page 62.
46 They're a little lengthy, but I'll read them for you.

47

48 ADF&G comments. Support deferral. The
49 Department generally supports the Federal designated
50 hunter regulation, and believes application on a

00128

1 statewide basis can provide some benefits and
2 administrative efficiencies, but that its implementation
3 at this time would be premature.

4

5 In August 2002 the Office of Subsistence
6 Management authorized three tribal organizations in
7 Southeast Alaska to distribute Federal designated hunter
8 permits. Acknowledging concerns that have been raised
9 previously about administration of the designated hunter
10 program, the Federal Interagency Staff Committee
11 recommended that a work session be scheduled within the
12 next few months to explore enhancing Federal permit data
13 management systems that will be applicable to all regions
14 of the State. Adoption of a statewide designated hunter
15 regulation should include provisions for improving both
16 permit administration and compliance with reporting
17 requirements, and insuring that permit data are provided
18 in a timely manner to the Office of Subsistence
19 Management for entering into a statewide data base.

20

21 Pending completion of this work session
22 recommended by the Staff Committee, the Department
23 believes it is premature to implement a statewide
24 regulation.

25

26 Several questions also must be answered
27 before the pros and cons of a statewide regulation can be
28 accurately evaluated. For example, how would the
29 regulation be administered in rural communities where
30 Federal agency offices are not present. What steps
31 should be taken to ensure compliance, collection of
32 relevant data from permits, and data entry to a
33 centralized data base. Should all ungulate populations
34 in the State automatically be opened as designating
35 hunting? Should designated hunters be allowed to have
36 more than one harvest limit in possession for ungulate
37 hunts that are limited by harvest quotas or registration
38 permit, or that are subject to provisions of Section 804
39 of ANILCA? How would designated hunter permits be issued
40 for federal subsistence hunts that are administered by
41 joint State/Federal registration permits, or by State
42 registration permit? Should the number of designated
43 hunter permits that can be issued to one individual be
44 limited?

45

46 Another concern that requires further
47 discussion is the potential impact of designated hunting
48 on ungulate populations in game management units that are
49 predominantly Federal public land and where there are now
50 or soon may be conservation concerns? Since designated

00129

1 hunters likely would increase the over-all hunter success
2 rates, accurate and timely reported would be essential to
3 protect ungulates from over-harvest, especially in areas
4 where hunting opportunity already is restricted in some
5 way.

6

7 A specific example of our concerns about
8 expansion of the federal designated hunter program
9 involves mountain goats or other ungulates that may
10 concentrate late in the season. The Federal designated
11 hunter program has a number of merits, especially for
12 species like deer that are harvested over many months and
13 are abundant and dispersed across the forest. However,
14 mountain goats are an example of a species in small
15 isolated groups that could be susceptible to over-
16 harvest, especially in areas with two-goat bag limit.
17 Bag limits and hunter restrictions are an important
18 component of mountain goat conservation. Given the low
19 reproductive rates of mountain goats and the manner in
20 which they concentrate during some portion of the hunting
21 season. The same is generally true for musk oxen and
22 dall sheep.

23

24 The Department recommends that a thorough
25 analysis and discussion of these kinds of situations
26 before a broad proposal like this is adopted.

27

28 CHAIRMAN LITTLEFIELD: Are there any
29 Council questions for Mr. Turek? Ms. Garza.

30

31 MS. GARZA: Mr. Chairman, Mr. Turek, so
32 what areas in southeast is there a two-goat limit?
33 That's one of the concerns listed there.

34

35 MR. TUREK: Chair and Dolly, right off
36 hand I couldn't tell you. I'd have to look in our
37 regulation book or request some help from wildlife
38 conservation.

39

40 CHAIRMAN LITTLEFIELD: Jill, do you have
41 information on that? Would you please come forward?

42

43 MS. REECK: Jill Reeck, Forest Service
44 biologist, also lead author on Proposal 7 that deals with
45 goats. Right now there is a two-goat limit for Unit 1(B)
46 south of LeConte Bay all the way down and into and
47 through most of Unit 1(A), which includes Cleveland
48 Peninsula, most of Unit 1(A), except for Ravila Island
49 which there is a closed season. So it's mostly -- most
50 of Unit 1(A) and a large portion of Unit 1(B).

00130

1 CHAIRMAN LITTLEFIELD: Thank you. Follow
2 up?

3
4 MS. GARZA: Thank you, Mr. Chairman. So
5 which communities have C&T for Unit 1(B) and 1(A)?

6
7
8 MS. REECK: Unit 1(A) I believe is open
9 to all rural residents. Unit 1(B) is rural residents of
10 1(B) and 3, which generally includes the communities of
11 Petersburg, Wrangell, Kake, I believe Meyer's Chuck. The
12 specifics of this would be under Proposal 7 in your
13 proposal book.

14
15 CHAIRMAN LITTLEFIELD: Do you want to
16 follow up on that?

17
18 MS. REECK: I guess that -- yes, that is
19 correct, that 1(A) is open to all rural residents, and
20 1(B) is open to residents of 1(B) and 3.

21
22 CHAIRMAN LITTLEFIELD: Don.

23
24 MR. HERNANDEZ: Mr. Chairman, Mike,
25 should this regulation be adopted, are there provisions
26 in statutes that in the case of a conservation concern
27 that there could be emergency regulations that would deal
28 with the problem in designated hunters by emergency
29 regulation?

30
31 MR. TUREK: Chair and Don, I'm not sure
32 if there is in Federal regulations. Do you -- perhaps
33 someone from the Federal Government could answer that.

34
35 CHAIRMAN LITTLEFIELD: Mr. Boyd, could
36 you help us?

37
38 MR. BOYD: Well, the answer is, yes,
39 anytime there are conservation emergencies, we can do
40 special actions that would close seasons or impose
41 conservation restrictions.

42
43 MR. HERNANDEZ: So then I would
44 understand that conserv -- a concern about a
45 conservation problem with this proposal could be
46 addressed by emergency regulation, not necessarily have
47 to be cause for not supporting this proposal?

48
49 MR. BOYD: Well, I think the answer is,
50 yes, they could be. Maybe the better questions is

00131

1 whether there is a better way of handling that particular
2 situation. But certainly emergency actions are there to
3 do exactly what they're intended to do.

4

5 CHAIRMAN LITTLEFIELD: Any other
6 questions? Okay. Thank you very much.

7

8 Tribal governments? Any tribal
9 governments like to testify on Proposal 2? Any other
10 agency comments? Hearing none, any fish and game
11 advisory committee comments? Bob, any comments?

12

13 MR. SCHROEDER: Mr. Chairman, there are
14 no written public comments on this proposal.

15

16 CHAIRMAN LITTLEFIELD: Okay. We went
17 right through that. Public testimony on Proposal No. 2?
18 Any member of the public want to testify on this
19 proposal?

20

21 Hearing none, we're ready for Regional
22 Council deliberations, and for the record I would say
23 that's on Page 72 is the proposal that we are
24 considering. What's the Council's wish?

25

26 MS. GARZA: Mr. Chairman.

27

28 CHAIRMAN LITTLEFIELD: Ms. Garza.

29

30 MS. GARZA: I move we support Proposal 2.

31

32 CHAIRMAN LITTLEFIELD: Is there a second?

33

34 MS. WILSON: I second that.

35

36 CHAIRMAN LITTLEFIELD: It's been moved
37 and seconded to support Proposal 2 as written on Page 72.
38 Would you like to speak to that, the maker of the motion?

39

40 MR. STOKES: Call for the question.

41

42 MS. GARZA: Hold your horses, Dick.

43

44 CHAIRMAN LITTLEFIELD: Go ahead.

45

46 MS. GARZA: Mr. Chairman, I have concerns
47 with this proposal in general, because I think that each
48 region will have so many changes that they want to make
49 specific to their region that it will just go back to
50 what it is now. And as an example, Sitka Tribe in the

00132

1 testimony by Jack Lorrigan stated that they would like to
2 hold more than two permits, because they have a lower
3 deer harvest, where in Prince of Wales with a higher deer
4 harvest you may want to have only two.

5
6 In the issue of the goat for Southeast, I
7 certainly was following the points that Mr. Hernandez was
8 stating, that those types of issues that ADF&G has
9 brought up could be dealt with through emergency order.

10
11 So I made the motion to put it on the
12 table, but I'm not sure what to do with it.

13
14 CHAIRMAN LITTLEFIELD: Okay. I let one
15 thing slide by on Proposal No. 1, and we have to be very
16 careful as a Council when we're deliberating these
17 proposals, and our rationale has to be clear to the
18 Federal Subsistence Board so that they understand exactly
19 what we meant. And even though the first one was by the
20 OSM and it was basically housekeeping, went through
21 fairly easy, I'd like to refer you to the sheet that was
22 distributed that had the rationale for recommendation on
23 there.

24
25 Number 1, we need to talk about
26 conservation concerns, and if there are any conservation
27 concerns, we need to address them. Secondly, the
28 subsistence opportunity that's provided. C is the kinds
29 and qualities of information presented by Staff and in
30 your Board book. And, lastly, is there any restriction
31 on nonsubsistence use.

32
33 So I would like to ask the counsel to go
34 on the record and make sure that we have the backup to
35 support this when it gets to the Federal Subsistence
36 Board. And does everyone have a copy of that proposal
37 recommendation check list? Who would like to start?
38 Don, you had talked earlier about conservation concerns.
39 Could you -- is it possible for you to address for the
40 record whether you support that and why you think they
41 can be addressed, and then we'll go to the subsistence
42 opportunity.

43
44 MR. HERNANDEZ: Mr. Chairman, yes, I
45 think the proposal does adequately address conservation
46 concerns and our discussion here on how the Department in
47 administering this regulation could deal with
48 conservation concerns. I think that satisfies those
49 concerns before the Council.

50

00133

1 CHAIRMAN LITTLEFIELD: Thank you. Dolly.

2

3 MS. GARZA: Mr. Chairman, thank you. In
4 terms of the conservation concerns, I'm still trying to
5 get a feel for the issue that ADF&G brought up in regard
6 to the potential for over-harvesting goats in Southeast.
7 And looking at the list of ungulates harvested by proxy
8 permits, that opportunity is provided in Units I think 23
9 and 26 which I'm assuming are the Kotzebue/North Slope
10 are. And in that area a very few number of sheep have
11 actually been harvested through the proxy permit system.
12 And so I'm not sure -- I guess I would need more
13 information from Fish and Game as to their concern
14 whether or not there already is a high harvest level of
15 goats in the Unit 1(A) and 1(B) region. And I was trying
16 to look through Proposal 7, because you said there was
17 information in there to glean that out, but I'm still not
18 comfortable.

19

20 CHAIRMAN LITTLEFIELD: Jill, will you
21 please address some of these comments?

22

23 MS. REECK: Yes. Please give me a second
24 to look to Proposal 7, Mr. Chairman.

25

26 MS. GARZA: Mr. Chairman, while she's
27 looking at it, on Page 68 does list the designated hunter
28 harvest. And if you look at the designated hunters for,
29 on table 3, Unit 23 for sheep, there was one designated
30 hunter. If you look at the designated permits from '95
31 to 2001 for sheep in 23, there were a total of 12 permits
32 with two sheep taken, in 26 two permits and zero sheep
33 taken under the designated hunting system.

34

35 CHAIRMAN LITTLEFIELD: Go ahead.

36

37 MS. REECK: Yes, first off, Mr. Chairman,
38 I'm not aware of any designated hunter permits for goats
39 in Units 1(A) or 1(B). Most of the harvest of goats in
40 Units 1(A) and (B), seems like they have, especially
41 1(A), have been from nonrural residents. Overall there
42 have been very few second goat permits issued in either
43 Units 1(A) or 1(B). I believe there's been 11 federally-
44 issued second goat permits in the portion of 1(B) that
45 has that current regulation in place, and that's been
46 since 1991, and only four second goats have been
47 harvested within that area. I believe there have been
48 approximately 32 second goat permits issued in Unit 1(A)
49 where -- the remainder of 1(A)/1(B) where there's
50 currently a two-goat harvest. Most of those have been to

00134

1 nonrural residents, less than 30 goats harvested within
2 the last 10 years in that portion under a second goat
3 permit. Does that address your question?

4

5 CHAIRMAN LITTLEFIELD: Thank you. Okay.
6 Dolly.

7

8 MS. GARZA: Mr. Chairman, thank you. I
9 didn't get your last name.

10

11 MS. REECK: Reeck.

12

13 MS. GARZA: So in terms of that -- the
14 information you were giving us, is that on a specific
15 page here that I can turn to?

16

17 MS. REECK: Yes, Ms. Garza. Actually it
18 starts on Page 162. The way that Proposal 7 is written,
19 it actually addresses four different sub areas, so it
20 starts on 162 and goes through about three tables in the
21 following pages.

22

23 CHAIRMAN LITTLEFIELD: What I see is lots
24 of information here that maybe it might be better if we
25 were to table this proposal until after the Proposal 7
26 information was presented to us. Then we might be able
27 to look at this a little more clearly if Council wish.

28

29 MR. DOUVILLE: So moved, Mr. Chairman.

30

31 CHAIRMAN LITTLEFIELD: It's been moved to
32 table. Is there a second?

33

34 MR. KOOKESH: Second

35

36 MR. STOKES: Second

37

38 CHAIRMAN LITTLEFIELD: It's been moved to
39 table Proposal No. 2 until after the discussion on
40 Proposal 7. All those in favor, say aye.

41

42 IN UNISON: Aye.

43

44 CHAIRMAN LITTLEFIELD: Are there any
45 opposed, say aye -- same sign.

46

47 (No opposing votes.)

48

49 CHAIRMAN LITTLEFIELD: We will table this
50 until after we get a little bit more information from

00135

1 you, because we need that information.

2

3 Thank you.

4

5 It's 5:17, and it was my hope that we
6 could get through Proposal 3, because we have Proposal --
7 we always have a special order in the morning. Is the
8 Council willing to take on Proposal No. 3 at this time?
9 Okay. We'll move into Proposal No. 3.

10

11 MR. JOHNSON: Mr. Chairman, Council, Dave
12 Johnson, subsistence coordinator for the Tongass. As
13 you'll see in your Council booklets for Proposal 3,
14 Charles Parsley was the lead author for this proposal.
15 He was unable to make it because of snow, so I will try
16 to do justice to Mr. Parsley's analysis.

17

18 Basically this same proposal was
19 submitted to the Board of Game. As Mr. Turek pointed out
20 earlier in his presentation, it was adopted by the Board
21 of Game. The area comprises that portion of the
22 Chichagof Island that's commonly referred to as NCCUA,
23 the Northeast Chichagof Controlled Use Area. Some years
24 ago there was a season there for brown bear in the fall,
25 but that was stopped because of concerns over the bear
26 population, and for a number of years now there has not
27 been a fall brown bear season in that area. Based on
28 work done by I believe Dr. Titus and others, it's
29 determined that the population of brown bears there would
30 support a fall harvest.

31

32 Essentially what this proposal does is it
33 increases the opportunity for rural hunters that
34 currently do not have the opportunity to hunt in the fall
35 brown bear hunt.

36

37 And again the preliminary conclusion is
38 to support this proposal. That concludes my
39 presentation, Mr. Chairman.

40

41 CHAIRMAN LITTLEFIELD: Thank you. Dolly.

42

43 MS. GARZA: You're not going to like
44 this, but, Mr. Chair, I would move that we recess for the
45 night at this proposal. I would like to hear Patty's
46 comments on them if she's going to be here at eight.

47

48 CHAIRMAN LITTLEFIELD: Is there a second?

49

50 MS. WILSON: Second.

00136

1 CHAIRMAN LITTLEFIELD: Is there any
2 objection? So ordered. We recess until 9:00 o'clock in
3 the morning. The first order of business will be
4 Proposal 8. 9:00 o'clock in the morning.

5

6 Thank you.

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8 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and Owner of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 02 through 136 contain a full, true and correct Transcript of the VOLUME I, SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by Meredith Downing on the 25th day of February 2003, beginning at the hour of 9:00 o'clock a.m. at Ketchikan Indian Corporation, Ketchikan, Alaska;

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

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

DATED at Anchorage, Alaska, this 13th day of March, 2003.

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