

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME III

7
8 Haines, Alaska
9 September 26, 2007
10 8:30 o'clock a.m.

11
12
13 COUNCIL MEMBERS PRESENT:

- 14
15 Bertrand Adams, Chairman
16 Michael Bangs
17 Merle Hawkins
18 Donald Hernandez
19 Joe Hotch
20 Harvey Kitka
21 Lee Wallace
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24 Regional Council Coordinator, Robert Larson

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P R O C E E D I N G S

(Haines, Alaska - 9/26/2007)

(On record)

CHAIRMAN ADAMS: Well, how's everyone this morning.

(Pause)

CHAIRMAN ADAMS: Are you ready Helen?

MS. H. ARMSTRONG: I'm ready.

CHAIRMAN ADAMS: All right. We'll call this meeting back to order. The issue we're going to be talking about right now is Item No. 13, Draft Customary and Traditional Use Determinations Policy, Ms. Helen Armstrong, please, go ahead.

MS. H. ARMSTRONG: Thank you, Mr. Chair. The policy that I'm going to be talking about is on Page 151 in your books. And this policy has a little bit of history that I'm going to just go over.

Work on the policy began in January of 2005 with a letter from Governor Murkowski to the Secretary of Interior noting that specific concerns over inconsistencies and lack of clear criteria in C&T determinations. The State asked the Secretary of Interior then, that a policy be -- or that C&T determinations be rigorously be evaluated and only provided where substantial evidence is present. As you know they've had a lot of concerns about our C&T policies over the years -- I mean our C&T determinations over the years.

The Deputy Secretary of Interior then requested that the Federal Subsistence Board review and clarify its approach in making C&T determinations. And then while we were working on developing the draft policy the State of Alaska filed a lawsuit in Federal court against the Federal Board challenging its May 2005 decision to expand a C&T finding for moose for the community of Chistochina to include all of Unit 12. That was the decision that Steve Kessler was talking about yesterday. At the same time the Alaska Federation of Natives expressed concerns about the State's efforts to influence the way we make customary

1 and traditional use determinations and those concerns
2 were expressed in AFN's 2006 Resolutions and in a
3 recent letter to the Chairman of the Senate Indian
4 Affairs Committee. Then in 2007, June 28th, the
5 Secretary of Interior Kempthorne instructed the Board
6 to continue working on the policy to developing the
7 customary and traditional use determination policy as
8 quickly as possible. On June 27th of 2007 the U.S.
9 District Court denied the State's challenge to the
10 Board's decision to expand C&T finding for moose for
11 the community of Chistochina to include all of Unit 12.
12 The Chistochina Decision was really important in
13 developing this policy because it affirmed the Board's
14 approach and provided further clarification to the
15 Board regarding C&T determinations.

16
17 Essentially the Chistochina Decision
18 underscored the role of C&T determinations in the
19 Federal Subsistence Management Program, namely to
20 identify uses needing protection under ANILCA and it
21 clarified the role of C&T determinations not limiting
22 the pool of users to the smallest possible group, but,
23 rather, identifying which uses needed protection under
24 ANILCA.

25
26 The Federal program's procedures for
27 addressing C&T determinations which have been utilized
28 since the inception of the program are outlined in the
29 policy that's on Page 151 in your book.

30
31 I'm not going to read the whole policy
32 but I'm just going to make a few points to draw your
33 attention to a few things.

34
35 This policy, and this is the really
36 important key point, does not represent any changes
37 from the way we've been doing C&T determinations. All
38 it does is it clarifies the approach that we have been
39 taking as the Secretary requested, so we're not making
40 any changes. What we're doing is putting on paper, in
41 a policy, what we've already been doing.

42
43 Part of this process is to consider the
44 eight factors in a general holistic way, rather than a
45 rigid manner as some have requested. There are those
46 who would like to see us fulfill every single eight
47 factor but what -- we're different from what the State
48 had done, we adopted the eight factors from the State
49 program when we first created the Federal Subsistence
50 Management Program, and the difference in the way we do

1 C&T and the way they did C&T is that we look at the
2 eight factors holistically, so you don't have to
3 fulfill every one in a rigid way. It's not a
4 checklist.

5
6 Specifically, the Decision states that
7 in making C&T determinations for a specific community,
8 the Federal Subsistence Board must first consider
9 whether the community generally exhibits the eight
10 factors which exemplify customary and traditional use,
11 that was straight out of the Chistochina Decision.

12
13 The draft policy does not provide for a
14 new way of doing C&T, it does not call for
15 definitions, thresholds or benchmarks as the need for
16 such parameters were negated by the Chistochina
17 Decisions. Some people wanted us to have something
18 that would say you couldn't have a customary and
19 traditional use determination until -- unless the
20 practice had been done for X number of years, you know,
21 10 years, 20 years, 30 years, whatever, but this policy
22 does not give that type of threshold. It doesn't say
23 it has to be practiced by a certain number of people or
24 that it has to be done for a certain number of years;
25 that sort of thing. If we were to develop parameters
26 like that then we would have to do a rulemaking, it
27 would have to go through the whole process.

28
29 It is also important to note that this
30 policy is a draft and that we're taking comments.
31 We're really interested in hearing your thoughts and
32 your concerns, anything you have to say on the policy.
33 You can give us comments today or you can send in
34 comments where we have a deadline of December the 1st,
35 2007 for comments. And once all the comments are
36 received, then the Board will meet to discuss and
37 revised the draft policy as necessary, and our goal is
38 to have this policy to the Secretary by June of 2008.

39
40 So no action is required by this
41 Council but if you'd like to give us comments then we
42 would absolutely love those.

43
44 Thank you, Mr. Chair.

45
46 CHAIRMAN ADAMS: Thank you, Helen. Any
47 questions or comments from the Council. It might be
48 helpful if we did, you know, outline some ideas, what
49 you would be able to offer as comments. Nothing in
50 detail, I wouldn't think, just enough for Bob to be

1 able to put something together for us.

2

3 When is the deadline, December?

4

5 MS. H. ARMSTRONG: December the 1st.

6

7 CHAIRMAN ADAMS: December 1st.

8

9 (Pause)

10

11 CHAIRMAN ADAMS: If any changes were to
12 be made, you said it would have to go through a
13 rulemaking process, how long would that take, any
14 changes on that?

15

16 MS. H. ARMSTRONG: Well, typically
17 you'd have to do a Proposed Rule, then you'd have to
18 put it out to comment to the public and the Councils,
19 then you revise it and then a Final Rule, and that
20 typically can take a year for that type of process, but
21 it would come back before the Councils if we had to do
22 a rulemaking.

23

24 CHAIRMAN ADAMS: So the information
25 that we have before us right now does not include any
26 changes, all it is doing is clarifying in writing, you
27 know, what has already been done.

28

29 MS. H. ARMSTRONG: What we're already
30 doing, that's correct.

31

32 CHAIRMAN ADAMS: Okay. Council
33 members.

34

35 (No comments)

36

37 CHAIRMAN ADAMS: Helen, on Page 153,
38 under decision-making, I just noticed something that
39 pops up, I hadn't had a chance to read this, so, you
40 know, it would have been helpful if I did. But it says
41 on that very first bullet there, the last sentence,
42 need for subsistence is not -- is not the standard,
43 maybe you can elaborate on that a little bit.

44

45 MS. H. ARMSTRONG: It's need for
46 sustenance, not the standard.

47

48 CHAIRMAN ADAMS: Oh.

49

50 MS. H. ARMSTRONG: Yeah.

1 CHAIRMAN ADAMS: Okay. I take that
2 back. Scratch it.

3
4 (Laughter)

5
6 (Pause)

7
8 CHAIRMAN ADAMS: The reason why I asked
9 what the process was for it or if there was going be
10 any changes that needed to be made to this policy, how
11 long it would take, and you said something like a year,
12 I think maybe the question that I'm going to ask the
13 Council; is this policy sufficient for us to let it go
14 as it is or do you have any suggestions about changes
15 for it.

16
17 MR. KITKA: Mr. Chair.

18
19 CHAIRMAN ADAMS: Go ahead, Harvey.

20
21 MR. KITKA: Mr. Chair. I'd like to see
22 the original policy and see if there's -- is there an
23 original policy that we can compare it to or is this
24 something new?

25
26 CHAIRMAN ADAMS: This is -- as I
27 understand it's not new, it's only put in writing, you
28 know, to clarify what they've already been doing.

29
30 MS. H. ARMSTRONG: Maybe I could make a
31 couple comments responding to that.

32
33 One of the things we've tried to do is
34 to make sure that we are flexible enough that the
35 Regional Councils have the flexibility to do C&T
36 determinations the way that Council chooses to do them,
37 and they don't all do them in the same way, because
38 they have different situations and complexities and
39 different levels of -- just different levels of
40 information that's available.

41
42 So, for example, in the YK-Delta, you
43 have a lot of communities, I think there are 50-
44 something communities, and we only have information on
45 a certain number of those villages so we have to
46 extrapolate information from one village, we have to
47 assume that maybe the other villages have similar use
48 patterns. Whereas in other areas we might have more
49 information on more of the communities. So we do want
50 a certain level of flexibility in this and that would

1 eliminate the need for each Council having their own
2 policy in place and how they did things.

3

4 CHAIRMAN ADAMS: Uh-huh. Okay. Here's
5 what I would suggest, folks, is, we have until December
6 1st to send in our comments. I would just challenge
7 everyone to read this, go over it and if you have any
8 concerns with it, just communicate it to Bob, and then
9 he will take it from there.

10

11 Okay.

12

13 (Council nods affirmatively)

14

15 CHAIRMAN ADAMS: Thank you, Helen.

16

17 MS. H. ARMSTRONG: Thank you, very
18 much.

19

20 CHAIRMAN ADAMS: Uh-huh.

21

22 MS. H. ARMSTRONG: It's been a pleasure
23 being before this Council.

24

25 CHAIRMAN ADAMS: Thank you, well, you
26 haven't seen the end of us yet.

27

28 (Laughter)

29

30 CHAIRMAN ADAMS: Item No. 14, Fishery
31 Resource Monitoring Program, Terry Suminski.

32

33 MR. SUMINSKI: Good morning, Mr.
34 Chairman. Council members.

35

36 CHAIRMAN ADAMS: Good morning.

37

38 MR. SUMINSKI: Terry Suminski,
39 biologist with the Forest Service. Normally Doug
40 McBride would be doing this so hopefully I can do it as
41 well as he has. He's on a detail as the -- he's the
42 Chief of Anchorage Field Office for Fish and Wildlife
43 Service. So Ben and I filled in for him this summer
44 evaluating these proposals and I'll be presenting the
45 plan that we came up with.

46

47 You'll find the 2008 Draft Fisheries
48 Monitoring Program starting on Page 155 of your Council
49 books. The Fisheries Resource Monitoring Program was
50 created within the Office of Subsistence Management to

1 increase the quantity and quality of information
2 available for management of subsistence fisheries on
3 Federal lands. The mission of the Monitoring Program
4 is to identify and provide information needed to
5 sustain subsistence fisheries on Federal public lands
6 for rural Alaskans through a multi-disciplinary
7 collaborative program.

8

9 The Regional Advisory Councils have
10 identified important issues and information needs for
11 their regions. To ensure that the Monitoring Program
12 addressed the highest priority information needs for
13 Federal subsistence fisheries management, the Office of
14 Subsistence Management conducted a strategic planning
15 process to build on the work done by the Councils.
16 Facilitative workshops were held with Federal and State
17 agencies, academia, Alaska Native and rural
18 organizations and Council members. Participants at
19 these workshops identified fisheries information needs
20 for their region and then prioritized them. The report
21 was used to guide the 2008 request for proposals. The
22 strategic planning process for Southeast was completed
23 in 2006.

24

25 Then an InterAgency Technical Review
26 Committee provided scientific evaluation of the
27 proposals and investigation plans. Public review and
28 recommendations for funding are provided through the
29 Councils. The Federal Subsistence Board then approves
30 the annual Monitoring Plan with the benefit of both the
31 technical recommendation by the Technical Review
32 Committee and public review by the Regional Advisory
33 Councils. The Technical Review Committee is Chaired by
34 the Chief of the Office of Subsistence Management
35 Fisheries Division, which is Steve Klein, and is
36 composed of representatives from each of the five
37 Federal agencies and three representatives from the
38 Alaska Department of Fish and Game. An additional
39 anthropologist from the Minerals Management Service
40 provided additional social science expertise.
41 Fisheries and social science Staff from the Office of
42 Subsistence Management and the Forest Service provide
43 support for the Committee.

44

45 The four factors used by the TRC to
46 evaluate studies are:

47

48 Strategic priority

49

50 Technical and scientific merit

1 Investigatory ability and resources

2

3 Partnership and capacity building

4

5 And there's more detail on each of
6 those categories on Page 158 and 159 of your books.

7

8 Then there's a series of tables which
9 start on Page 163, and Table 1 displays all the
10 Fisheries Resource Monitoring Program Projects that
11 have been completed for the Southeast Alaska area.
12 Unless you want me to go through those, you can look at
13 those at your leisure. And then also the next page is
14 Table 2 displays the ongoing projects in Southeast.

15

16 Then for 2008, the request for
17 proposals for Southeast Alaska was focused on the
18 prioritized information needs from the 2006 strategic
19 plan and this RFP included specifically or Prince of
20 Wales steelhead, we were looking for information on
21 validity and reliability of subsistence harvest data
22 for Prince of Wales Island steelhead and research and
23 development of cost effective methodology to estimate
24 steelhead abundance on Prince of Wales Island.

25

26 For non-salmon, we're looking for
27 information on the abundance of Unuk River eluachon.

28

29 And for salmon we asked for proposals
30 to evaluate escapement assessments for sockeye salmon
31 stocks that sustain subsistence fisheries. And of
32 particular concern are sockeye salmon stocks for which
33 subsistence exploitation is higher or unknown,
34 management or regulatory actions under consideration or
35 some or entire subsistence fishery occurs on Federal
36 public lands. Sockeye salmon stocks that meet most of
37 these criteria include Sitkho, Gut Bay, Karta,
38 Hoktaheen and Sarkar Lakes.

39

40 So 11 proposals for research in
41 Southeast Alaska were submitted to the Office of
42 Subsistence Management in response to this request for
43 proposals. The Technical Review Committee reviewed
44 these proposals and recommended six projects for
45 development of full investigation plans. One
46 recommended proposal, the Kanalku and Sitkho Lake
47 sockeye salmon assessment was not developed into an
48 investigation plan, that was at the choice of the
49 investigator.

50

1 For the remaining five projects,
2 investigators responded to the Technical Review
3 Committee proposal review comments in developing their
4 investigating plans, and I'll just briefly go through
5 those five projects that were developed into full
6 investigation plans.

7
8 The first one was Karta River Sockeye
9 Salmon Assessment. And this project estimates the
10 annual escapement of sockeye salmon into the Karta
11 River in years 2008 and 2009. The Karta River is the
12 primary sockeye salmon subsistence system for the
13 residents of Kasaan. This project involves counting
14 sockeye salmon through a weir and validating these
15 counts with a weir to lake spawning area mark/recapture
16 study. The age, sex and length composition of sockeye
17 salmon run will also be estimated. There are two
18 principal lakes Karta and Salmon and several inlet
19 systems to the Karta system and sockeye salmon spawn in
20 several locations. The project is technically sound.
21 A weir and weir mark/recapture project is the only way
22 to directly and reliably estimate the annual escapement
23 of sockeye salmon into such a complex system.

24
25 The next project was Unuk River
26 Eulachon Assessment. This project will provide a
27 qualitative index of eulachon returns to the Unuk River
28 and other rivers which flow into Behm Canal. Eulachon
29 returns in recent years have virtually been non-
30 existent and subsistence fishing has been closed. Past
31 assessments have been limited to non-standardized
32 poorly documented or absent surveys. And there is
33 strong reason to believe that the stock has been
34 severely over-exploited.

35
36 The next one is the Makhnati Island
37 Subsistence Herring Fishery Assessment. This is a two
38 year collaborative project which will document and
39 describe the customary and traditional use of herring
40 eggs in Federal waters in Makhnati Island. It will
41 also determine the effort directed at such harvest in
42 the area. While Sitka Tribe of Alaska and the Alaska
43 Department of Fish and Game have conducted surveys of
44 subsistence herring eggs in Sitka Sound waters since
45 2002 the resulting harvest information is not site
46 specific, and it does not document effort. The project
47 proposes to achieve both of those objectives and to
48 describe customary and traditional practices
49 surrounding herring egg harvest and use.

50

1 We also had a project for Prince of
2 Wale Island Steelhead Trout Subsistence Harvest Survey.
3 It's a two year collaborative project which will
4 determine the validity and reliability of subsistence
5 harvest data for Prince of Wales steelhead by comparing
6 permit data to data collected through household
7 surveys. Investigators anticipate that the results of
8 the study will provide an evaluation of the permitting
9 process to improve the accuracy and reliability of
10 information about steelhead subsistence use on Prince
11 of Wales Island.

12
13 And the last project which was
14 developed into a full investigation plan was the Adult
15 Steelhead Population Assessment for Saltry Creek on
16 Prince of Wales Island. This project would assess the
17 return of steelhead to Saltry Creek on Prince of Wales
18 Island over a four year period using a weir. Concern
19 about the harvest vulnerability of Prince of Wales
20 Island steelhead stocks is higher than the remainder of
21 Southeast Alaska and additional population information
22 would be valuable to managers.

23
24 So if you look at Table 3 on Page 165,
25 that shows how the funds would be distributed for these
26 projects over the Alaska Native groups, State and
27 Federal agencies. And Table 4 displays the amount of
28 matching funds and how much money is going towards
29 local hire for each of the projects.

30
31 So now for the available funds.

32
33 For 2008, the Forest Service will
34 contribute approximately \$1.8 million to the Monitoring
35 Program. This amount will fund ongoing and new start
36 projects in both the Southeast and Southcentral
37 regions. So I'll just go through a quick breakdown,
38 just roughly, how this \$1.8 million will be
39 distributed. There's \$366,7000 will go to fund ongoing
40 projects in Southcentral Alaska and 1.85.8 will fund
41 recommended new starts in the Southcentral region and
42 \$1.46.7 million will fund the ongoing projects in
43 Southeast, which leaves approximately \$258,000 for new
44 starts for this year for the Southeast region.

45
46 So after reviewing the investigation
47 plans, the Technical Review Committee recommended
48 funding four of the proposed projects listed on Table 5
49 of Page 167 of your books, and they're prioritized as
50 follows with Karta River sockeye being the top

1 priority; the Unuk River second; Makhnati Island
2 subsistence herring fishery assessment third; Prince of
3 Wales Island steelhead trout subsistence harvest survey
4 fourth; and our recommendation the Saltry Creek
5 steelhead population would go unfunded in this priority
6 list.

7

8 So if you add that up the recommended
9 total is \$237,9000 of the \$259 available.

10

11 The Saltry Creek steelhead project was
12 not recommended for funded because there was no
13 validation of the weir count. Given limited funding
14 for the 2008 Monitoring Program, there are not
15 sufficient funds for all projects submitted, but the
16 investigators are encouraged to resubmit the project
17 with the suggested modifications in response to the
18 2010 request for proposals.

19

20 So the Technical Review Committee
21 recommends funding four of the five projects listed on
22 Page 167. They all address information of direct
23 relevance and importance to subsistence fisheries under
24 Federal jurisdiction, are technically sound, include a
25 capacity building component and the investigators are
26 qualified to conduct the work.

27

28 So that's the Draft Fisheries
29 Monitoring Program, and if you'd like to -- we're
30 asking you to accept it or modify it or it's your
31 choice.

32

33 Thank you.

34

35 CHAIRMAN ADAMS: Did you just say that
36 we need to accept it or modify it?

37

38 MR. SUMINSKI: Yeah, it's a draft
39 recommendation to you and so you can accept that
40 recommendation or you can make modifications as you
41 wish.

42

43 CHAIRMAN ADAMS: Okay. You'll probably
44 hear me coughing all day today, I had a real rough
45 night, I got a little bit of a cold on top of a
46 bronchitis, so it hasn't been a very comfortable
47 evening for me so I apologize for that.

48

49 Any questions from the Council.

50

1 Donald.

2

3 MR. HERNANDEZ: Thank you, Mr.
4 Chairman. Terry, this is a question that Mike Douville
5 kind of asked me to pass on as something he wanted kind
6 of clarified for the Council.

7

8 Is there a -- I he's under the
9 impression there's been some kind of a change in how
10 the priorities have been decided in this process in the
11 last few years. It seems like in the past the Council
12 has had more say in the final prioritization of these
13 projects and it doesn't seem like we have that input
14 anymore, I think you said that, you know, the Council
15 was kind of involved in that 2006 planning process on
16 getting, you know, a large priority list but then when
17 it gets narrowed down it seems like we're out of the
18 process and we used to be in the process. Is that
19 accurate or has there been a change in the way we're
20 doing this.

21

22 MR. SUMINSKI: Mr. Chairman. Mr.
23 Hernandez. I don't believe there's been any change.
24 The Technical Review Committee uses the recommendations
25 by the Council and also the recommendations that are in
26 the strategic plan. This is simply, you know, the
27 Technical Review Committee just does the first cut so
28 that projects that just don't meet one of those four
29 criteria or are severely lacking or, you know, not
30 worth funding basically, for technical reasons, they
31 have a chance to correct that, if it doesn't happen
32 then they just kind of forward it for, you know, for
33 full investigation plans. And then once we get to the
34 projects that we do ask for full investigation plans,
35 the Technical Review Committee again reviews those and
36 provides just a draft recommendation for you to look
37 over. It's not -- you know, it's just that, it's just
38 a draft recommendation and you're free to.....

39

40 MR. HERNANDEZ: And that's what we
41 have?

42

43 MR. SUMINSKI: That's what you have,
44 right. I hope that answered your question.

45

46 MR. HERNANDEZ: Yeah, I think so. So I
47 mean we could ask for some deviation of what you
48 presented to us here if we -- if there was some other
49 projects that we thought had a higher priority, there's
50 still opportunity to put our input in on that, I guess,

1 right?

2

3 MR. SUMINSKI: Pretty much just with
4 the list that you see here.

5

6 MR. HERNANDEZ: Within this.....

7

8 MR. SUMINSKI: To go back and pull some
9 of the other projects that didn't make the first cut,
10 probably isn't appropriate.

11

12 MR. HERNANDEZ: Okay.

13

14 CHAIRMAN ADAMS: Go ahead, Merle.

15

16 MS. HAWKINS: Yeah, on Page 167 on the
17 list, has under Technical Review Committee, it has no
18 behind the Saltry Creek steelhead count population
19 assessment, so they're not recommending that one, how
20 come it says no and the other ones say yes?

21

22 MR. SUMINSKI: Mr. Chairman. Ms.
23 Hawkins. That's exactly correct. The money that we
24 have available can't fund all the five projects that
25 we've -- they're all good projects but there was some,
26 like I mentioned with the steelhead project, there was
27 some issues with not being able to validate the weir
28 count, and that's really the only reason that it
29 dropped to the bottom of the list. They're all very
30 sound projects and it was very difficult to choose, you
31 know, and make this recommendation.

32

33 So, yeah, you're exactly right, at this
34 time the TRC is not recommending it for funding.

35

36 MS. HAWKINS: Okay. While living in
37 Ketchikan I'm very familiar with the Unuk River
38 eulachon and we haven't had any for several years, and
39 the Forest Service there, the District Ranger, Lynn
40 Koland, and his biologist have been very good about
41 keeping the tribes assessed with the situation
42 consulting with us before they do their closure and
43 they've been working with the fishermen that have gone
44 up there for years and years and brought the eulachon
45 into the community of Ketchikan and it is a very
46 important fish for the community that we all look
47 forward to getting. And so I'm definitely in favor of
48 that assessment, you know, they're very honest with us
49 that they don't have a clue why they're not showing up.
50 And for me I think there was some overfishing that

1 happened in the past that -- they were opening it up
2 for commercial fishing and so I'm definitely in support
3 of any help we can have in that area.

4
5 And also, of course, I am in favor of
6 the Makhnati Island survey because that's another
7 important fishery for all of Southeast Alaska. Some of
8 our best Easterns we have in Ketchikan is when a seine
9 boat would come to town loaded with a deck load of
10 herring eggs on branches and it was distributed to the
11 community members that came down there and so it's a
12 very important fishery for everyone in Southeast
13 Alaska, so I definitely speak in favor of those two
14 assessments, and protect those two fisheries as much as
15 we can and keep them healthy.

16
17 CHAIRMAN ADAMS: Mr. Bangs.

18
19 MR. BANGS: Thank you, Mr. Chairman.
20 Terry, do you anticipate, you know, funding and
21 everything, the way -- it seems like we're getting cut
22 quite often, do you see this program not being able to
23 meet some of the really important projects in the near
24 future or do you see that we might have a chance of
25 securing more funding?

26
27 MR. SUMINSKI: Mr. Chairman. Mr.
28 Bangs. I don't really do much with the budget but from
29 what I've heard it's going to be pretty flat so we'll
30 probably see just an erosion due to inflation and I
31 don't see any big increases and we're always going to
32 have end up choosing, you know, the top priorities,
33 we're not going to be able to fund everything. And I'm
34 not sure if Steve's here but he would probably have
35 more information on it than I would.

36
37 CHAIRMAN ADAMS: The old adage, you
38 know, do more with less.

39
40 Any other questions.

41
42 MR. KITKA: I have one.

43
44 CHAIRMAN ADAMS: Let's take Harvey and
45 then Mr. Bangs.

46
47 MR. KITKA: Hi, Terry. I just had a
48 little note to myself, the studies on steelhead and
49 trout, it seems like that's more a sport study than a
50 subsistence study. That's just my own point of view.

1 It seems like the sockeye and the eulachon would be
2 more a subsistence thing that we'd want to fund, and
3 this is just my own point of view.

4
5 Thank you.

6
7 CHAIRMAN ADAMS: No response.

8
9 MR. SUMINSKI: I think that -- Mr.
10 Chairman. Mr. Kitka. I think that does show up in,
11 you know, the strategic plan that sockeye is tops, you
12 know, that's pretty obvious and eulachon was right up
13 there and then the trout and steelhead are important,
14 yet, of lower importance to subsistence users than
15 sockeye and, you know, other salmon.

16
17 CHAIRMAN ADAMS: Thanks.

18
19 Okay, what's the wish of the Council.

20
21 MR. HOTCH: Mr. Chairman.

22
23 CHAIRMAN ADAMS: Yes, sir.

24
25 MR. HOTCH: I would like to support
26 Harvey's observation. I think it's important that we
27 note these things like he has observed here. I really
28 agree with his observation, that there's more for the
29 sportfisherman than the subsistence people.

30
31 That's all I want to say, thank you,
32 Mr. Chairman.

33
34 CHAIRMAN ADAMS: And I was just writing
35 that done.

36
37 MR. HOTCH: Okay.

38
39 CHAIRMAN ADAMS: Michael.

40
41 MR. BANGS: Thank you, Mr. Chairman.
42 Along the lines, that was what I was getting at with
43 the funding. I was involved with the wildlife research
44 Resource Monitoring, and Dolly Garza and I attended a
45 meeting where -- with Southcentral where we were an
46 active part in coming up with the priorities of what we
47 felt was most important and then Southcentral actually,
48 after we all discussed this, biologists and other
49 Council members from that region, we went over the list
50 and we knew the funding wasn't going to be available

1 for all of them but we prioritized them and actually
2 Southeast, I think, got four of the top five projects
3 recommended as a priority, and I was wondering if, like
4 what Harvey is saying, that the Council isn't I don't
5 think adequately represented on these Technical Review
6 Committees or whoever sets up the priorities for these
7 because, you know, I think possibly the State would be
8 more along the lines of being some entity that would
9 fund a project on steelhead because that's more, like
10 what Harvey is saying, more of a sport. So is the
11 Councils -- you know, are they involved like they are
12 in wildlife?

13

14 MR. SUMINSKI: Mr. Chairman. Mr.
15 Bangs. It's a little bit different than wildlife
16 because what the Technical Review Committee uses for
17 the prioritization is the advice from the Council from
18 previous meetings and also the strategic plan that we
19 went through in 2006 where Council members were
20 involved with that. So they use that to develop their
21 prioritizations, and, no, there are no Council members
22 on the Technical Review Committee, it's just agency,
23 Staff and others that I described. But they do -- they
24 are trying to recognize the priorities set by the RACs
25 and by the strategic plan. Wildlife doesn't have a
26 strategic plan yet, so that was probably something --
27 that was probably why they put together a group to
28 develop those priorities because I don't think the
29 Councils had those discussions like they have for fish,
30 for wildlife, and that might be the difference. But,
31 yeah, the whole purpose of the Technical Review
32 Committee is absolutely trying to provide the top
33 priority information needs that the Councils can use
34 for their deliberations.

35

36 CHAIRMAN ADAMS: Okay. Go ahead, Lee.

37

38 MR. WALLACE: Yeah, looking at your
39 Page 166 you noted the five projects and, of course,
40 you're saying, well, you're recommending four being
41 funded, the five you listed on 166 you said totaled
42 203, and so with the four you funded there's a
43 remainder of, it looks like, let's see, which one are
44 you guys not Saltry or POW?

45

46 MR. SUMINSKI: Saltry.

47

48 MR. WALLACE: So Saltry's 103,000 for
49 that one particular year so what -- if you don't fund
50 Saltry where would that money be going to as far as a

1 project?

2

3

4 MR. SUMINSKI: Mr. Chairman. Mr.
5 Wallace. The way this table works on 166 is these are
6 all the projects that were developed for investigation
7 plans so that's what we had to choose from so that they
8 were prioritized in that -- you know, the order that
9 you see there, and then the line basically is where the
10 money runs out. So, you know, 259 -- I believe it's
11 259,000 available, if you work down that list as far as
12 we could fund is just the top four of the five
13 projects. So it's not like there is money available
14 for the Saltry Creek project and it's going to go
15 somewhere else, that money just doesn't exist. We only
16 have enough money to fund the top four.

16

17

18 MR. WALLACE: Okay, I misunderstood
19 you, you know, I thought that was the running total of
20 all of them.

20

21

22 MR. SUMINSKI: No, I think 237.9 is the
23 sum of the top four projects, which is fairly close to
24 the 259 that's available.

24

25

26 MR. HERNANDEZ: So there's maybe some
27 \$20,000 that's leftover that isn't enough to fund the
28 full project but do you just kind of carry that over to
29 next year or.....

29

30

31 MR. SUMINSKI: Yeah, exactly.

31

32

33 MR. HERNANDEZ:that's kind of
34 what, yeah, Lee's question pointed out to me, that
35 there is a little -- it doesn't quite add up to
36 \$259,000 so there is some leftover.

36

37

38 MR. SUMINSKI: Yeah.

38

39

40 MR. HERNANDEZ: Yeah.

40

41

42 CHAIRMAN ADAMS: Okay.

42

43

44 MR. HERNANDEZ: I had another question
45 also.

45

46

47 CHAIRMAN ADAMS: Go ahead.

47

48

49 MR. HERNANDEZ: I was comparing Table 2
50 on Page 164 as the ongoing projects and it looks like
ongoing projects are funded through 2009 and that has a

1 lot of the projects that, I mean we've been talking
2 about over the years here, you know, Kook Lake and
3 Kanalku and Neva, Neva Lake is on there, Falls Lake,
4 and then this latest list of projects, starting next
5 year and going to 2011; does that mean we're only going
6 to be carrying after 2009, there'll only be funding for
7 those four projects or do we get another list of
8 projects to kind of add to this next year. It seems
9 like a fairly short list here going up to 2011.

10

11 MR. SUMINSKI: Mr. Chairman. Mr.
12 Hernandez. What you're seeing there is the FIS
13 Program, like the regulatory program is going to go to
14 a two year cycle so the next call for proposals will be
15 2010.

16

17 MR. HERNANDEZ: Okay.

18

19 MR. SUMINSKI: So the idea was to try
20 to get -- try to clean up, you know, have projects end
21 by 2010 and then start over with that call for
22 proposals. So these projects that will run out in 2009
23 would put in a new investigation plan in 2010 and then
24 they'll all be evaluated again.

25

26 MR. HERNANDEZ: We've been doing this
27 every year previously, right?

28

29 MR. SUMINSKI: That's right.

30

31 MR. HERNANDEZ: Okay. So now we go to
32 two year cycles so.....

33

34 MR. SUMINSKI: Yeah.

35

36 MR. HERNANDEZ: Okay.

37

38 MR. SUMINSKI: So there is that
39 transition is what you're seeing there, I think. And
40 that's why in this call we only funded them for either
41 two years or four years to get them on that two year
42 cycle.

43

44 MR. HERNANDEZ: Okay.

45

46 CHAIRMAN ADAMS: What about it Council,
47 you ready to do something with this.

48

49 MS. HAWKINS: Yeah, Mr. Chair, I think
50 I'll make a motion to accept the recommendations.

1 CHAIRMAN ADAMS: Very good, thank you,
2 Merle. Do we hear a second.
3
4 MR. HERNANDEZ: Second.
5
6 CHAIRMAN ADAMS: Thank you, Donald.
7 Further discussion. Donald.
8
9 MR. HERNANDEZ: I think I would be
10 voting in favor of the recommendation given the
11 information we have. I think this is a pretty good
12 priority list, it looks okay to me.
13
14 CHAIRMAN ADAMS: Do you still have a
15 concern about having input on assisting with the
16 priorities and so forth.
17
18 MR. HERNANDEZ: I don't have a concern.
19 I know Mike might but I guess I was satisfied what I
20 heard there on how it's done.
21
22 CHAIRMAN ADAMS: Okay, great. Well,
23 you know, discussion, discussing and discussing and
24 discussing and so I want to give you all the time
25 necessary to do that.
26
27 Are we ready for the question.
28
29 (Council nods affirmatively)
30
31 CHAIRMAN ADAMS: Okay. All in favor of
32 this motion please signify by saying aye.
33
34 IN UNISON: Aye.
35
36 CHAIRMAN ADAMS: Opposed.
37
38 (No opposing votes)
39
40 CHAIRMAN ADAMS: The motion is carried.
41 Thank you, Terry.
42
43 MR. SUMINSKI: Thank you.
44
45 MR. LARSON: Who was the second.
46
47 CHAIRMAN ADAMS: Who seconded it?
48
49 REPORTER: Don did.
50

1 CHAIRMAN ADAMS: Don did.
2
3 MR. HERNANDEZ: I seconded it, yeah.
4
5 CHAIRMAN ADAMS: Mr. Hernandez did.
6
7 MR. LARSON: Okay.
8
9 CHAIRMAN ADAMS: Okay. Are you Cathy.
10
11 MS. NEEDHAM: I am.
12
13 CHAIRMAN ADAMS: I've seen you there
14 for three days and I wondered who that lady was down
15 there.
16
17 (Laughter)
18
19 MS. NEEDHAM: Mr. Chair. Members of
20 the Council. I'd like to thank you for the opportunity
21 to come and present our Fisheries Resource Monitoring
22 Program. My name is Cathy Needham. I work for the
23 Organized Village of Kasaan. I'm the director of
24 Natural Resources.
25
26 Today I'm going to be presenting
27 on.....
28
29 CHAIRMAN ADAMS: Are you going to put
30 that on my forehead?
31
32 MS. NEEDHAM: Yes.
33
34 (Laughter)
35
36 MS. NEEDHAM: But I didn't bring my
37 laser pointer so I'm not going to shine it in your
38 eyes.
39
40 CHAIRMAN ADAMS: Okay, go ahead.
41
42 MS. NEEDHAM: Today I'm going to be
43 presenting on behalf of a collaborative team that has
44 been working for the past three years on a Fisheries
45 Resource Monitoring Program funded through this
46 organization. Now, it's on Merle's forehead.
47
48 MS. HAWKINS: All right.
49
50 MS. HERNANDEZ: I did it just for you

1 Merle.

2

3

(Laughter)

4

5 MS. NEEDHAM: The project is titled the
6 adult steelhead trout population studies for Prince of
7 Wales Island. And as I mentioned it was a highly
8 collaborative project between the Bureau of Indian
9 Affairs, who served as the principal investigator, two
10 Federally-recognized tribes on Prince of Wales Island,
11 which was the Organized Village of Kasaan and Hydaburg
12 Cooperative Association, two ranger districts from the
13 U.S. Forest Service which was Craig Ranger District and
14 Thorne Bay Ranger District and the Alaska Department of
15 Fish and Game, who served as the project biologist and
16 gave project oversight.

17

18

Can everybody see this okay.

19

20

(Council nods affirmatively)

21

22

23 MS. NEEDHAM: So background
24 information, as you're aware steelhead trout are
25 anadromous salmon species that support important
26 subsistence and sportfisheries in Southeast Alaska and
27 on Prince of Wales Island. As you heard earlier in
28 these meetings, the life history include that steelhead
29 spawn in small moderate sized streams, they spend two
30 years in ocean growth and return to streams for
31 reproducing and that approximately 30 to 40 percent of
32 fish are repeat spawners.

33

34

35 On Prince of Wales Island steelhead
36 occupy more than 77 streams and prior to our study
37 there was very little quantitative data available for
38 management of this fishery for both sport and
39 subsistence on the island. The U.S. Forest Service ran
40 a weir on 12 Mile Creek and then simultaneous to our
41 study the Fish and Game ran a weir on Karta River.
42 Other than that numbers available for populations of
43 steelhead come from snorkel peak surveys and visual
44 streams counts which include foot surveys. And then
45 the relationship between peak count surveys for
46 snorkeling and total population size were unknown prior
47 to the work that we conducted.

47

48

49 In 1994, strict State sport regulations
50 were implemented to reverse population declines and at
this time it appears those regulations may have

1 stabilized or may be stabilizing steelhead populations.
2 Prior background subsistence harvest of approximately
3 600 steelhead per year are being reported as harvest
4 and this was through the Alaska Department of Fish and
5 Game Subsistence Division household harvest surveys.
6 The permit -- the subsistence harvest permits that are
7 issued by the Forest Service and monitored came back
8 with much less numbers than the 600 so we tend to work
9 with the household harvest information. Prior to 1994,
10 as well, steelhead bycatch in the marine commercial
11 fisheries averaged approximately 3,000 fish per season
12 with the peak in 1996 of approximately 11,000 fish per
13 season.

14

15 With regards to subsistence steelhead
16 management regulations on Prince of Wales Island are
17 specific to subpopulations, steelhead population size
18 in the system and accessibility to the system. So for
19 subpopulations we're looking at the differences between
20 fall versus spring returning populations. Steelhead
21 are managed -- the streams are managed on a --
22 according to population size so streams that are
23 designated small, that does not necessarily mean that
24 they're small in size, it means that they support
25 population of steelhead of less than 150 and then large
26 stream systems with large population are more than 150.
27 And throughout the season, when steelhead return,
28 streams that have the small designation on it are
29 monitored throughout the season whereas large systems
30 are open for -- and not necessarily monitored as
31 strictly and -- for looking at the take in any given
32 season. And then we have accessibility, which is road
33 accessible or remote systems for where steelhead are
34 harvested.

35

36 This Council supported a study through
37 the FIS system to start looking at getting more
38 accurate data on steelhead populations and the
39 objectives of our study were to estimate the abundance
40 of returning spring steelhead in seven Prince of Wales
41 Island streams. At the same time we quantitatively
42 estimated the age, sex and length composition of those
43 runs and then we would evaluate the effectiveness of
44 snorkel surveying versus weir studies so we'd be
45 conducting snorkel surveys and weir studies
46 simultaneously to build a potential correlation.

47

48 The study design includes cross-channel
49 weirs. As you can see in the upper right-hand corner
50 we have aluminum bi-pod weirs that spawn the channel of

1 the creek and trap each steelhead that passes into the
2 system and we sample each steelhead and count them. In
3 sampling we take scales and we measure the fish and
4 identify their gender so we get sex, length and age
5 information on every fish that passes through the weir.
6 From a subsample we also collect fin tissue for future
7 genetic ID analysis, which was not conducted under this
8 particular study.

9
10 In looking at snorkel surveys,
11 assessing the accuracy and precision of snorkel surveys
12 each week while the weir is in operation snorkel
13 surveys are conducted above the weir to -- the weir's
14 closed the team goes out and visually counts the fish
15 in the stream to see how many fish up stream of the
16 weir that they see and then correlate it back to the
17 number of fish that they know that they've passed
18 through the weir.

19
20 We ended up working on five different
21 systems for this project. Two were categorized as
22 large system and road accessible, again, large meaning
23 that they're -- it was estimated there was 150 or more
24 steelhead in the system. Those were Harris River,
25 which we looked at in 2005 and Eagle Creek in 2006. We
26 had three small designated systems, which were all road
27 accessible. In 2006 we looked at Cable Creek and in
28 2007 we looked at Natzuhini, and then the third system
29 was Big Ratz Creek which we ended up conducting a weir
30 project on for two years, in 2005 and 2007 in the hopes
31 that two years of sampling would allow us to have some
32 comparison and variability between abundance of
33 steelhead coming back into these systems between years.

34
35 Weirs were installed in mid-March and
36 removed in late May. Crews were on site for 24 hours,
37 seven days a week and depending on how many steelhead
38 passed they kept themselves as busy as they could.

39
40 And now I'll run through the data for
41 each system. This is just summary data that has not
42 been analyzed yet. And you'll note that the age data
43 is not yet available, reading scales have not been
44 conducted for any of the systems at this time.

45
46 In Harris River, 2005, the minimum
47 spawning escapement was estimated to be 171 fish. This
48 was a previously large designated system with an
49 estimate of more than 150 fish in the system. On
50 average 69 percent of the weir count was observed in

1 the snorkel surveys throughout the season. Not average
2 -- the snorkel count information that I'm presenting is
3 just an average over anywhere from nine to 11 snorkel
4 surveys that were conducted throughout the season and
5 ranges vary between zero and 172 percent so I just want
6 to make note of that, that this is just an average that
7 are on these slides.

8

9 For Cable Creek, which was previously
10 designated as a small steelhead system, the minimum
11 spawning escapement was estimated to be 145 steelhead
12 and on average 45.8 percent of the weir count was
13 observed in snorkel surveys.

14

15 For Eagle Creek, which was previously
16 designated as a large system, the minimum spawning
17 escapement was 295 steelhead, on average 51.9 percent
18 of the weir count was observed during snorkel surveys.

19

20 Natzuhini River was designated as a
21 small system, there were 83 steelhead contributing to
22 the minimum escapement and on average 46.8 percent were
23 observed during the snorkel surveys.

24

25 And then Ratz Creek was also designated
26 a small system and we conducted weir studies on Ratz
27 Creek for two years, so in 2005 the minimum spawning
28 escapement was 399 steelhead, on average 30.8 percent
29 of the weir count was observed in snorkel surveys. And
30 then in 2007 the minimum spawning escapement was
31 slightly down at 267 steelhead and snorkel survey
32 percentages were also down with 21.6 percent of the
33 weir count being observed.

34

35 With respect to size of steelhead, this
36 is an average of 1,035 adult steelhead across all
37 systems except for the data for Big Ratz Creek in 2007
38 which is not included. So this includes all the
39 steelhead that we looked at except for 267. The
40 average length of all male fish was 29.9 inches with a
41 standard deviation of 3.4. The average length for all
42 female fish was 30.2 inches with a standard deviation
43 of 2.9 inches. There were 427 male fish and 608 female
44 fish sampled in our study, and of all of the fish
45 excluding the Ratz, approximately 1.8 percent of all
46 fish measured were greater than 36 inch length size
47 requirement for sportfish regulations.

48

49 This slide depicts run timing for the
50 Harris River. We can take the information that we've

1 conducted in the study and actually create and get an
2 idea of peak run timings for steelhead returning to
3 each of these systems.

4
5 With respect to using our information
6 for management we now have more accurate data in order
7 to manage steelhead on Prince of Wales Island, we now
8 have a total of seven streams with minimum escapement
9 counts for spring season. Our information shows that
10 for some systems we confirmed the existing management
11 categories that was true for Cable Creek, Natzuhini and
12 Eagle Creek, which were all -- the counts came in, you
13 know, right where the estimates prior to our study had
14 said they were in terms of management.

15
16 I wanted to make a note that with Cable
17 Creek, during our study during 2006 it was designated a
18 small system and having this project on the creek, the
19 -- through observation alone we were able to look at
20 harvest in-season and because of the small systems
21 supporting less than 150 fish, when approximately 10
22 percent of the harvest was taken out of the creek an
23 emergency closure in-season was placed on to Cable
24 Creek.

25
26 For other systems, however, prior
27 management categories had to be revised. This was true
28 for Big Ratz and Harris River. Big Ratz was formerly
29 categorized as a small stream supporting less than 150
30 fish and for both years that we ran weir studies on Big
31 Ratz we had 399 and 267 respectively. In Big Ratz
32 placing it in the large management category.

33
34 Preliminary discussions between the
35 collaborative team have noted that snorkel peak count
36 surveys do not necessarily provide an accurate picture
37 for steelhead populations on Prince of Wales Island.
38 This seems to be system specific and we may need more
39 information or more longer term studies to develop a
40 closer correlation between snorkels and weir counts.
41 For now weirs need to be used to assess actual numbers
42 of steelhead returning to a system.

43
44 With respect to the snorkel estimates
45 there's a lot of variability in the information that
46 we're getting and some of this error is due to water
47 quality. A lot of streams on Prince of Wales Island is
48 very tannic and it's very difficult for snorklers to
49 see fish in the systems. There is variability between
50 seasons in the surveys or within a season in the

1 surveys where snorkel counts between weeks vary between
2 zero and 175 percent and there's also variability
3 between years as seen in the Ratz study where visual
4 survey correlation back to the weir, the average,
5 there's a difference of approximately 10 percent.

6
7 Some systems have lakes on them which
8 are too large to effectively sample during snorkel
9 surveys and large wood also presents -- large wood in
10 streams also prevents complications in surveying for
11 steelhead due to behavior of steelhead hiding in those
12 places and snorklers not being able to get into them.

13
14 We'd like to make mention that this
15 project -- the Fisheries Resource Monitoring Program
16 really promotes capacity building and this project has
17 provided an excellent opportunity for both Organized
18 Village of Kasaan and Hydaburg Cooperative Association
19 to build their capacity and conducting fisheries
20 research over the years. We've had 18 seasonal
21 technician jobs that we've been able to make available
22 to local residents on Prince of Wales, and both
23 organizations have gained expertise and experience by
24 being able to work with Federal and State agencies
25 closely.

26
27 At this time we'd like to thank the
28 Regional Advisory Council for its support in this
29 steelhead trout research. And the project team met
30 approximately one month ago and ask that we get on your
31 agenda, mainly because we would like to ask the
32 Regional Advisory Council to be involved in the next
33 steps of this project, which is determining or looking
34 at determining how this information can be directly
35 applied back to management decisions and we have set up
36 meeting dates for the steelhead project for October
37 24th and 25th on Prince of Wales Island and the
38 suggestion was that we ask the Regional Advisory
39 Council to appoint two to three members of the Council
40 to attend these meetings and sit with the project team
41 to review the information and start thinking about what
42 management decisions can be extrapolated from what
43 we've got.

44
45 Thank you for your time.

46
47 CHAIRMAN ADAMS: Thank you, Cathy.
48 Anyone have any questions for Cathy.

49
50 Donald, do you have a question.

1 MR. HERNANDEZ: I don't have a question
2 but I have a comment. I think this is really a
3 worthwhile project and it sure sounds like they got a
4 lot of good information out of it and I don't think
5 this project ever could have happened without the
6 cooperation of the tribal councils and the villages.
7 It just, yeah, it just doesn't seem like without their
8 manpower and their commitment, you know, to stand -- to
9 put these weirs in and stand by them for several
10 months, you know, 24/7, you just couldn't get that kind
11 of commitment without their help so I think they really
12 should be commended for that.

13

14 MS. NEEDHAM: Thank you.

15

16 CHAIRMAN ADAMS: Yes, and our
17 congratulations to you all, you know, for making this a
18 worthwhile project. And, you know, I don't know if we
19 need to discuss, you know, the possibility of
20 representing or, you know, having a couple of our
21 Council members attend your meetings, where is it going
22 to be at?

23

24 MS. NEEDHAM: Mr. Chair. It's going to
25 be on Prince of Wales Island, at this time we're
26 tentatively hoping to have it at Thorne Bay Ranger
27 District for one day and the second day in Kasaan.

28

29 CHAIRMAN ADAMS: Okay. We'll talk
30 about that and see, you know, Mike Douville is closer
31 to you than anyone else and possibly Michael and
32 Donald, you know, so we'll see what we can do. We'll
33 talk about that in a little bit, keep that on the radar
34 screen, Bob.

35

36 Any other questions.

37

38 (No comments)

39

40 CHAIRMAN ADAMS: Thank you. Lights
41 please.

42

43 (Laughter)

44

45 MS. NEEDHAM: Thank you. Let's see
46 we've got -- are they still working on that
47 teleconference thing.

48

49 MR. KESSLER: No, I don't think they
50 have it yet.

1 CHAIRMAN ADAMS: Why don't we take a
2 break and we'll see how it's going. Let's take a 10
3 minute break and come back at 10 to. We have a
4 teleconference, we're kind of 10:00 o'clock, it was
5 supposed to have been 9:00, but we have some technical
6 problems out there with the phone.

7

8 (Off record)

9

10 (On record)

11

12 CHAIRMAN ADAMS: Before we go into the
13 next item on the agenda we have a gentleman here,
14 Dwayne Wilson, who would like to make a presentation to
15 the Council.

16

17 Mr. Wilson.

18

19 MR. WILSON: Thank you, Mr. Chairman.
20 My name is Dwayne Wilson, I'm a lifetime resident here.
21 It's very fitting in our cultural to give out gifts to
22 those who visit us, visit our community in honoring you
23 guys, honoring you that came here to our community.
24 That's what I've learned in my life, you know, to
25 share. The foods that we eat here in our community
26 seem to taste better when you share them with others.
27 And I just wanted to honor you guys with gifts that I
28 made this summer, dry fish and I don't know the Tlingit
29 word for squaw candy where you peel it off the skin.
30 Squaw candy, there's a Tlingit name for it and I can't
31 remember what that is.

32

33 CHAIRMAN ADAMS: Shame on you.

34

35 MR. WILSON: Uh-huh.

36

37 (Laughter)

38

39 MR. WILSON: But, yeah, Mr. Chairman,
40 thank you for this time to let me share these gifts
41 with you guys.

42

43 CHAIRMAN ADAMS: Thank you, Dwayne.

44

45 (Phone ringing)

46

47 CHAIRMAN ADAMS: That must be the
48 telephone. Tina.

49

50 (Off record comments - wrong number)

1 (Pause)
2
3 CHAIRMAN ADAMS: We're going to connect
4 up with Scott Kelly, he couldn't be here so he's going
5 to participate in this process through teleconference.
6
7 (Pause)
8
9 CHAIRMAN ADAMS: Good morning, Mr.
10 Kelly.
11
12 MR. KELLY: Good morning.
13
14 CHAIRMAN ADAMS: Can you hear us okay.
15
16 MR. KELLY: Yes, Mr. Chairman.
17
18 CHAIRMAN ADAMS: Okay, we seem to hear
19 you pretty well, you've got us okay.
20
21 MR. KELLY: Yes, I do. And I have in
22 my office with me, Kevin Monagle, the Juneau area
23 management biologist, just so you know who's here.
24
25 CHAIRMAN ADAMS: Okay, very good. All
26 right, the time is all yours. Ben, you want to start
27 it off.
28
29 MR. VAN ALLEN: Okay, yes, thank you.
30 Hi, Scott. Hi, Kevin.
31
32 Yeah, this -- basically I'm just
33 prepared to give a quick synopsis of the status of our
34 work that's being worked between -- or with the
35 Department of Fish and Game and the Forest Service and
36 some others on a joint report we're working on, which
37 summarizes the status of the stocks in fisheries in the
38 Upper Chatham Strait area. And as the Council's aware
39 there has been concerns, particularly with Kanalku
40 sockeye starting back in 2001 when a project findings
41 were that there might be only 229 sockeye escaping into
42 Kanalku Lake in that year 2001. And since then there's
43 been efforts done to rebuild Kanalku sockeye and some
44 restrictions on the subsistence fishing there, so as
45 these years have gone on it seems quite appropriate for
46 us to take a collaborative effort to look at the status
47 of the important, I guess, subsistence sockeye stocks
48 in the area and the factors that might be limiting
49 their production and get a better understanding of the
50 conduct of both the subsistence fisheries and the

1 commercial fisheries, commercial seine fishery in
2 particular in the area. And so basically that's where
3 we're at now.

4
5 We recently exchanged drafts or edit
6 comments on a report, I believe we'll be working
7 together to work through those and so I just wanted to
8 make sure that the Council was aware that the issue is
9 still before us and to look forward a report. We'll
10 admit there's a lot of information gaps that we have
11 and perhaps much of the report will be to help guide us
12 in what information we collect and what management
13 actions might be in the future.

14
15 But I guess I'm encouraged to see the
16 work that we're doing to-date on the subject and I
17 don't know if Scott or Kevin have some comments on
18 that.

19
20 MR. KELLY: No, not at this time other
21 than we are continuing to work on the draft report.

22
23 And just maybe touch on the meeting
24 that the work group between the three SERAC members and
25 three commercial permit holders that was attended by
26 the two agencies on January 2nd, and we had a draft
27 report that included -- that had had that work group's
28 review and we had added the two specific items that
29 that work group membership asked for and that's what we
30 passed back to the Forest Service.

31
32 So, yeah, Ben's correct we're working
33 through that and we'll see how it goes.

34
35 Thank you.

36
37 CHAIRMAN ADAMS: Is that it?

38
39 MR. VAN ALLEN: That's it.

40
41 CHAIRMAN ADAMS: Question's of the
42 Council.

43
44 MR. BANGS: Mr. Chairman.

45
46 CHAIRMAN ADAMS: Michael.

47
48 MR. BANGS: Thank you, Mr. Chairman.
49 He said that there was Council members on that
50 committee.

1 CHAIRMAN ADAMS: Yeah, is that the one
2 that Floyd was involved in.
3
4 MR. BANGS: Was it Floyd?
5
6 CHAIRMAN ADAMS: Floyd, yeah.
7
8 MR. BANGS: Who else was on that?
9
10 MR. VAN ALLEN: Frank Wright.
11
12 CHAIRMAN ADAMS: Frank Wright.
13
14 MR. LARSON: And Nick Davis.
15
16 CHAIRMAN ADAMS: And Nick Davis.
17
18 MR. BANGS: The three that aren't here.
19
20 CHAIRMAN ADAMS: Yeah.
21
22 (Laughter)
23
24 CHAIRMAN ADAMS: That's the way it
25 goes, uh-huh.
26
27 Bob, you have a comment to make, I'll
28 allow it, come on up.
29
30 MR. THORSTENSON: Just quick, just
31 actually it's just a.....
32
33 REPORTER: You need to come up here.
34
35 MR. THORSTENSON: It's just quick
36 and.....
37
38 REPORTER: Come up.
39
40 CHAIRMAN ADAMS: Come up, come on.
41
42 REPORTER: Thank you.
43
44 MR. THORSTENSON: Ben, you should stay
45 here. From the -- hello, I'm Bob Thorstenson and I'm
46 the executive director of Southeast Alaska Seiners and
47 I live in Juneau, and I'm an active commercial purse
48 seiner. Spent most of my summer this year out with
49 Patty, I know that she's not here but I was delivering
50 all my fish to Pelican.

1 One thing that I'd like to see Mr. Van
2 Alen just bring up just so that the RAC is
3 understanding, and from our perspective, I think, from
4 the commercial fleet, one of the real bright lights
5 that we saw last year was that, I believe, we tagged 35
6 fish and we got five back over the falls and this year
7 that tagging study, if you could tell us a little bit
8 about that telemetry and the marking, mark/recapture,
9 because it looks like we had another year that, even
10 though the percentage was slightly higher, I think last
11 year we had 14 percent make it over the falls, this
12 year it was closer to 20 or 25 percent, still, for us
13 to put a thousand fish for this year -- for example,
14 perhaps as much as 2,000 fish into the system and only
15 460 make it over the falls and have 1,500 die in the
16 face of the falls, leaves us with -- you know it
17 reinforces to the industry that we believe we really
18 need to work on making sure that the fish that make it
19 to freshwater can actually make it to the lake. And so
20 I guess just a little -- a quick synopsis, perhaps, and
21 your belief that this second year, perhaps further
22 validates the issue of the blockage in the falls.

23
24 MR. VAN ALLEN: Yeah. In 2006 we did do
25 a radiotagging study where we radiotagged fish right
26 below the falls and determined how many made it over
27 the falls that year, radiotagged 35 fish and five made
28 it above the falls and four made it to the lake and I
29 was concerned that, well, maybe we're only marking fish
30 that couldn't make it since we're tagging these fish in
31 the plunge pool, plus a radiotag, a big thing on the
32 gullet, you know, a transmitter on the fish might be a
33 handicap. So this year we tagged fish -- just fin-
34 clipped them and put a little spaghetti tag in their
35 back as -- shortly after they came out of the estuary
36 there and four successive weeks of the run and so we're
37 indeed marking new fish, that have never even attempted
38 the falls. There weren't very many fish and we were
39 only able to mark 35 fish. Of those 35 fish only eight
40 made it to the weir, up to the lake, basically.

41
42 These are preliminary numbers but -- so
43 we have two years in a row where clearly less than a
44 quarter of the fish that make it there to the terminal
45 area indeed make it up to the lake. I am not certain
46 what the fate is, or survival of fish that didn't make
47 it over the falls that, you know, they certainly go
48 where they can to spawn. It maybe helps explain some
49 of the recoveries we observed last year with some fish
50 actually on the beach kind of there in Kanalku Bay.

1 But -- so maybe we don't completely write off any
2 production from them but I would definitely suspect
3 it's much lower than the survival of fish that did make
4 it over the falls.

5
6 So there is evidence that productivity
7 of the lake is -- sockeye in the system is definitely
8 compromised by the presence of that fall. I believe I
9 mentioned a couple days ago that just the fact that
10 there's kokanee in the lake is an indicator of a
11 migrational hardship.

12
13 And one help for improving the
14 production of sockeye from the lake would be some work
15 in a fish pass to improve the percentage of fish, a
16 success of making it into the lake. This -- that is
17 certainly something that the Forest Service has a long
18 history of and maybe expertise in doing and it's not at
19 all with the program I'm involved with, but there were
20 folks from the Fish Paths Group that visited the falls
21 this year and I guess I -- anyway, so there is some
22 work that very likely will be ongoing.

23
24 I understand we have a second --
25 another year of funding for this, estimating the
26 passage success, over the falls, so it all is, I guess,
27 building towards an actual project to do something.
28 And so that's something important to be aware of and
29 interested in any comments on that.

30
31 This isn't the first time that fish
32 pass work has been done there. Back in, I believe,
33 '69, the Department of Fish and Game and Forest Service
34 folks worked together and blasted what they considered
35 some resting pools up on the face of the falls where
36 the fish basically had to leap a couple of big jumps,
37 then they get to kind of the apron of a falls where
38 there's these riblets of water that come down and the
39 fish kind of inch their way along these riblets to make
40 it up, finally, to clear the falls and I believe a
41 couple places along there, there are some pools made so
42 the fish had a place to rest and maybe get some
43 protection from bear predation, which is pretty high up
44 on the -- in the shallow water up there.

45
46 So, anyway, all that's ongoing.
47 Certainly the falls have always been there. The run
48 has always been there but it's a situation where likely
49 we can improve the productivity of the system for
50 making sockeye and to the benefit of all in terms of

1 subsistence take and not as much of a -- let's see, a
2 disruption on all other fisheries.

3

4 CHAIRMAN ADAMS: Michael, go ahead.

5

6 MR. BANGS: Thank you, Mr. Chairman.
7 What I understand there was some early closures due to
8 the late run of pinks or lake thereof, did that
9 correlate in a closure of the purse seine fishery, did
10 it correlate to a better return to that system of
11 sockeyes?

12

13 MR. VAN ALLEN: Well, what we know and
14 this is actually for the first time is we had a weir
15 right at the outlet of Kanalku Lake, Fish and Game and
16 Angoon Community Association ran the weir. It was the
17 first time a weir had ever been put in on the system.
18 The count, which I'll say is preliminary now, but the
19 weir count was 461 sockeye this year, which I believe
20 we would all be quite disappointed with in terms of it
21 would be great if it was a couple thousand sockeye. I
22 guess I'm just throwing a number out.

23

24 So that 461 fish in the escapement this
25 year is low, you know, it was down in the low levels
26 like was observed in 2001 and 2003. And so if Scott
27 and Kevin would comment on the fisheries part of it,
28 but there was a lot less effort, fishing in Chatham
29 Strait this year in that the return of pink salmon and
30 sockeye or harvest of them were much better in southern
31 Southeast, particularly Districts 3 and 4 this year so
32 there is a shift in the seine fleet effort to the
33 south, as it often is, in the past -- just in some
34 recent years there was -- some of the better fishing
35 was indeed in Chatham Strait but I don't know if Scott
36 or Kevin if you want to comment on the fisheries part.

37

38 MR. KELLY: Yeah, I'll make a couple of
39 comments, if I might, Mr. Chair.

40

41 CHAIRMAN ADAMS: Go right ahead.

42

43 MR. KELLY: Okay, thank you. I don't
44 know if -- I am assuming that you had -- we prepared a
45 little -- very brief summary of the commercial seine
46 fishery season, a little three pager that the Council
47 had requested from last time, do you all have that?

48

49 (Pause)

50

1 CHAIRMAN ADAMS: It has not been
2 distributed to the Council.

3
4 MR. KELLY: Well, I don't -- I had sent
5 it to one of your Staff members so bear with me. What
6 the summary says, it provides a very brief summary of
7 how we conducted the northern Chatham seine fishery and
8 in -- what's relevant to what we're talking about right
9 now in terms of run timing, we know that the peak weir
10 count at Kanalku based on the weir was on August 2nd,
11 and we opened the -- the first seine opening that we
12 had on west Admiralty was on July 22nd, that opening
13 was limited to north of Point Hepburn. The first time
14 that the seine fishery was open south of Point Hepburn
15 at 1.12.17, that's a statistical area, was August 5th.
16 So it's almost certain that the run -- the vast
17 majority of the Kanalku sockeye were in the terminal
18 area prior to our seine openings on west Admiralty.

19
20 Does that help answer the question?

21
22 MR. BANGS: Yes.

23
24 CHAIRMAN ADAMS: Mr. Bangs says, yes.

25
26 MR. KELLY: Yeah, thank you.

27
28 MR. BANGS: Yeah, one other question,
29 how does that, the number that you have, of the numbers
30 of escapement, compare with years where the seine
31 fishery was, you know, more productive earlier in the
32 season?

33
34 MR. KELLY: I'm sorry, I didn't hear
35 that question if that was directed at me.

36
37 MR. BANGS: When you have escapement of
38 400-some-odd sockeyes in the lake on this year when you
39 didn't really have much effort in the seine fishery,
40 how does that compare to last year, or say the year
41 before as far as escapement, if we had any kind of
42 count on that?

43
44 MR. KELLY: Yeah, okay, I heard that
45 now. If I may, well, we have -- as Ben indicated, our
46 data series for escapements from Kanalku are somewhat
47 limited. We've got mark/recapture estimates from 2001
48 and now the weir in 2007. But last year the pink
49 salmon returns, Southeast wide, but also in northern
50 Southeast, when we had very limited seine fishing

1 relative to recent years, was we had an escapement
2 estimate of 1,300 sockeye. And so that's in a year
3 when we had almost record low, at least, in current
4 historical context, record low seine openings in
5 Southeast Alaska, as a whole, and in a year -- to
6 contrast that, in a year we had an enormous all time
7 record north and southeast inside pink salmon harvest
8 of about 60 (ph - telephone static) million pinks with
9 very aggressive seine management in Chatham and
10 elsewhere in the region. We had a mark/recapture
11 estimate of 1,100 sockeye in Kanalku so this kind of
12 goes -- I think it answers your question.

13

14 MR. BANGS: Yes, thank you.

15

16 MR. KELLY: Is that what you were
17 asking?

18

19 MR. BANGS: Yes, thanks.

20

21 MR. KELLY: Yeah.

22

23 CHAIRMAN ADAMS: You know Mr. Kookesh
24 isn't here but I think it was before Mr. Schroeder
25 left, he sent a -- I know I got a copy of this and I'm
26 going to share it with you and I'm going to turn -- I
27 know we don't have -- Bob said that wasn't distributed
28 to the Council, I'm the only one that's privy to it
29 right now but I want to share this with you, and then
30 we'll make sure that, you know, everyone gets a copy of
31 this.

32

33 But his comments says:

34

35 By a vote of the SERAC extra-
36 territorial jurisdiction action Item
37 No. 1 has been deferred until the
38 following recommended items are
39 addressed.

40

41 It should be noted that this action
42 will occur if the items listed below
43 are not acted upon to the satisfaction
44 of the SERAC this year.

45

- 46 1. Needs to be resolved, what exactly are
47 Angoon's resident's sockeye salmon
48 needs.
- 49 2. The recommended strategy is through
50 community meetings with the ADF&G Staff

1 to determine if the permit stipulation
2 process adequately addresses their
3 needs. Note for the record that the
4 numbers such as 10, 15 and 25 are not
5 realistic in terms of need and that the
6 idea of traveling 15 miles for 10, 15
7 and 25 sockeye are cost prohibitive. I
8 say that because most of the people
9 working on this issue have good paying
10 jobs and can't relate to a user group
11 that does not have strong financial
12 resources to do this fishery time and
13 time again.

14
15 3. The SERAC recommends that ADF&G and
16 Federal biologist Staff resolve their
17 differing interpretations of the
18 analysis that many sockeye were
19 harvested or not by the Southeast
20 Seiner's Association in Chatham Strait
21 fishery, and that a joint report is
22 issued. The recommended strategy is to
23 bring in a neutral biologist to review
24 it and finalize it.

25
26 4. The SERAC needs to be resolved with the
27 annual purse seine management plan in
28 terms of review and to make sure that
29 our input is included to ensure that
30 measures are being taken to ensure that
31 adequate escapement goals, sustainable
32 amounts are being met for the
33 subsistence users.

34
35 5. This action item can go different ways.
36 I would like to see the CommFish
37 Program to start monitoring for
38 escapement, make adjustments in regard
39 to openings, start managing for
40 subsistence and recognize that
41 subsistence zones are at best
42 superficial and that the hot zones need
43 to be recognized as impractical to
44 escapement. I would also like to see
45 the migratory path of sockeye salmon be
46 resolved to the satisfaction to all
47 user groups. It would be even nicer if
48 we could, based on technology currently
49 out there, determine where all salmon
50 from all salmon streams migrate in

- 1 Southeast Alaska waters.
2
3 6. The SERAC wants all five salmon streams
4 that are listed to be assessed based on
5 a walk and visualization approach for
6 fish passage obstacles and a
7 determination of what course of action
8 we must take to correct any problems
9 that may exist.
10
11 7. Needs to be addressed by Southeast
12 Seiners Association, ADF&G, CommFish
13 staff and the residents of Angoon. The
14 recommendation is to target the user
15 group and not the local entities. This
16 is being done to determine if there is
17 willingness on the part of the Angoon
18 people to participate in a supplied
19 sockeye program and also find out how
20 many years this will have to occur.
21
22 8. It is recommended that at a maximum the
23 years that this plan will be in for
24 existence are for 10 years.
25
26 9. SERAC recommended that a SERAC member
27 to start attending the Southeast Alaska
28 Seiners Task Force meeting. It needs
29 to be determined when and where the
30 meeting will be held. It is very
31 important that we utilize our members
32 that are in communities where the
33 meetings will be held. It is important
34 to recognize that there are other
35 issues that need to be elaborated on
36 and here they are. Community permits.
37 This program needs to be more defined
38 and to also become a more public
39 document and there needs to be more
40 important input into this program as we
41 work to manage for escapement and
42 conservation of the endangered sockeye
43 stocks. This program needs to occur
44 between the affected communities, the
45 local in-season manager and the ADF&G
46 Staff. My notes show that all five
47 bays are listed as to be participants
48 in this program and that there will be
49 the desire to -- there will be a desire
50 to have the communities that are in the

1 affected area participate also. The
2 communities are Kake, Angoon, and
3 Hoonah. It needs to be noted that this
4 community permit program may become
5 something that other rural users may
6 want to become aware of.
7

8 Conservation concerns. This is an
9 issue that needs to become more
10 prevalent to both the ADF&G Staff and
11 also to the Federal in-season managers
12 for both the Juneau and Sitka Ranger
13 Districts. It is time to recognize
14 that we have a problem and that this is
15 our responsibility to address it.
16

17 Fish weirs. Are these relevant and
18 will they help to enhance salmon
19 streams such as Kanalku, for example.
20 We need to be -- it needs to be noted
21 for the development of this paper that
22 it is very important that we have input
23 from Ben Val Alen, Cal Casipit, Bob
24 Schroeder, Bertrand Adams, Frank
25 Wright, Jr., and Nick Davis. This is
26 to ensure that when we release this
27 document it is a clear reflection of
28 what our Council desires and also a
29 reflection of our meeting minutes.
30

31 These are my notes and look forward to
32 seeing the sockeye issue resolved in
33 satisfaction of the ADF&G Staff,
34 Federal Staff and most of importantly
35 the subsistence user that is truly
36 dependent upon the resources.
37

38 I will say this again, I don't want
39 this to become a bureaucracy, to a
40 point of us fighting among each other
41 while the dependent young investor (ph)
42 is drowning because it little boat sank
43 while he was trying to go get sockeye
44 on the other side of Chatham Straits
45 while traveling through rough seas.
46

47 And that's the end of his comments. So
48 I'd like to have this put into the record and
49 distributed to those interested.
50

1 Any comments on his comment.

2

3 MR. THORSTENSON: Yes, Mr. Chairman.
4 For starter the Purse Seine Task Force meeting is going
5 to be held in Sitka at Centennial Hall on November 27th
6 so I believe probably Mr. Kitka's the best, if he's in
7 town, would probably be the lightest travel.

8

9 And I want to touch on something that
10 Scott Kelly brought up that I think is extremely
11 relevant. I mean I've got a graph and you may not have
12 the same -- do they have this table?

13

14 MR. VAN ALLEN: Yeah, it's -- I don't
15 know.

16

17 MR. THORSTENSON: Table 1, Fisheries
18 Resource Monitoring Program estimates for adult and
19 jack sockeye salmon Southeast Alaska 2001 to 2007. One
20 thing I think that's important as a quick glance, to
21 recognize, if you look at on this table, if you don't
22 have it in front of you I'll read it off -- but 2004
23 expanded index for the escapement was 1,300; for 2005
24 it was 1,100; for 2006 it was 1,300. In 2004 we had a
25 fairly intensive fishery but it occurred a little bit
26 later timing. In 2005 we had probably perhaps the most
27 intensive fishery in Chatham Strait and the timing was
28 about 10 to 14 days early, and it occurred right on top
29 of the sockeye curve. In 2006 we had virtually no
30 fishery whatsoever. In fact, there was not one fishing
31 day south of Point Hepburn and there were huge 10 day
32 closures in the middle of the season, it was the worst
33 pink salmon harvest in 20 years. Yet, if you look at
34 those numbers, 1,300, 1,100 and 1,300 you look at those
35 numbers and if you didn't know which years the purse
36 seine fishery had an intensive harvest, you couldn't
37 tell that looking at those numbers. Because those
38 numbers are almost identical each year, although one of
39 those years we never fished, one of those years we
40 fished on a curve that was late on the sockeye curve
41 and the other year, 2005, we fished right on top of
42 when these fish should have been returning and yet
43 those numbers are almost identical.

44

45 But the most significant issue, we
46 believe, if it was the case that 461 sockeye returned
47 and those 461 sockeye were found in the saltwater, came
48 to the freshwater, up the falls and the 461 sockeyes
49 showed up in the lake, then we would know that after
50 the commercial effort that only 461 passed. So far in

1 -- and it's a little bit of a shoot from the hip
2 because we need more time, two years does not a trend
3 make, but with only 14 percent passage from below the
4 falls to the lake last year, by our estimate, and 25
5 percent passage this year, if that's indeed true, that
6 would mean that it could have possibly been six or
7 seven or eight or 9,000 sockeyes that were at the mouth
8 of the falls last year and this year it could have
9 possibly have been as high as 2,000, right, Ben,
10 if.....

11

12 MR. VAN ALLEN: Yeah.

13

14 MR. THORSTENSON:if that taking
15 is proper, we could have produced 2,000 fish at the
16 system which is a very valid amount, a very healthy
17 amount to come back to the system and then we only got
18 461 in the lake, if we don't take care of the blockage
19 and we don't create a fish ladder or take care of those
20 falls, it would rather be ironic to be closing
21 different State water fisheries and making adaptations
22 and having a tete-a-tete and taking a lot of time
23 studying that when the fish are 75 percent, or up to 85
24 percent of the fish are dying before they get into the
25 lake to spawn. I mean you would think we'd save the
26 fish, let them spawn and once we've got them in there,
27 we got the ladder, we got them spawning, then if we've
28 only got 461 they make it to the mouth, they make it
29 all the way to the lake, well, then we got to look at,
30 you know, we've got a huge bottle all the way from
31 Parker Point to Samuel of traditional seine area that's
32 closed and we've been -- even though our management
33 can't completely respond, Fish and Game management for
34 several decades has been drawing bubbles in closure
35 areas around Basket Bay, Sitkho Bay, Falls Lake and
36 it's a very careful and very cognizant of the purse
37 seine fishery in the Chatham Strait corridor.

38

39 So I guess what I'm, you know, I'm
40 saying it's obviously -- it should be real obvious by
41 now and last year was the first real big red light, I
42 mean it was -- this falls has been there and there's
43 been issues all the way since 1969 but to have these
44 types of poor survivals from the stream mouth to the
45 lake indicates that we have a major issue, major
46 impediment and a blockage and both these years, this
47 year was pretty good water flow, wasn't it, last year
48 was okay water flow, it wasn't -- you know in the past,
49 the conventional wisdom was and some of the anecdotal
50 evidence was that perhaps on low water flows there was

1 only a trickle of water coming down the falls,
2 therefore, on low years and droughts, perhaps the fish
3 didn't make it over. These past two years have had
4 significant rainfall, significant water flows and so it
5 shouldn't -- you know with this type of a die off, this
6 type of a lack of fish making it up the falls, we feel
7 and we're willing to roll up our sleeves and do
8 whatever it takes to get the funding and get the steps
9 in place to get those fish to the lake.

10

11 CHAIRMAN ADAMS: And that is the big
12 problem getting up into the lake.

13

14 There's adequate amount of fish coming
15 up to the falls but they're not getting into the lake
16 where they're supposed to do their business. That goes
17 with the saying, you know, Ben says fish like water and
18 fertilization.

19

20 Comment.

21

22 MR. HERNANDEZ: I had a question here.
23 You've been focusing a an awful lot on the falls at
24 Kanalku, what about other systems, you know, that could
25 possibly be affected by Chatham Strait seining, we have
26 other concerns there, I heard public testimony at the
27 beginning of the meeting, somebody, a subsistence
28 fisher here on the Chilkat, you know, saying he had
29 seen some real significant declines in Chilkat River
30 sockeye as well, I don't know if there's other Chatham
31 Strait systems that are also showing some declines, are
32 we looking at some regionwide impacts here as well in
33 your opinion or are we just talking about Kanalku and
34 the falls?

35

36 CHAIRMAN ADAMS: Okay, I'm going to ask
37 your indulgence to work with the Council and people
38 that -- as I mentioned yesterday, I have a time when
39 we're going to complete this meeting this afternoon,
40 but I haven't shared it with anyone, maybe one or two
41 people, but if you can help me, you know, with meeting
42 that goal, I'd sure appreciate it. I see that -- the
43 reason why it came up, you know, George brought that
44 little four-leaf clover there and it's wilting.

45

46 (Laughter)

47

48 CHAIRMAN ADAMS: And I think that's a
49 sign that we need to finish this thing here. So go
50 ahead and respond and, you know, Council, ask your

1 questions but be cognizant of the time limits that we
2 have placed upon ourselves.

3

4 MR. VAN ALLEN: I could jump in real
5 quick on that. There was a flagging concern raised in
6 my eyes anyway along the 2005 season, it was the first
7 year we operated a weir at Kook Lake, recently and the
8 weir counts in that year were a couple thousand fish
9 and it was -- half of those fish passed into the lake
10 after August 24th so quite a bit late and we had a
11 couple years weir count data from the '80s indicating
12 that most of the fish had typically moved through a
13 month earlier, so that was a bit of a flag of concern
14 in my mind that -- of really not seeing many fish
15 escaping until the seine fishery had mostly closed for
16 the year. And it isn't just looking at the Kook Lake
17 data, we now have three years of weir counts and I just
18 described the first year, 2005, where the fish entered
19 the lake late, it's not that they entered late, it's
20 just that the later returning fish are the ones that
21 survived or made it through the fisheries or whatever,
22 and so it was mostly the lake spawners that year. Last
23 year, 2006, with the very poor pink return in the
24 northern southeast area, and very limited seine effort,
25 we had weir counts that were more reflective of what we
26 had observed in the couple years in the '80s, that
27 being a fairly strong early run of fish and you could
28 see more of the inlet stream spawners and the later
29 lake spawners and we had 10,000 fish in the escapement
30 and it looked great, to me, in terms of the numbers you
31 would like to see in that kind of system, the harvest
32 success in the Basket Bay subsistence fishery, things
33 were nice. This year, third year and last year of
34 running the weir there, I'll add, we had some fish
35 moving in early and we had some fish moving in late but
36 really kind of a low minimum migration through the bulk
37 of the summer, you know, it's too early for me to say
38 and I think it's part of the work we're doing, but it
39 is to look at how that relates to the seine fishing
40 activity that's occurring, it's not only immediately --
41 not only immediate on let's say the Basket Bay shore
42 but Point Agusta and other seine areas in northern
43 Chatham in particular and very likely maybe other parts
44 of Chatham.

45

46 So, anyway, it does look like this
47 year, the fished passed through kind of before and
48 after the seine fishing was occurring this year.

49

50 CHAIRMAN ADAMS: Follow up, Donald.

1 MR. HERNANDEZ: Yeah, Mr. Chairman. I
2 did find the distribution here that we got at the
3 beginning of the meeting, 2007 purse seine summary from
4 the Juneau management area, and I don't know if the
5 rest of the Councils have that or found it. But I
6 think this is pretty relevant to what we're talking
7 about.

8
9 On Table 1 it's a 10 year catch results
10 for all species, pink, chum, sockeye and coho in
11 Districts 12 and 14. You know, I'm not a professional
12 biologist but just at a glance I can see 2004, 2005
13 were the peak year for both pink salmon catches in 12
14 and 14 and chum salmon catches in 12 and 14. Also peak
15 year for sockeye salmon catches in 12 and 14. Now, I,
16 myself, don't see that there necessarily would be any
17 correlation between escapement levels being real high
18 between like sockeye, chum, which are probably
19 primarily hatchery chum and pink salmon which are all
20 on, you know, different cycles and different year
21 cycles and some of them are even hatchery fish but,
22 yet, it's fairly obvious that when you have the highest
23 pink salmon and chum salmon catches you also have the
24 highest sockeye catches and I think there has to be a
25 correlation there on just the fishing effort and how
26 many sockeyes are caught and whether or not, you know,
27 the sockeye catches can sustain that high of a level of
28 effort just because, you know, the pink and chum runs
29 are doing so well, I don't know if that's a -- I don't
30 know if that's a good conclusion we could make. I
31 doubt that myself, but I don't know if there's any
32 comment from the professional biologist on that.

33
34 CHAIRMAN ADAMS: Okay. Can we make it
35 short and then I'd like to have Kelly and Kevin, you
36 know, make some kind of remarks if they so wish, so,
37 Bob and then Ben.

38
39 MR. THORSTENSON: I guess just to
40 follow up on that, there's two issues that come to
41 mind. 2005/2006 were huge drivers years so you spoke
42 of and there's a very slight, if any, pink salmon that
43 are actually hatchery produced, a large proportion of
44 chum, of course, but in 2005/2006.....

45
46 MR. HERNANDEZ: I'm looking at
47 2004/2005.

48
49 MR. THORSTENSON: 2004/2005 the
50 preponderance of Snettisham sockeye that were in that

1 fishery were probably in the range of 60 percent so you
2 see these -- all of a sudden you've got 50,000, 30,000,
3 60,000 throughout '99 and in the early 2000 but when
4 Snettisham comes on line in '04 and '05 you see
5 Snettisham adding between 60 to 80 to 90,000 sockeye to
6 the total number which drives us into such figures. So
7 part of your huge bump in sockeye harvest is because of
8 hatchery sockeye number 1.

9

10 And, number 2, I guess, the point down
11 -- if you've got Table 1, a good example of the
12 difference between 2005/2006 there are places like Kook
13 Lake where in 2005 when they have the fishery it looks
14 like there wasn't as much came back, 2006 with no
15 fishery you've got 9,846, if you drop down to Sitkho
16 Lake which is a, you know, heavily harvested and right
17 in the back drop of all these purse seine corridors, in
18 a year where we fished the heaviest we've fished in
19 July, in my recent memory, 13,000 escapement and the
20 next year with zero fishery in 2006 15,000 escapement,
21 so just like Kanalku, some of these systems it depends
22 on what happened in the year and it depends on what
23 happened in the system itself, there are many other
24 factors besides just strictly harvest taking place.

25

26 CHAIRMAN ADAMS: Okay, thank you, Bob.

27 Ben, go ahead.

28

29 MR. VAN ALLEN: I think in the big
30 picture what we're looking at is the history of fishing
31 in Chatham Strait -- Icy and Chatham Strait and I think
32 there's a lot to be learned from looking at the past
33 and help guiding us in the future and regardless of the
34 certain escapement concerns for local sockeye stocks,
35 any particular system is still very important for us to
36 be looking at this in that with the success in
37 rebuilding the pink salmon runs from historical
38 overfishing comes a valid need to prosecute a fishery
39 to harvest as many as you can. And what we have in the
40 Chatham/Icy Strait areas is a fairly broad
41 overlap, we'll have to look at this more, but broad
42 overlap in the timing of the local sockeye stocks and
43 in the boat days that are fished to target on the pink
44 salmon. And there's basically from the years in the
45 mid-'70s when we basically said, okay, shut it all down,
46 we recognize we've been overfishing, we need to rebuild
47 so since then we have been, indeed, gradually building
48 up both days, times and areas fished in response to the
49 success and rebuilding the pinks and so it's kind of my
50 thinking that we do need to work towards, I don't know

1 what you call it, but a management plan, actually I
2 think it ought to be in a, you know, State management
3 plan for northern Chatham or Chatham Strait fisheries
4 that is beyond the one that's there now for the Hawk
5 Inlet shore fishery but one which seeks this right
6 blend between the fishing on passing stocks and local
7 stocks for pink salmon and ability to maintain terminal
8 abundances of sockeye in the subsistence fishing
9 locations, Basket Bay, Stikho, Kanalku needed to meet
10 both the subsistence fishing, subsistence harvest needs
11 as well as the escapement needs and so I think that's
12 what we need to be working towards in the long-run and
13 it, you know, parallels, I think, some effort that was
14 done in the Board of Fish Proposal 169, so that'd be
15 something to review, the last Board cycle.

16

17 CHAIRMAN ADAMS: One last comment.

18

19 MR. KITKA: Thank you, Mr. Chair. I
20 have one comment. It was nice to hear that the
21 commercial fisheries were starting to take an interest
22 in this and what's happening because it not only
23 affects subsistence it also affects the commercial
24 fishing, if the run goes away then it hurts commercial
25 fishing. So it's nice that commercial fisheries have
26 taken enough interest to say they'd look into getting
27 money to fund this thing. So that was my comment.

28

29 Thank you.

30

31 CHAIRMAN ADAMS: Thank you. Scott and
32 Kevin, do you have any final remarks that you'd like to
33 make.

34

35 MR. KELLY: Yes, thank you, Mr. Chair.
36 My purpose for being on line here is to make sure that
37 if the Council had any specific questions for
38 Commercial Fisheries Division that we were here to
39 answer your questions. And I think I heard a question
40 about, I think it was one of the Council members about
41 sockeye salmon abundance regionwide, was that correct?

42

43 CHAIRMAN ADAMS: Yes.

44

45 MR. KELLY: I could maybe address that
46 a little bit. Of course everybody here's aware that
47 salmon runs, fish runs in general go up and down and I
48 heard a specific reference to Chilkat and, yes, that
49 escapement, or total run to Chilkat Lake was well below
50 average this year and on the other side of Lynn Canal

1 the Chilkoot Lake sockeye salmon return was quite
2 healthy, in fact, it was healthy enough to support 24/7
3 drift gillnet fisheries for several weeks, intensive
4 fisheries, we had a total run to Chilkoot of about
5 200,000 fish this year. And the other general comment
6 on a regional perspective for sockeye runs that this
7 was kind of an unusual year, we had some very, very
8 good abundance for some of our northern inside stocks
9 and as in the case of Chilkat very poor, but I guess my
10 main point here is that those runs do go up and down
11 with time and that the sockeye salmon stock count, you
12 know, stock identification, stock composition on west
13 Admiralty shoreline is very dynamic and it is driven
14 predominately by the big runs and historically we've
15 had up to 300, 350,000 runs at Chilkat, couple hundred
16 thousand to Chilkoot, 150 to 300,000 in Taku and I
17 heard some reference to the hatchery production from
18 Snettisham and that happened at peak at about 500,000
19 sockeye in 2004. So really on the northern -- I'm kind
20 of limiting my remarks to northern Southeast Alaska,
21 the sockeye salmon situation in general is very dynamic
22 and, you know, does fluctuate with time but my main
23 point is that the driver stocks that drive the sockeye
24 harvest in District 12 seine is -- are mostly the
25 Kookat, Taku and now more recently Snettisham hatchery
26 and those runs are very dynamic.

27

28 Thank you.

29

30 CHAIRMAN ADAMS: Thank you, Scott.
31 Kevin, you have anything you'd like to add.

32

33 MR. MONAGLE: No, I think Scott covered
34 it, so thank you.

35

36 CHAIRMAN ADAMS: Thank you. Thank you,
37 very much. Thank you gentlemen, appreciate it.

38

39 MR. THORSTENSON: Thank you, Mr. Chair.

40

41 MR. VAN ALEN: Thank you.

42

43 CHAIRMAN ADAMS: Okay. We're going to
44 take up Item No. 16 now, agency organization reports.
45 You want to take a few minutes and disconnect that.

46

47 You're still on line, you want to say
48 something.

49

50 MR. KELLY: No, Mr. Chairman, before I

1 hang up I just thought I'd make sure that you had the
2 information you needed from Commercial Fisheries
3 Division, if not, we'll go ahead and hang up and thank
4 you for your time.

5

6 CHAIRMAN ADAMS: We know where you
7 live.

8

9 MR. KELLY: Okay, I'll be here, have a
10 nice rest of the meeting. Bye.

11

12 CHAIRMAN ADAMS: Bye, now, thanks.
13 Tom, go ahead.

14

15 MR. KRON: Mr. Chairman. Members of
16 the Council. My name is Tom Kron from OSM. I'll be
17 presenting the first two items under the Office of
18 Subsistence Management organizational reports.

19

20 The first item is basically a status
21 update on the closure policy. Late August, you can see
22 it's dated August 29th, Melinda just distributed to
23 you, we received word back from Secretary of the
24 Interior Dirk Kempthorne, approving and formalizing the
25 closure policy.

26

27 On Page 181 in your Council books,
28 there's a brief description of issues and, again, feel
29 free to look through the policy itself. And I guess
30 first off a little bit of history, the Federal
31 Subsistence Board was directed by the Secretaries, the
32 Secretary of Interior and the Secretary of Agriculture
33 on October 2005 to draft a closure policy. All 10
34 Subsistence Regional Councils reviewed a draft of this
35 policy in their winter 2006 meetings. Revisions were
36 made to the draft based on comments received from the
37 Councils and the public, the State and the solicitor's
38 office and then in a work session on August 25th, 2006,
39 the Board took more public comments and tasked a
40 subcommittee of the Board, basically Board members
41 themselves, a subcommittee of the Board, to continue to
42 work on the draft policy. Those Board members
43 completed that work. And then in late August 2007, we
44 received the notice that Melinda passed out, again,
45 it's before you as well.

46

47 The new policy clarifies the internal
48 management of the Board and provides transparency to
49 the public regarding the process for addressing Federal
50 closures for hunting, trapping and fishing on Federal

1 public lands and waters in Alaska. This policy
2 recognizes the unique status of the Regional Advisory
3 Councils and it does not, and I repeat does not
4 diminish the Regional Council's role in any way. The
5 policy is intended only to clarify existing practices
6 under the current law.

7
8 Again, you can look through the policy,
9 there are a number of elements within it. It describes
10 the law, it describes a lot of the things that you see
11 in the analysis that become before you and how we
12 evaluate things and how the process works.

13
14 Decisions regarding whether or not to
15 implement closures or restrictions are controlled by
16 Title VIII of ANILCA. They're controlled by that
17 foundation law and the Board will implement closures or
18 restrictions on Federally-managed lands and waters only
19 in accordance with certain statutory specific criteria.

20
21 For instance, when a fish and wildlife
22 population is insufficient to sustain taking for all
23 uses, taking for non-subsistence uses may be reduced or
24 prohibited. When fish and wildlife populations are
25 insufficient to sustain taking for all subsistence
26 uses, the resources shall be apportioned between
27 Federally-qualified subsistence users according to
28 criteria set forth in ANILCA in Section .804. In the
29 worst case situation when a fish and wildlife
30 population is insufficient to sustain taking of any
31 uses, all taking must be prohibited.

32
33 Each closure shall be subject to Board
34 review at least every three years to ensure that the
35 closures do not remain in place any longer than
36 necessary. The review process on this is handled
37 through the normal process, which the Council is
38 involved in, you've seen various proposals in the past
39 and reviewed the process and you will continue to be
40 involved in that way.

41
42 Thank you, Mr. Chairman.

43
44 CHAIRMAN ADAMS: Thank you, Tom. When
45 I was out there getting a cup of coffee I thought I
46 heard you say that Melinda passed out.

47
48 (Laughter)

49
50 MR. KRON: She.....

1 CHAIRMAN ADAMS: Is that why she's not
2 here or.....
3
4 (Laughter)
5
6 MR. KRON: Mr. Chairman. Poor choice
7 of words on my part, I apologize. She handed out.
8
9 CHAIRMAN ADAMS: Oh.
10
11 MR. KRON: She handed out copies.
12
13 CHAIRMAN ADAMS: We usually like to
14 hand out or distribute or something like that.
15
16 MR. KRON: I certainly hope she didn't
17 pass out.
18
19 (Laughter)
20
21 CHAIRMAN ADAMS: Anyhow, thank you.
22 Any questions for Tom.
23
24 (No comments)
25
26 CHAIRMAN ADAMS: Thank you, sir,
27 appreciate it.
28
29 MR. KRON: Thank you.
30
31 CHAIRMAN ADAMS: Next.
32
33 MR. KRON: Mr. Chairman. The next.....
34
35 CHAIRMAN ADAMS: Oh, you again.
36
37 (Laughter)
38
39 MR. KRON: Yes, me again. I'm sorry,
40 you'll get to see me a couple times here. The next
41 item is, again it's a status update on an issue that's
42 been before you here a number of times. The summary is
43 included on Page 182 in the Council book and I'll touch
44 on some of the key features here to refresh our
45 memories and kind of explain where we're at.
46
47 In December, 1998, the Safari Club
48 International and others filed suit against the
49 Secretaries of Interior and Agriculture and the Federal
50 Subsistence Board. In 2000 Safari Club International

1 amended their complain to challenge the composition of
2 the Regional Councils. In 2003 the Council Charters
3 were changed to stipulate that members would represent
4 either subsistence or commercial/sport users and set a
5 goal of 30 percent representation for commercial and
6 sport users of each Council.

7
8 And I guess what kind of generated the
9 process here, when that change was made in 2003 there
10 wasn't a lot of process that was implemented connected
11 with that and that's what's generated the challenge
12 that came down.

13
14 In August 2006 the court concluded that
15 the Board had not provided sufficient administrative
16 record in showing rationale for the 70/30 composition
17 plan. The court stated that while 70/30 is one way of
18 meeting FACA requirements, the Board should consider
19 other ways of achieving balanced membership on the
20 Councils. To address the court's order a 30 day notice
21 was published in the Federal Register explaining the
22 current situation and the rationale for 70/30. The
23 notice requested public comment regarding the 70/30
24 rule and solicited alternative plans for balancing
25 Council membership. Council recommendations were
26 sought last winter, we received those comments and
27 recommendations from you at your meeting in Kake.

28
29 At its May 2007 meeting, the Board
30 considered public comments and Council recommendations,
31 reviewed alternatives and then developed its
32 recommendations, which basically came back to the 70/30
33 goal for Council composition. Again, we received
34 comments from many of the 10 Councils across the state,
35 there were a number of public comments as well and the
36 Board took all of that into consideration.

37
38 The Federal Subsistence Management
39 Program is now proceeding to public a notice in the
40 Federal Register describing this process and then bring
41 to the court the administrative record of the Board's
42 efforts to respond to the court order. If it is found
43 that the records satisfy the court order, the
44 recommendation will be advanced to the Secretary for
45 review and approval. So, again, it's a status update,
46 it's still in progress and we still need to hear from
47 the court and then after that, if the court approves
48 it, we'll take it to the Secretaries.

49
50 CHAIRMAN ADAMS: Questions. Comments.

1 (No comments)

2

3 CHAIRMAN ADAMS: That's it.

4

5 MR. KRON: Thank you, Mr. Chair.

6

7 CHAIRMAN ADAMS: Mr. Buklis, rural and
8 non-rural determination and requests for
9 reconsiderations. Welcome, Larry, I've seen you
10 sitting there very patiently day after day after day,
11 appreciate your participation. Thank you.

12

13 MR. BUKLIS: Thank you, Mr. Chairman.
14 I have additional copies of the booklet called Final
15 Rule and Requests for Reconsideration of the Rural/Non-
16 Rural Determinations. They were mailed out but if you
17 don't have your copies with you I've got some spares
18 with me. Do any Council members need a copy?

19

20 (Pause)

21

22 MR. BUKLIS: Mr. Chairman, they were
23 mailed with the Council booklets but I did bring some
24 spares and I have one extra for the back table when I'm
25 done.

26

27 CHAIRMAN ADAMS: Okay, go ahead, Larry.

28

29 MR. BUKLIS: Thank you, Mr. Chairman.
30 Larry Buklis, Office of Subsistence Management.

31

32 There's a one page briefing on this
33 topic in your regular Council book on Page 183, and
34 then there's this blue covered booklet I referenced
35 that contains the requests for reconsideration. I know
36 your time is limited so I'll get to some of the main
37 points.

38

39 As you're well aware, the Board
40 conducted a review of the rural determinations and
41 concluded its work at a meeting in December of 2006 and
42 made decisions on a Final Rule, the Final Rule was
43 published in May 2007 and this blue booklet I've
44 referenced includes a short preface and then it follows
45 with the Final Rule, for your reference, and within 60
46 days of the publication of the Final Rule was the
47 window during which parties could submit requests for
48 reconsideration. We received six requests for
49 reconsideration that are in this booklet, and I'm aware
50 of the Council's interest and their submitting of a

1 letter which they considered a requests for
2 reconsideration and that was an issue and it was
3 addressed in your annual report and I know the Council
4 continues to have strong feelings about their right to
5 file a request for reconsideration, but the final
6 determination that Councils are part of the Federal
7 Program and part of the Federal Board process, an
8 advisory to the Board and, therefore, in that capacity,
9 because of that capacity, they're not eligible to file
10 requests for reconsideration. It was mentioned earlier
11 in your meeting, during your review of the annual
12 report responses, there was some discussion among
13 Council members about why the State could file RFRs and
14 Councils not. And it's true that both the State and
15 the Councils have the status of a liaison role to the
16 Board, but the differentiation is that the State is not
17 part of the Federal Program, they have a liaison role
18 to the Federal Program and they are a resource manager
19 but the Councils are commissioned by the Board as
20 advisory to the Board. And that's the difference
21 between those two liaisons.

22

23 Getting specifically to the requests
24 for reconsideration, the process now is to conduct
25 threshold analysis of these requests, because a
26 requests for reconsideration, both the blue booklet and
27 the briefing to you in your regular Council book cite
28 the standard that needs to be reached for requests to
29 be considered by the Board. Now, I'll just very
30 briefly read that, I'm reading from the Council booklet
31 now, Page 183, it's from the Federal regulations and it
32 says:

33

34 The Board will accept a request for
35 reconsideration only if it is based
36 upon information not previously
37 considered by the Board;

38

39 Demonstrates that the existing
40 information used by the Board is
41 incorrect; or

42

43 Demonstrates that the Board's
44 interpretation of information,
45 applicable law or regulation is in
46 error or contrary to existing law.

47

48 So those are the standards a request
49 needs to meet. And requests typically lay out multiple
50 claims, they could have a single claim, but typically

1 they have multiple claims. And so what the Board does
2 is it has the Staff conduct threshold analysis of the
3 specific claims that are being made and then the Board
4 determines whether any of those claims meet the
5 threshold I just described and, if so, those are
6 considered accepted claims and then the analysis and
7 Board consideration continues on the accepted claims.

8

9 And so at this point these requests for
10 reconsideration are brought to your attention, they're
11 for your information and the Board will be determining
12 whether any of the claims raised are accepted for
13 further consideration and meet the standard. If so,
14 those claims would be brought back to the attention of
15 the relevant Councils and recommendations would be
16 sought on the accepted claims. Now, the Council may
17 want to discuss these RFRs, you may want to correspond
18 with your views, you may want to make a recommendation,
19 that's your latitude to decide how you want to address
20 this. But at this point in the process the Board is
21 not actively seeking your recommendation because they
22 haven't sorted out what claims are accepted as valid,
23 meeting the standard I read.

24

25 And just to repeat, those claims which
26 are accepted as meeting the threshold will be brought
27 back to the attention of relative Councils, and we will
28 be seeking your recommendation.

29

30 So it's essentially an information
31 point at this point but I understand the Council's
32 strong interest and so you have some latitude.

33

34 I would conclude by reminding you of
35 what's in the booklet of RFRs.

36

37 RFR No. 1 was filed by the State of
38 Alaska and it addresses various places and aspects of
39 the review.

40

41 No. 2 was by the Alaska Outdoor
42 Council, and it also addresses various places.

43

44 No. 3 was from the Kenai River
45 Sportfishing Association and its focus is on the Kenai
46 Peninsula.

47

48 No. 4 is from the Alaska Fly Fishers,
49 it also has a focus on the Kenai Peninsula.

50

1 No. 5 is from the Ketchikan Indian
2 Community with a focus on Ketchikan.

3
4 No. 6 is from the Organized Village of
5 Saxman with a focus on Saxman.

6
7 And so I think, at least a couple of
8 these are very much of interest to this Council and,
9 yet, some of these ones that I mentioned I covered
10 various places, you would need to look through them to
11 realize that they touch on issues that may be closer to
12 your interests than some of the other Councils.

13
14 For example, the Alaska Outdoor
15 Council, Page 75 in the blue booklet, it speaks to
16 Sitka and its rural determination and how the Board
17 addressed that. And I only mention that because I know
18 it's of high interest to this Council, and it's an
19 example of how, you know, in some ways you can let the
20 process run and see what claims advance beyond the
21 threshold level to see how you want to develop your
22 recommendations.

23
24 In conclusion, I don't want to mislead
25 the Council in any way and suggest that you shouldn't
26 do anything now because claims will be coming back to
27 you, I can't, at this point in time, tell you what
28 claims the Board will determine to be accepted and what
29 will not. So while this booklet has six RFRs, most of
30 them with several claims, so it's a multiple of six,
31 there's a couple of dozen, I think, in the months that
32 unfold, the Board will determine which are positive and
33 accepted claims and I can't tell you which those are
34 now. And so if you allocate your attention later,
35 rather than now, there may not be as many issues before
36 you later that you wanted to express yourself on.

37
38 Thank you, Mr. Chairman.

39
40 CHAIRMAN ADAMS: Thank you, Larry. So
41 as far as our input is concerned, are you advocating
42 that maybe we just wait for awhile until later to make
43 our comments?

44
45 MR. BUKLIS: Well, I want to be careful
46 because I know this Council has very strong views on
47 its role relative to filing RFRs and there was some
48 disappointment there and has strong views on the
49 determinations that have been made or not been made,
50 and so I don't want to say that I'm advocating one way

1 or the other. Strictly speaking, this is an
2 information step, and the normal course is for Councils
3 to make recommendations or be invited to when we have
4 accepted claims as determined by the Board. Right now
5 what we have are RFRs that have been filed with an
6 array of claims.

7

8 But if this Council wants to express
9 itself on the claims, as submitted, you have an
10 opportunity to do that. I'm not going to dissuade you
11 from that and tell you to hold off because later there
12 may not be as much to express yourself on.

13

14 CHAIRMAN ADAMS: Okay, thank you. I'm
15 still somewhat disturbed by the fact that, you know,
16 the State can, even though it's a liaison to the Board
17 and we are an advisory to the Board, and it goes back
18 to what I said earlier, Larry, Saxman and Ketchikan,
19 you know, were fortunate enough to be able to have some
20 talent to help them put theirs together but we have
21 other communities in Southeast Alaska and probably
22 throughout Alaska that don't have that capability and
23 so who's going to speak on their behalf and, you know,
24 I'm of the strong opinion that we are. Maybe you can
25 think about that a little bit and if you feel like it,
26 you know, respond as well, but I think that that part
27 is a real strong position that I, myself, take and I'm
28 sure the Council has that same feeling as well.

29

30 Go ahead.

31

32 MR. BUKLIS: Mr. Chairman. You invited
33 me to respond if I could. I think the program would
34 respond that the Council does represent multiple
35 interests and communities and people and in that
36 capacity the Council can advance information and views
37 and recommendations during the regulatory process, so
38 during, in this case, the review of rural
39 determinations over several years, the Council had a
40 role as advisory to the Board on the process and there
41 is an RFR process for the stipulations I read, if the
42 Board has not adequately addressed all the available
43 information, et cetera. But I think the place for the
44 Council to represent those interests is during the
45 normal regulatory process leading to a decision and
46 Final Rule. And then if there is a need for a
47 community or interest to file an RFR, it needs to be
48 that aggrieved person or party.

49

50 CHAIRMAN ADAMS: Yeah, and we have done

1 that, you know, up to -- when we take the Saxman issue,
2 and then when we were told that we could not do an RFR
3 after I kind of gave the message that we would. I
4 really feel strongly that there is something wrong here
5 in the process, in that, we are not able to represent
6 people who are aggrieved. A community such as Kake or
7 Angoon, you know, might be an aggrieved community
8 because of a decision that the Board made, we grieve
9 along with them and if they don't have the capacity to
10 put together an RFR, you know, I know that we can
11 assist them in any way although we have to be careful
12 what we do with that process, I really feel, you know,
13 that the Council is in a better position to adequately
14 represent those communities that cannot represent
15 themselves.

16

17 So that's my comments and my feelings
18 and I don't think it's going to go away.

19

20 MR. BUKLIS: I understand.

21

22 CHAIRMAN ADAMS: So thank you, Larry.

23

24 MR. BUKLIS: Thank you.

25

26 CHAIRMAN ADAMS: Any other comments.

27 Donald.

28

29 MR. HERNANDEZ: Thank you, Mr.
30 Chairman. I guess my question, comment, would be that
31 to me it's an opinion, a legal opinion that we're not
32 allowed to make RFRs, is that true that it's somebody
33 opinion, who made that opinion, in my view opinions are
34 always subject to change, is it a -- you know where did
35 that ruling come from, how binding is it? I guess I
36 don't understand, who decided that we can't make RFRs,
37 is it a legal opinion, where did it come from?

38

39 MR. BUKLIS: Well, I know the word,
40 opinion, is used, but it was legal counsel and the
41 phrase legal opinion is used when we're talking about
42 that source, but it's not -- sometimes the word,
43 opinion, might imply that it's sort of superfluous or
44 it's an individually held thing, but it was legal
45 counsel from the Solicitor's Office to the Program
46 that, what I had said earlier, applies, that the
47 Councils are part of the Federal Subsistence Management
48 Program, they serve as advisory to the Board, and so in
49 that light it isn't appropriate for the Board to be
50 subject to RFRs from that advisory group, whereas the

1 State is a liaison to the Federal Program, it's a State
2 government and it and other interested parties who are
3 aggrieved can file RFRs.

4

5 MR. HERNANDEZ: Also it would be my
6 opinion that an aggrieved party could probably also
7 challenge that legal opinion if they so wanted to, that
8 could be subject to legal dispute as well, if another
9 entity wanted to be challenge that, it could be done in
10 court as well.

11

12 MR. BUKLIS: I'm not an attorney, but I
13 think you're right. Except my understand is the
14 Council can't sue because it's part of the Federal
15 Program but an outside could.

16

17 MR. HERNANDEZ: Thank you.

18

19 CHAIRMAN ADAMS: So what I'm hearing
20 from Donald's question is that if a small community
21 such as Angoon or Kake or somewhere in that capacity
22 wants to challenge this change of rule -- to me it's a
23 change of ruling, because it was documented, you know,
24 previously that RACs were able to submit RFRs and so
25 this change of ruling then can be challenged by another
26 entity on behalf of the RAC.

27

28 MR. BUKLIS: Again, I'm not an
29 attorney, but I understand what you're saying and I
30 think the main frame of reference is, Councils are a
31 part of the program, and so because of that they can't
32 sue the other part of the program they serve nor submit
33 RFRs to it.

34

35 CHAIRMAN ADAMS: It's the same as suing
36 yourself, I understand that.

37

38 MR. BUKLIS: Exactly. But what outside
39 parties may elect to do, I think they have much more
40 latitude then.

41

42 CHAIRMAN ADAMS: But I'd like to
43 clarify for the record that RACs are able to assist
44 communities or, you know, an aggrieved person to submit
45 an RFR, with our technical support and so forth, but
46 there's a fine line to be drawn there as to what we can
47 and cannot do.

48

49 MR. BUKLIS: Yeah, I'm not really
50 prepared to speak to that in detail because as you know

1 the Staff to the Council are the employees that serve
2 the Board as well, so it is an awkward situation.
3 You're staffed by the very staff that serve the Board
4 and you're asking to what extent could that Staff
5 assist those who want to file RFRs against the Board.
6 I'm not really prepared to talk through that.

7

8 CHAIRMAN ADAMS: Okay. Lee.

9

10 MR. WALLACE: Mr. Chair, thank you.
11 Yes, for Larry and for you Mr. Chair and the Council,
12 yeah, definitely, you know, it's not an opinion that
13 RFR is part of a litigation process, it's the last
14 process that an aggrieved organization like the
15 Organized Village of Saxman has to confront the ruling
16 that the FSB had, it's not at that stage yet. You
17 know, hopefully what we've submitted would be looked at
18 and it would be approved and be reconsidered. But then
19 if it's not then we move into the second phase of
20 litigation if we choose, if you guys refuse our RFR.

21

22 But it's really duly noted that in our
23 operation manual, what I viewed in Kake on my first
24 meeting, it was clearly printed in black and white, as
25 part of the ruling of operations, that the RAC could
26 participate in an RFR. And I guess what I need to
27 probably do is investigate just how far back that
28 ruling was and just up until recently, until Mr. Bob
29 Larson said this was hot off the press the first day of
30 this meeting, and so this was changed most recently,
31 and it was no surprise that it was, no surprise that at
32 all, because of all the phone calls that our Chair
33 received from Hans, you know, don't submit it, don't
34 submit, we're highly recommending you don't submit it,
35 you know, and that's kind of really highly irregular
36 too for a person who's the assistant director to be
37 calling, it's more political than anything that I see
38 versus regulatory.

39

40 Just for the record it's noted that,
41 yes, there's been a change in the process there and
42 it's totally, you know, I think, underhanded. And I
43 don't think we want to deliberate too much on this
44 subject, you know, Mr. Chair, you want to go through
45 your process, but I thank you for your time here Larry.

46

47

48 CHAIRMAN ADAMS: Any other comments or
49 questions.

50

1 (No comments)

2

3 CHAIRMAN ADAMS: Larry, thank you for
4 being here, appreciate it.

5

6 MR. BUKLIS; Thank you. Mr. Chairman,
7 if I could now I'd like to -- Mr. Wallace is correct
8 that the RFRs are an administrative remedy.

9

10 CHAIRMAN ADAMS: Thanks. What are you
11 coming up here for Tom.

12

13 (Laughter)

14

15 MR. KRON: Thank you, Mr. Chairman.
16 Tom Kron from OSM. I'm happy to be back in front of
17 you again.

18

19 The next issue is in your books on Page
20 184. We touched on this at your Kake meeting when I
21 presented it to you. And it basically revolves around
22 what the Chair mentioned earlier today, was, you know,
23 trying to do more with less, you know, trying to get
24 the job done. And, you know, I guess just a couple
25 comments.

26

27 I think, you know, as you can see in
28 the summary, I think all of you should have received a
29 letter dated June 6th, 2007 from the Chairman Board --
30 Board Chairman Mike Fleagle describing a decision that
31 was made in early summer. Basically the Board decided
32 at that time to move to a two year cycle, you know, we
33 talked about it relative to the Monitoring Program
34 earlier today, you know, the reality is it was budget
35 driven. I was there at the meeting when they were
36 making that decision, several of the -- I know that at
37 least several of the Board members had read the
38 transcripts from that meeting in Kake when the
39 Southeast Council reviewed the issue, they specifically
40 asked me -- they asked, you know, how the Council's
41 would react to this kind of change based on what I
42 heard and what I was told by this Council, I told them
43 that this Council was not going to like it and they
44 heard that before making the decision.

45

46 Again, the paper here talks about the
47 budget realities, I guess subsequent to our meeting in
48 Kake, the budget for the fiscal year 2008 has been
49 firmed up, we're looking at another half million dollar
50 cut. There's been reductions since 2001 and we're

1 trying to do more with less, trying to do the best we
2 can. There's the OSM, the Office of Subsistence
3 Management underwent a reorganization here this summer
4 to try to, again, try to do more with less, try to
5 streamline things. Again, both the Fishery Monitoring
6 Program, which Terry mentioned earlier, and the
7 regulatory proposals will be addressed every two years,
8 you know, again the intent is to be very responsive,
9 work closely with the Councils and various requests
10 that come in, you know, use the special action process
11 to deal with out of cycle project proposals and address
12 time sensitive regulatory issues.

13

14 We've also, on Page 185, tried to lay
15 things out so people can clearly see what we're looking
16 at for a schedule, for both the Monitoring Program and
17 the regulatory issues, and, again, the reality is that
18 we're going to work through this, try to do the best we
19 can. As issues come up, you know, in between the
20 various cycles, you know, try to address them as best
21 we possibly can, you know, working with the in-season
22 managers and the Staff to be responsive to the Councils
23 and the various users that come forward with issues
24 that need to be addressed.

25

26 So that's what I have and I'll try to
27 answer any questions you have.

28

29 Thank you, Mr. Chair.

30

31 CHAIRMAN ADAMS: Questions for Tom.

32

33 (No comments)

34

35 CHAIRMAN ADAMS: I guess not, thank
36 you.

37

38 MR. KRON: Thank you, Mr. Chairman.

39

40 CHAIRMAN ADAMS: We have a couple of
41 informational letters, one from the Secretary and
42 another one for Regional Council Compensation. Is
43 anyone willing to come up and address these, or it's in
44 your book, Tom, you, too, you want to do that again.

45

46 MR. KRON: Mr. Chairman. I was
47 assigned to answer any questions you have about them,
48 they're informational. We just, again, wanted to keep
49 the Councils, all 10 Councils informed of various
50 things that have come in.

1 When we saw these on the agenda we were
2 guessing that this Council, given how thorough you are
3 with everything, would want to have probably some
4 presentation so I was assigned to address that if you
5 asked.

6
7 The first letter on Page 186 is, again,
8 from Secretary Dirk Kempthorne, it came in in late
9 June. And essentially the meat of it, you know, I
10 think in the center of the letter the Secretary points
11 out that the Federal Subsistence Program is one of the
12 most important responsibilities of the Departments of
13 Interior and Agriculture in Alaska. I guess I was
14 interested and pleased to see that. And then in the
15 subsequent paragraph, the Secretary is requiring at
16 each Federal Subsistence Board -- that each Federal
17 Subsistence Board member to be present at Board
18 meetings, at which regulatory decisions or Board policy
19 will be voted on. So essentially we'll have the senior
20 member from Alaska for each of the agencies at those
21 Board meetings when they're making policy and
22 regulatory decisions.

23
24 I know the Forest Service has had their
25 Regional Director there, some of the other agencies
26 essentially it's been delegated to people and what the
27 directions are here is that they want to have the
28 senior person there.

29
30 The other issue on Page 187, various
31 Councils have asked about the compensation issue. We
32 attached a letter on Page 188 from 2001, we've elevated
33 this a couple of times under several different
34 administrations and, you know, basically it connects
35 back to the way the Federal government handles various
36 bodies that advise the program, as this is one and,
37 again, we've tried and essentially we're getting the
38 response back that, no, we can't do this. The Regional
39 Council operations manual addresses questions that, you
40 know, arise relative to travel-related issues,
41 including travel advances, reimbursement for travel,
42 meals and lodging and, you know, I think everybody
43 tries to do their best on these issues. But, you know,
44 I was just hearing earlier today about another issue
45 connected with our hotel and there's always something,
46 but this is kind of where we're at and, you know, we
47 tried to address some of this stuff and been told we
48 can't, but, you know, we'll continue to try our best.
49 And, again, the intent of the manual is to try to, you
50 know, lay out kind of where we're at so people can read

1 it and understand and Staff will work with Council
2 members to help get us all through this process and
3 keep it as seamless as possible because we know there
4 are problems with any of this sort of thing it ends up
5 affecting, you know, your meeting, your business and it
6 makes it difficult for people to focus on the various
7 regulatory and monitoring issues when there's problem
8 with lodging or travel or anything like that.

9

10 So, thank you, Mr. Chairman.

11

12 CHAIRMAN ADAMS: Yeah, I'd just like to
13 make a couple of comments in regards to having had to
14 travel, you know, on occasion to Board meetings and,
15 you know, Council meetings.

16

17 Reservations aren't made until just a
18 day or so before you're supposed to leave, that kind of
19 makes me nervous because, you know, these meetings are
20 important, it's important that we be here.

21

22 MR. KRON: Yes.

23

24 CHAIRMAN ADAMS: And for some reason or
25 another, you know, those vouchers or those arrangements
26 aren't made then like you said it jeopardizes your
27 whole program.

28

29 Another situation, I went up to
30 Anchorage, you know, for a Board meeting and they had
31 me set up for a hotel according to my itinerary.....

32

33 MR. KRON: Yeah.

34

35 CHAIRMAN ADAMS:went there,
36 checked in, they didn't have me, okay, so I had to call
37 around, I think to Melinda or Bob Schroeder or somebody
38 and find out, you know, what the heck was going on here
39 and low and behold, you know, they had me set up for
40 another hotel. So accuracy, I think, is important as
41 well. It's frustrating because I had to wait about an
42 hour and a half to get that all straightened out.

43

44 MR. KRON: Yeah.

45

46 CHAIRMAN ADAMS: I don't know what the
47 problem is there, why they have to wait to the last
48 minute or so, you know, to make the travel arrangements
49 but it is frustrating and, you know, I hope it improves
50 in the future because for me it's critical, you know,

1 that I be there.....

2

3 MR. KRON: Yeah.

4

5 CHAIRMAN ADAMS:and that all the
6 bases are covered.

7

8 MR. KRON: Yeah, I guess, Mr. Chairman,
9 on the issue you were just mentioning. I know Carlson,
10 who has been the contracted group to handle travel for
11 the Department of Interior there, the Fish and Wildlife
12 Service and their office is right there in the same
13 building that we're in there, my understanding is that
14 that travel contract is going to change October 1,
15 there'll be a different contractor, but, again, their
16 policy was they would make the reservations but they
17 wouldn't make the payment until just a couple days
18 before and they did the same thing with Council members
19 as they did with Staff and that was just the way they
20 handled things, that was what they did.

21

22 CHAIRMAN ADAMS: Uh-huh.

23

24 MR. KRON: And relative to, you know,
25 the lodging issue and, again, it sounds like we've got
26 another one here, you know, we get commitments from
27 various places, hotels, for example, and, you know,
28 they don't follow through when we were told that, yes,
29 they would, it wouldn't be a problem, it just --
30 everybody's got to -- you know, we need to do our part,
31 we need to continue check, again, we will work real
32 closely with all of you to work through these issues
33 but things happen and, you know, when we're meeting in
34 different places around the region, we're working with
35 different individuals and it gets to be a challenge and
36 we'll continue to work through it and try to make it as
37 painless as possible to make it go smoothly for all of
38 you in the travel to these meetings.

39

40 Thank you.

41

42 CHAIRMAN ADAMS: Another case in point
43 is, you know, in an emergency situation, let's take,
44 for instance I'm going to go back home on Thursday,
45 okay, supposing the weather is bad, you know, and I
46 have to overnight in Juneau or somewhere, you know, and
47 there's no arrangement for lodging, you know, I can
48 call up Bob, he's helped me in the past and I don't
49 mind using my own funds, my own credit card and so
50 forth, but maybe it's not so with other people and so

1 how do you cover those kind of situations and make it
2 more easy on the traveler.

3

4 MR. KRON: Yeah, Mr. Chairman, I think,
5 again, your comment there addresses exactly how to
6 handle that. You know Bob is wonderful, I've known Bob
7 since college and he's wonderful.

8

9 (Laughter)

10

11 MR. KRON: Talk to your Council
12 coordinator and work through it during the work week,
13 essentially if we need to have a Council member because
14 of weather or because of emergency, if we need to
15 provide lodging in a place that wasn't foreseen, we can
16 accommodate that and, again, Bob can work with my staff
17 to make that happen very quickly. If it occurs during
18 the weekend, again, I've told Council members that are
19 traveling for a meeting on Monday or they get weathered
20 in, and they can't get home and they're stuck some
21 place in between to call me at home, you know, we're
22 supposed to get prior approval on this stuff, before it
23 happens, again, if worse comes to worse and you need to
24 put it on a credit card and then claim it on your
25 travel advance you can do that as well.

26

27 CHAIRMAN ADAMS: Okay.

28

29 MR. KRON: But, again, talk to Bob,
30 he'll solve it for you I'm sure.

31

32 CHAIRMAN ADAMS: Okay, well, he has in
33 the past.

34

35 (Laughter)

36

37 CHAIRMAN ADAMS: I just thought I'd
38 bring that up as matter of concern because it makes me
39 kind of nervous that those arrangements aren't made.

40

41 Thanks.

42

43 MR. KRON: Yeah, I guess I'd like to
44 follow up, we -- you know, the current situation there
45 with lodging here, essentially we had -- we made --
46 processed all the paperwork, gotten all the approvals
47 for lodging for you, where you're all located, I'm in
48 the same place and in that kind of situation, you know,
49 we -- and I understand Melinda mentioned this to a
50 number of you, but, you know, essentially the

1 government is going to pay for it, we can't have you
2 giving your credit card in that situation but, again,
3 if it's an emergency situation and you're on your way
4 home and you get stuck if you, basically just pay for
5 it and then put it on your travel advance that's the
6 way to do it, but some people don't have the money,
7 some people can't do that and, again, we'll try to work
8 with people and accommodate you in those kind of
9 situations.

10

11 Thank you, Mr. Chairman.

12

13 CHAIRMAN ADAMS: I checked into a hotel
14 one time and gave them my credit card, you know, and
15 the guy slipped it through there and he said, oh, this
16 is no good and so he took the scissors and cut it in
17 half so.....

18

19 (Laughter)

20

21 CHAIRMAN ADAMS: Dave, you got
22 something to say in relation to this.

23

24 MR. JOHNSON: Yes, I do, Mr. Chairman.

25

26 CHAIRMAN ADAMS: Okay.

27

28 MR. JOHNSON: And my supervisor's here
29 so I apologize if I say anything that's illegal,
30 immoral or fattening this morning.

31

32 But I just find it absolutely
33 appalling, appalling that this travel problem still has
34 not been resolved in the amount of time that I've been
35 associated with this Council and this program.

36

37 And as I see it there are three types
38 of problems. The first problem has to do with process,
39 whatever the process is, if it's not set up properly,
40 whatever that process is, you're going to have a
41 problem, so we got to look at the process.

42

43 The second problem, or part of the
44 problem is lack of supervision and ineptness. If I did
45 some of the things or if my employee that works for me,
46 did some of the things that have occurred in this part
47 of the program, there would be at least letters of
48 reprimand in my file and maybe more serious discipline
49 problems than that.

50

1 Thirdly, is the third type of problem
2 that was talked about a minute ago. You will have
3 emergencies, you will have weather, you will have all
4 sorts of things that, again, has to be part of this
5 process. There has to be a mechanism in the process
6 when these things happen.

7
8 So I just personally want to apologize
9 to the Council because I think as a Tlingit and as a
10 government employee there is no excuse at all for this
11 to have continued for the amount of years that it has
12 and it needs to be documented and it needs to be fixed.
13 And I'm not saying this to patronize the Council,
14 because I've known and Harvey knows and others, where
15 people have had to pay out of their own pockets or
16 didn't have money to pay out of their own pockets and
17 if Bob, or Bob Schroeder or myself or Melinda or
18 somebody wasn't here I don't know what they would have
19 done and you guys are all volunteers. If myself or
20 somebody else in the organization that works for the
21 government has this happen one time, one time I
22 guarantee you it would never happen again.

23
24 That concludes my comments, Mr.
25 Chairman.

26
27 CHAIRMAN ADAMS: Thank you, David.

28
29 All right, let's move on.

30
31 Comments. U.S. Forest Service. Ben,
32 you already did the Chatham Strait sockeye, didn't you?

33
34 MR. VAN ALEN: (Nods affirmatively)

35
36 CHAIRMAN ADAMS: So Tricia. And I saw
37 you sitting patiently back there every day, too, so,
38 thank you.

39
40 MS. O'CONNOR: I have been very
41 patient. Thank you, Mr. Chair. Members of the
42 Council. I'm Tricia O'Connor, the wildlife and
43 subsistence Staff Officer for the Tongass.

44
45 I did want to spend a minute just
46 introducing myself to the Council. Many of you have
47 not -- we've met this week but you haven't met me
48 before. I did attend the Kake meeting, via
49 teleconference. I learned my lesson at that meeting, I
50 tried to get there by plane, I came up to this meeting

1 by ferry, I learned my lesson, I didn't get to Kake.
2 And I heard last night about that ferry ride to Kake
3 and maybe I'm glad I didn't take the ferry to Kake.

4

5 (Laughter)

6

7 MS. HERNANDEZ: Just as long as you
8 weren't sleeping under my window.

9

10 (Laughter)

11

12 MS. O'CONNOR: But I have been in this
13 position I'm in now, on the Tongass, for about a year,
14 overseeing both the subsistence and wildlife programs
15 on the Tongass. My background is, I am a wildlife
16 biologist by training. Before we moved to Juneau for
17 this position I was the district ranger in Yakutat for
18 five years. Did a lot in Yakutat, I was, by being the
19 district ranger, I was also the in-season manager for
20 subsistence. Did a lot with fisheries, subsistence
21 management there but also some significant issues with
22 goats and moose there. So I do have a limited
23 background compared to this Council in subsistence but
24 I have spent some time, both in subsistence management
25 and then living in Yakutat as a subsistence harvester
26 and I can tell you right now moving to Juneau, I really
27 miss a lot of things, particularly the berries in
28 Yakutat, there's nothing like that, and they certainly
29 aren't there in Juneau.

30

31 The Council had requested a couple of
32 updates from the Tongass. On Page 189 you have a brief
33 summary of a couple of the issues you wanted updates on
34 and I will try to be brief. If you have questions,
35 please ask.

36

37 The first one is on the Forest
38 Plan.....

39

40 CHAIRMAN ADAMS: Tricia, I think, you
41 know, we're doing pretty well on the agenda so, you
42 know.....

43

44 MS. O'CONNOR: So feel free to take my
45 time?

46

47 CHAIRMAN ADAMS: Feel free to -- yeah,
48 you bet.

49

50 MS. O'CONNOR: The first one was on the

1 Forest Plan Amendment, the Tongass Land Management
2 Plan. As you're well aware we have been going through
3 an amendment process. I had anticipated for this
4 meeting that we would actually have a decision and I
5 would report on that decision to you, however, the
6 amendment process has been delayed a bit, the decision
7 has been formally delayed for, we think about a month
8 now, for a variety of reason. One thing I would report
9 on is that we got over 85,000 comments on our amendment
10 process and we are -- and one of the things that is
11 happening right now is we are going through -- we go
12 through all those comments, we area preparing responses
13 to all of them. Granted that there was a significant
14 number of those comments that were the same comment,
15 they were form comments, so they are less complex to
16 respond to but there was a significant number, in the
17 thousands, of very substantive comments, from all over
18 the place, all over the world and lots from Southeast
19 Alaska. So that is taking us some time to go through
20 those and really digest all of those and respond.

21

22 I did just want to summarize, you know,
23 none of this is probably new information but the types
24 of comments that we've received have ranged all over
25 the board but significant numbers related to things
26 like wildlife viability, protection of roadless areas,
27 protection of fisheries resources. A couple of newer
28 comments that we may not have gotten in the past
29 related to climate change. We did get significant
30 numbers of people interested in how we're going to
31 manage for climate change. Lots of comments responding
32 to us transitioning to second growth timber harvest and
33 related to old growth harvest, as well, but lots of
34 comments in that direction. And, again, we are
35 responding to all those as well.

36

37 So in terms of a decision on that we
38 anticipate now there to be the decision -- the Record
39 of Decision to be out in November. So I think that's
40 all I had for the Tongass Land Management Plan.

41

42 And I'm wondering, does the Council
43 want -- Mr. Chair, would you like me to go through all
44 of my presentation and then have questions?

45

46 CHAIRMAN ADAMS: Why don't we do it
47 that way, yeah.

48

49 MS. O'CONNOR: Okay. The second
50 subject you'd requested on Monday, need to talk a

1 little bit about the Sealaska Land Exchange Bill, and I
2 did bring copies. I'm not sure if -- did Melinda hand
3 them out to the Council, we have copies of the actual
4 Bill. And what has happened is Representative Don
5 Young has submitted a Bill to Congress related to this
6 land exchange and you will get a copy of the Bill
7 language. And it is a different proposal than what the
8 Forest Service looked at -- Sealaska gave us a proposal
9 in 2002, which was a proposal that would settle their
10 remaining land claims from ANCSA, but also with a land
11 exchange because their claim -- they cannot -- they
12 feel they cannot get all their claims within their
13 selection right area so they were looking at doing the
14 land exchange outside of those areas so that they could
15 completely settle the claims.

16
17 This Bill, the Bill that was
18 introduced, and I can't comment on it completely
19 because we haven't had a chance to really digest this
20 Bill, this was introduced last week in Congress and we
21 did not know this was going to be introduced so that's
22 why we haven't been able to really look at it very
23 well, but it does have some similarities in their
24 original proposal but there are some significant
25 differences, and that's about really all I can do to that.
26 You have it in front of you. There are some new things
27 in that Bill that I know we're going to have to take
28 some looks at.

29
30 I would mention that their original
31 proposal in front of us, we did have some concerns
32 about, and they were related to things like the
33 conservation strategy related to wildlife in the Forest
34 Plan. We know that would have been significantly
35 affected by the land exchange so we had some concerns
36 about that. We believed we'd have to completely revise
37 the Tongass Land Management Plan as a result of that.
38 We had some concerns about access on those lands for
39 both subsistence and recreation and then, I think those
40 were the main issues.

41
42 So my guess would be we would have some
43 similar concerns and comments on this one, but, again,
44 we haven't had a chance to really look at it and digest
45 it. But it has been introduced to Congress.

46
47 Okay. The next subject I was going to
48 talk just briefly about is the issue of access and
49 travel management planning on the Tongass. We have a
50 little bit of information, again, on Page 189 about

1 this process. Briefly what is access and travel
2 management plan, well, the Tongass is undertaking a
3 comprehensive look at all our motorized access
4 primarily on roads and trails, we're not looking at
5 things like boat access, snowmobile access, but we're
6 looking at motorized use for a variety of reasons. The
7 main reasons are, you've heard this before from other
8 folks, are budgets are going down, we can't afford the
9 roads and to some extent trails that we have so we have
10 to take a look at what can we really afford to
11 maintain. We know we have some issues with roads and
12 fisheries and culvert passages, roads do affect both
13 water quality, fish habitat, and wildlife habitat so we
14 know we have some issues there, trying -- we're trying
15 to look at balancing those issues with maintaining
16 public access for both subsistence resources and
17 recreation resources and also maintain access for
18 Forest Service and other agency management activities,
19 for example, things like timber harvest.

20

21 So taking a more comprehensive look at
22 that, what we're doing is going through a ranger
23 district by ranger district planning process by which
24 each ranger district takes a look at what's their
25 infrastructure for transportation, for motorized
26 access, what do we need in the future, what can we
27 afford, and they're going through a planning process
28 which will result in every ranger district having a
29 public NEPA process, subsistence hearings along with
30 that because we know that subsistence access is a big
31 issue on most ranger districts with roads and motorized
32 access. Going through that process to come up with a
33 decision on a future transportation plan for each
34 ranger district.

35

36 So there are 10 ranger districts on the
37 Tongass, each district is going through a plan. The
38 first one out of the gate is on the Sitka Ranger
39 District, they have been working on their plan for the
40 past couple of years and they are posed in the next
41 couple of months to come out with a decision. And they
42 have been working pretty hard, with both the community
43 -- local community, as well as going to other
44 communities, Tenakee, Angoon, getting feedback about
45 subsistence and public access and coming up with a
46 plan. So they're the first one out of the hoop that
47 will be -- they'll be completing that.

48

49 The other districts will be coming
50 along on line in the next year or two. Several of them

1 have been in the middle of planning. The two ranger
2 districts on Prince of Wales Island, Craig and Thorne
3 Bay have been working on their plan. Wrangell District
4 and Yakutat have both been working on their plans. I
5 would anticipate them to have decisions in the next
6 year.

7
8 The rest of the ranger districts are
9 just starting and it will probably take at least two
10 years for them to finish that process.

11
12 And what's significant about this, is
13 that the Forest Service, overall, nationally, set out a
14 rulemaking process that prior to this rulemaking on
15 National Forests, the public -- National Forests were
16 open to motorized use unless they were closed. So in
17 other words people could ride, for example, they could
18 ride off-highway vehicles anywhere unless there was a
19 closure in place. What this regulation did is it's
20 making the reverse of that. National Forests will be
21 closed to motorized access unless they're designated
22 open. So because of that we recognize that we have,
23 you know, we have the opportunity to decide, with
24 public input, where does it make sense to have
25 motorized use balanced with managing for other
26 resources but we also have some obligations under
27 ANILCA to consider access to subsistence resources and
28 maintain areas open to access, open to motorized use
29 for subsistence. So we are going through that process
30 of balancing all those.

31
32 But we also need in the end to meet
33 both the national regulations and ANILCA and do that
34 together, so that is the process going on.

35
36 If you have particular interests in
37 specific areas the best way to look at that and go
38 about giving input is within that particular ranger
39 district.

40
41 Okay, then the last, but not least, I
42 would like to talk about is you'd requested me to give
43 an update on what kinds of activities are going on on
44 the Tongass in terms of other types of planning. And I
45 wasn't sure how to approach this with the Council
46 because there is a pretty lengthy list of ongoing
47 projects that we're going through environmental --
48 different -- either environmental impact statements or
49 environmental assessments, on, on the Tongass.

50

1 Our process for putting those out for
2 public scoping involves posting them on the internet.
3 And when I went on there to try to summarize the
4 information, there's 40 pages of project description
5 and I felt like that probably was a bit much for the
6 Council to digest. It is available on the internet.

7
8 But what I did, was, at least to give
9 you a flavor of the kinds of projects that are going on
10 on the Tongass and perhaps to give the Council some
11 ideas of which ones may be of interest to you or not, I
12 did come up with a list of the kinds of projects that
13 we're looking at. Now, this list is updated every
14 three months. The current list goes through the end of
15 September and then we refresh that list, update things
16 that will happen for the subsequent three months.

17
18 And just to give you a flavor of the
19 types of things going on that we're planning for, we
20 have the Forest Plan Amendment, which I've mentioned.
21 We have six of these access travel management plans
22 that are -- that have either been started or that are
23 going to be started or in the middle of being worked
24 on. We have a variety of large and small timber sales.
25 When I tallied up the list we currently have 10 large
26 timber sales on the Tongass that are in some stage of
27 being planned and about 11 small timber sales. And
28 then we have a whole host of different kinds of
29 projects from recreation, trails, cabin maintenance.
30 We have a variety of special use permits. What those
31 are are permits for outfitter and guiding, a whole host
32 of recreational opportunities through commercial uses
33 that we permit on National Forests. So we have a range
34 of those that we're in the process of relooking at or
35 looking at. We have several mining proposals, several
36 hydropower proposals. Let's see, what else, and then
37 some smaller projects, things like water lines to
38 private residences, shore ties, things like that.

39
40 Again, I didn't want to give you a list
41 of everything that's going on, that's a small sample of
42 it. I would ask that if this is something the Council
43 would like to see in the future, giving me some
44 guidance and our Staff on what you'd like to see would
45 be really be helpful, because I could do something and
46 give you a little more information on that.

47
48 And that was all I had.

49
50 CHAIRMAN ADAMS: All right.

1 MR. BANGS: Mr. Chairman.
2
3 MR. HERNANDEZ: Mr. Chairman.
4
5 CHAIRMAN ADAMS: Michael.
6
7 MR. BANGS: I don't know if anybody
8 else -- I -- this is what I think you're talking about.
9
10 MS. O'CONNOR: Uh-huh.
11
12 CHAIRMAN ADAMS: I haven't seen it.
13
14 MR. BANGS: I received it. And I'm not
15 sure -- I thought everyone received it. I mean I might
16 get it for some other reason but I always get the
17 projects listed for the Tongass.
18
19 MS. O'CONNOR: Oh, okay.
20
21 MR. BANGS: I thought everyone got it,
22 maybe not.
23
24 MS. O'CONNOR: Yeah, I don't think
25 we're directly sending that to the Council, you may get
26 it through another method. We could do that if so
27 desired.
28
29 CHAIRMAN ADAMS: It would be helpful.
30
31 MS. O'CONNOR: Okay.
32
33 CHAIRMAN ADAMS: Any other questions or
34 comments.
35
36 Donald.
37
38 MR. HERNANDEZ: Thank you, Mr.
39 Chairman. I have some questions on the Sealaska Land
40 Transfer Bill that maybe you could answer. Appreciate
41 you having this Bill available for us but there's a map
42 associated with this also, is there copies of that
43 available?
44
45 MS. O'CONNOR: No, I did not bring
46 copies of that with me and I had no way here to print
47 them out. Three are maps, there are three maps with
48 that Bill that I don't have, again, we can get those to
49 members though.
50

1 MR. HERNANDEZ: Yeah, they're really,
2 you know, the crux of what our questions would be. I
3 had a chance to see the map and I guess I have some
4 questions on just the process of how the Forest service
5 is involved in the, you know, deciding on what lands
6 are included in the Bill and then also how people can,
7 you know, interact and get input into the whole process
8 here.

9
10 So this time, different from other land
11 disbursements, they're asking for lands that are
12 outside of their original allotment areas and, you
13 know, we're all familiar with where these original
14 allotments are, you know, have been in the past, you
15 know, we've dealt with them at various times, you know,
16 and discussing impacts to subsistence, you know, mostly
17 large areas around the existing communities. So -- but
18 this time the map I saw, most of the lands were on
19 Prince of Wales outside of the previous withdrawal
20 areas and they are -- I can say they are going to have
21 significant impacts to subsistence users outside of
22 areas where we've been looking at impacts in the past
23 so it's going to have a big effect if those lands are,
24 you know, withdrawn from the National Forest as
25 proposed.

26
27 So in this whole process, has Sealaska
28 been working with the Forest Service to try and decide
29 what lands are best suited for transfer and or do they
30 just come to you with a request or how much interaction
31 is there there?

32
33 MS. O'CONNOR: Mr. Chair. Mr.
34 Hernandez. In 2002 when Sealaska first came to us with
35 a similar proposal, we were working very closely with
36 them and we tried to come up with a consensus proposal
37 between us and we failed to do that. And after that we
38 have been waiting for another proposal. In other
39 words, where that ended up was we said well we can't
40 live with all of this or here's the process that would
41 have to happen, which would be a Tongass Land
42 Management Plan Amendment. And because we didn't come
43 to consensus, basically nothing happened with that, and
44 we have been, because of our amendment process with
45 TLMP, we have not been working as closely with Sealaska
46 on this. So this proposal that came out in legislation
47 or introduced legislation, we had -- we did not know
48 about and were not -- did not work with Sealaska on
49 this proposal.

50

1 So now that it's in the legislative
2 arena it's a whole different -- our input into that
3 will come through the legislative process, not through
4 our own internal working with Sealaska and then going
5 through the formal NEPA process.
6

7 MR. HERNANDEZ: Right. Okay. And then
8 so how about the public at large and, you know, this
9 Council, as an example, if we want to have input into
10 this whole process, I guess for the Council, I know we
11 can't communicate directly with Congress, we're not
12 authorized to do that. So is there a recourse that we
13 can interact through the Forest Service to do that on
14 our behalf essentially or other members of the public
15 that are out there that will definitely have some
16 concerns about this or do we all have to go to Congress
17 or, you know, do we have an advocate there to work for
18 us, in the Forest Service, I guess, is my question?
19

20 MS. O'CONNOR: Mr. Chair. Mr.
21 Hernandez. I can't give you the complete answer on
22 that. I will definitely look into this and get back to
23 the Council on that. But what I do know will happen is
24 there -- as it goes through the legislative process
25 there will be hearings and the Forest Service will have
26 its ability to go in front of -- at the hearing time to
27 give what the impacts of this would be to the Forest
28 Service. So we would have the ability to take both
29 comments from the Council as part of our response to
30 that.
31

32 MR. HERNANDEZ: Right.
33

34 MS. O'CONNOR: I'm not familiar with
35 other methods but I can certainly research and look
36 into that and get back to the Council.
37

38 MR. HERNANDEZ: Will the Forest Service
39 be holding public comment sessions so that the general
40 public can express their concerns to the Forest
41 Service, that can go to Congress, instead of everybody
42 having to go to Congress on their own?
43

44 MS. O'CONNOR: I don't have an answer
45 to that yet either.
46

47 MR. HERNANDEZ: I think I've been
48 working on a draft letter, Mr. Chairman, that I'm going
49 to ask for the Council's consideration of and I think
50 that's one of the things that I think we should

1 request, is some kind of public hearings, for the
2 public to be able to have comment on it.

3

4 CHAIRMAN ADAMS: Okay.

5

6 MR. HERNANDEZ: Maybe that's possible
7 anyhow. I think that's all I had.

8

9 CHAIRMAN ADAMS: Anyone else.

10

11 (No comments)

12

13 CHAIRMAN ADAMS: This attempt, you
14 know, to accelerate the land transfer happened several
15 years ago, 2000-something, Lisa Murkowski, you know, is
16 the author of that Bill. When I was with the tribe,
17 Sealaska came and met with the tribe and one of the
18 first questions we were concerned about was what was
19 going to happen with the Native allotments that were,
20 like for instance, on the Tongass National Forest. I'm
21 glad you went through this spiel here, I see some
22 reference made to it. At that time there was no
23 provision in there as to what would happen, you know,
24 and the idea was that all of those claims would go away
25 and there were about 200 of those allotments that had
26 been closed already. And tribes throughout Alaska, you
27 know, were trying to -- really working hard to try to
28 get them reopened again because they felt that some of
29 those were closed without good reason.

30

31 And the rationale or one of the issues
32 that the tribes brought out is if you take the
33 Homestead Act and the Native Allotment Act and put them
34 close together, you could very easily see the
35 inadequacies, you know, or the injustices there, mainly
36 is that for a non-Native to, under the Homestead Act,
37 to get a piece of property all you would need to do is
38 go out on a 160 acres of land, you know, for a certain
39 number of years, I guess it's seven and they'd be able
40 to have it, whereas, the Native person who had an
41 allotment claim had to prove prior use and that -- so
42 that more likely dated back to 1906 before the Native
43 allotment allowed for them to be. And so for that
44 reason, you know, a lot of allotments were closed and
45 we felt that it was not justified. And so, you know,
46 150 or so tribes throughout Alaska met in Anchorage,
47 you know, piggy-backing AFN or through teleconferences
48 and convinced Lisa Murkowski, you know, that these
49 allotments needed to be reopened and go through the
50 process of being certified. Her attempt to do so, you

1 know, did not come through.

2

3 So the next thing that we did is we
4 went through the State Legislature and Jack Coghill,
5 you know, took it and ran with it and we -- he was able
6 to get a joint resolution between the Legislature and
7 the State, you know, passed, I think that's Joint
8 Resolution 31, that essentially says that these Native
9 allotments -- it's to Congress, you know, need to be
10 addressed, if they need to be reopened that they need
11 to be certified and they needed to take away the
12 condition of prior use, prior to 1906. That's in the
13 process right now and I'm sure that it's going to have
14 some impact on this Bill as it goes through, you know,
15 Congress.

16

17 So I just wanted to update everyone on
18 that, that, you know, Native allotments are an
19 important issue to -- that has to be considered in this
20 process as well.

21

22 Any other comments.

23

24 MR. WALLACE: Mr. Chair.

25

26 CHAIRMAN ADAMS: Yes, Lee.

27

28 MR. WALLACE: Thank you, Tricia, for
29 reporting on that. Just to let you know also, again,
30 I'm the transportation planner for Wrangell and Saxman
31 also as my other hat, I'm actually a staff member of
32 Central Council and we've been involved in talking with
33 the Wrangell District about the TTMP, they're kind of
34 well on their way and we had the opportunity with the
35 Wrangell Cooperative Association to meet with them at
36 least a couple times, and we have more meetings
37 planned. But, again, earlier I mentioned about the
38 play of the IRR program to assist possibly and
39 hopefully meeting and being a cooperative meetings with
40 the Forest Service to look at some of these roads and
41 the proposed road closures and now is the time for,
42 especially for the areas that haven't really started
43 their process, you mentioned Sitka is ready to go and,
44 you know, Wrangell's going to be right behind them also
45 and there's other districts that didn't quite get
46 involved and so those areas where the tribes are in
47 those particular districts, now's the time to be having
48 the meaningful discussions with the Forest Service on
49 that Transportation Plan. And hopefully you could
50 identify what routes would be important to the

1 community and hopefully you're able to partner up with
2 them and possibly do some road maintenance to maybe
3 keep those particular roads open, or route, open a
4 little bit longer. Because I know there's so many
5 different designations of different routes that you
6 guys have that definitely I think it's an important
7 play.

8
9 Another important thing that came about
10 was, I'm sure you heard of the Volpey Project (ph) and
11 Wrangell's part of that Volpey Project and Hoonah. And
12 part of that is to look at traditionally the road
13 systems set up for timber harvest. And the whole idea
14 of the Volpey Project is to look behind timber harvest
15 and see what else could possibly come out of the use of
16 the road system in those particular communities. And
17 those two communities were subject to the decision to
18 go with those because they were just depressed areas in
19 Southeast and so I'm kind of -- the Volpey Project came
20 along just in time when we were developing our long
21 range transportation plan in Wrangell, so it was a
22 timely thing to come around.

23
24 Thank you.

25
26 MS. O'CONNOR: Thank you.

27
28 CHAIRMAN ADAMS: Any other comments.

29
30 (No comments)

31
32 CHAIRMAN ADAMS: Donald, you
33 volunteered to draft a letter by the end of the meeting
34 to ask the Council if that's okay, and then it will be
35 Council property.

36
37 MR. HERNANDEZ: (Nods affirmatively)

38
39 CHAIRMAN ADAMS: Any opposition to
40 that.

41
42 (No opposition)

43
44 CHAIRMAN ADAMS: If not, so ordered.
45 And work with Bob, okay. Thank you, Tricia, appreciate
46 it.

47
48 I was told that ANS was going to
49 provide us, you know, with dinner this evening but they
50 got the word that a lot of people will probably wanting

1 to be leaving this afternoon so they're serving their
2 halibut for lunch this afternoon and it won't be ready
3 until 12:15 or 12:30. So what we'll do is we'll
4 continue on here and the next thing on the agenda is
5 Mr. Dickerson, and I've been waiting for you to come up
6 here all three days. Go ahead, welcome.

7

8 MR. DICKERSON: Thank you, Mr.
9 Chairman. Well, today I'm going to talk to you about
10 three things that are inter-related reports.

11

12 CHAIRMAN ADAMS: I'm going to have to
13 vacate this Chair for awhile, I need to go back there
14 but, please, go ahead. And in the meantime I'm going
15 to ask Harvey to hold the gavel for me.

16

17 MR. DICKERSON: Thank you, Mr.
18 Chairman. My name is Larry Dickerson from the Craig
19 Ranger District. I'm a wildlife biologist for the
20 Forest Service there. Anyway, I'm going to talk with
21 you about three different reports or summaries I've
22 provided, I think, this morning, handouts to everyone
23 that are kind of all inter-relates between each other.
24 And those were the Unit 2 deer harvest report summaries
25 and Unit 2 deer population studies update, and
26 basically the winter mortality for Southeast Alaska for
27 2006/2007.

28

29 It sounded like one of the things that
30 a lot of the Council members talked about when we first
31 talked about issues was winter mortality and sea otters
32 so we'll talk about half of that.

33

34 The first one I'm going to talk about
35 is this Game Management Unit 2 harvest reporting. Back
36 in 2005 the Unit 2 subcommittee identified through the
37 Unit 2 planning process basically three different legs
38 of a chair that were important to get more information
39 from Unit 2. Those were to improve harvest information
40 to improve research with population information for
41 deer and also uses and needs, so we'll be talking about
42 two of those. And there is a Unit 2 use and need
43 program getting started also. Pat Petrivelli's here so
44 those things have all been put into motion. This was
45 very important.

46

47 There was a council of 12 different
48 members and Mr. Douville and Mr. Hernandez here were
49 very involved with that and others so it's always been
50 a big issue. I've found out since I've arrived, you

1 can run from Unit 2 deer but you can't hide.....

2

3 (Laughter)

4

5 MR. DICKERSON:because we've had
6 34 different proposals since 1998 and every day the
7 phone rings of Unit 2 questions.

8

9 So, anyway, what we'll find out is back
10 in 2005 the Forest Service joined with Alaska Game and
11 Fish and started the joint harvesting monitoring
12 program and before that we had separate systems for a
13 year or two and they weren't functioning very well,
14 they were confusing to the public.

15

16 One of the problems that we have in
17 Unit 2 and throughout Southeast is we have problems
18 collecting game information about what we have for big
19 game species. If we were in the west, we'd simply fly
20 an airplane during the winter range and we'd count herd
21 composition, we'd know we had 100 does with 50 fawns or
22 we had -- so the sex and how many older bucks we had to
23 young bucks or whatever, so we could get age and sex
24 herd composition and everything. The two tools that we
25 have to work with, where we're at, is pellet counts
26 that we try to do to get an indices of the deer
27 population from year to year and we have harvest
28 reporting. Harvest reporting in the first year of the
29 new program came in at about 60 percent, 60 percent of
30 the hunters that received their cards when they got
31 tags mailed those in -- actually it was about 42
32 percent and about 18 percent more mailed theirs in
33 after the second notice came in. So this was
34 identified as a major issue we just worked with ADF&G,
35 had conference calls, you'll see some of the strategies
36 we put together. I talked on the radio over in
37 Ketchikan several times, recorded for public
38 announcements, we put fliers in the papers in
39 Ketchikan, in Wrangell, Petersburg and the Island News.
40 We also started out mailing out more mailers. We had
41 two notices, one was yellow, one was bright orange so
42 people would see things in the mail. Then we did a
43 certified letter. And then in the end we even did
44 phone interviews to those remaining hunters, at least
45 120. So during that time we have gotten our harvest
46 information to 91 percent, greater than that, and it's
47 still trickling in as some people are coming in from
48 fishing.

49

50 In the back you'll see a little colored

1 bar on reporting rates, and that's basically for each
2 methodology we used. So it shows the rate really high,
3 57 percent, for instance, for telephone calls, that's
4 because we were down to a list of 120 so 57 percent of
5 those people, which I think was 68 we were able to get
6 information from. So all of those strategies worked
7 but all of those strategies cost a lot, or some, each
8 time we did something different.

9
10 However, what we have now as we go into
11 the next year with this, is we have our confidence
12 levels are a lot higher. ADF&G normally takes about
13 35 percent of the hunters that have hunted and does a
14 random mailing to those people about hunting
15 information. And then they have about 40 to 50 percent
16 response rate. So where we have information now from
17 over 2,200 hunters out of 2,500, they would have
18 received information normally from about 450 to 500 so
19 therefore they put an expansion factor on to that
20 statistically and tried to come up with what the deer
21 harvest has been and that incorporates where you hunt,
22 how you hunt, how many does were killed and all of this
23 information. So statistically our confidence levels
24 are going to be a lot better and we're going to have
25 some information now where we can look people in the
26 eye and say this is what we think we're pretty sure we
27 have going on the ground, this is where we're headed.
28 And we're going to follow through this year also,
29 hopefully people have heard our names and seen things
30 that will only take a couple of reminders and change
31 the strategies and move forward. But it did work, we
32 were able to increase that. The subcommittee wanted 90
33 percent or greater response. It took a lot of work to
34 get us there but we were able to achieve that and there
35 was a lot of help. It certainly wasn't myself, it was
36 a lot of people in the office, Dave Johnson and I have
37 been on the phone, we've had lots of coordinating calls
38 and everything else. So I just wanted to report that
39 to you and that information is in front of you.

40
41 CHAIRMAN ADAMS: Thank you. Questions
42 for Larry. Go ahead, Michael.

43
44 MR. BANGS: Thank you, Mr. Chairman.
45 Larry, you know, I participated in this Unit 2 thing
46 and what we gained, I thought, was very important to
47 the whole program, was education of the hunters,
48 especially the local hunters on Unit 2 about, such
49 things as doe, the importance of the doe hunt and what
50 that meant to the overall, what kind of tools did they

1 come up with or did the program end up with as far as,
2 you know, fliers or anything like that, did you guys
3 come up with anything?

4

5 MR. DICKERSON: Mr. Chairman. Mr.
6 Bangs. What we did is we put fliers together early and
7 pasted them and, you know, attached them to the -- the
8 ferry, I put them on the ferry, we had them in
9 different stores and outlets and we just, if I'm
10 answering your question right, we just tried to get the
11 public knowledge out there, as we put things in the
12 newspaper on the radio, we put fliers out. If that's
13 answering your question, Mr. Bangs.

14

15 MR. BANGS: But that's in regards to
16 the reporting or just in general the basis problems
17 that we identified in those meetings.

18

19 MR. DICKERSON: That was just in regard
20 to collecting harvest information.

21

22 MR. BANGS: Thank you.

23

24 CHAIRMAN ADAMS: David, you got
25 something to say in relation to this?

26

27 MR. JOHNSON: Mr. Chairman, yes, in
28 relationship to this. We currently are working on a
29 set of brochures, both Melinda and the Office of
30 Subsistence Management, with Maureen Clark, have been
31 working on some very general types of information that
32 have to do with ANILCA and then in addition to that
33 there's some portions of the brochure that will
34 highlight some of the specific issues that surround the
35 Tongass, particularly steelhead issues, Unit 2 deer
36 issues and other issues. And so those are currently in
37 draft form. We would like to have those, you know,
38 later on, by the winter meeting at the latest, but we
39 will be looking at those here right away. She's just
40 about completed them.

41

42 Thank you.

43

44 CHAIRMAN ADAMS: Thank you.

45

46 MR. DICKERSON: Okay, the second part
47 of the report is over the Unit 2 deer research
48 that's.....

49

50 CHAIRMAN ADAMS: Larry, I was informed

1 that lunch is ready so we'll take this up right after
2 lunch, if you don't mind.
3
4 MR. DICKERSON: Absolutely. Thank you,
5 Mr. Chairman.
6
7 CHAIRMAN ADAMS: I think we're all in
8 favor of food right now.
9
10 (Laughter)
11
12 CHAIRMAN ADAMS: So we will adjourn for
13 lunch until 1:15.
14
15 (Off record)
16
17 (On record)
18
19 CHAIRMAN ADAMS: Okay, everyone, we'll
20 call the meeting back to order.
21
22 (Pause)
23
24 CHAIRMAN ADAMS: Terry, would you kick
25 Harvey's behind up here.
26
27 MS. HERNANDEZ: He's trying to mess
28 with your schedule Bert.
29
30 (Laughter)
31
32 CHAIRMAN ADAMS: Okay, we're back in
33 session. Mr. Dickerson, continue.
34
35 MR. DICKERSON: Thank you, Mr.
36 Chairman. Now, I'd like to speak about Unit 2 deer
37 population studies. Todd Brinkmann is working along
38 with Dave Person, ADF&G and others on a population
39 study.
40
41 CHAIRMAN ADAMS: Excuse me for a
42 minute. While the sister are here, I'd just like to --
43 ANB -- are you ANS sisters?
44
45 MS. HERNANDEZ: I think most of are
46 them are gone.
47
48 CHAIRMAN ADAMS: Most of them are gone.
49 I just want to, you know, for the record thank them for
50 the fine meals that they have served us.

1 (Applause)

2

3 CHAIRMAN ADAMS: That halibut today was
4 excellent. Perfect. So go ahead, Larry.

5

6 MR. DICKERSON: Larry Dickerson, Forest
7 Service, Craig Ranger District.

8

9 Again, I was talking about the paper
10 that I handed out by Todd Brinkmann and Dave Person,
11 who were the major authors. One of the things coming
12 out of the subcommittee, one of the legs that we talked
13 about, of the stool, the three, was more population
14 information. As I mentioned, we don't have many tools
15 to work with managing deer, they are basically index or
16 trend studies with population through pellet counts and
17 harvest information.

18

19 So Dave has been working on, and, Todd,
20 on the ground, taking deer pellets and doing DNA
21 studies with those. What that is, is just the
22 Lincoln/Peterson index or better capture/recapture
23 method of population to estimate the population size.
24 And what they found is that those pellets are
25 amplifying, they're able to extract the DNA and to mark
26 individual deer and it also looks promising that
27 they're able to mark sex with that also. So they were
28 hopeful to get a population estimate in some of these
29 drainages. They're working in three drainages with
30 their pilot study. The Staney area, the Maybesol and
31 the upper Steelhead to collect these.

32

33 So we've done traditional pellet
34 transects for 20 years of information on Prince of
35 Wales or Unit 2 so we've got some good long-term pellet
36 counts where we followed the same protocol so we have
37 that information established. So this pilot study is
38 testing, if they can do the same studies or this
39 modified pellet count with DNA to get our population.
40 So it looks promising, that's what Dave has told me, I
41 talked with Todd last week also. We were hopeful to
42 have some population information but that is not going
43 to be available now until November. They are going to
44 take the study into one more year, which is spring of
45 2008, so they were funded for three years, '06, '07 and
46 '08. So it looks promising, and that's what we have.
47 And the Forest Service has been a part of this, we've
48 always worked with the ADF&G gathering the pellet
49 information and of course we helped fund that project,
50 too, the Subsistence Board or the Subsistence Program.

1 It's promising, we'll see.

2

3 In the beginning we heard that those
4 samples were going to be \$2 a piece to extract the DNA
5 and do it and now we've heard it could possibly be over
6 20. So I don't know. I can't look you in the eye and
7 tell you that information. We hope it's not so cost
8 prohibitive that we can't do that. So we'll find out
9 where that bottom line is and report to you as soon as
10 we can.

11

12 So that is Brinkmann's report.

13

14 CHAIRMAN ADAMS: Okay. Any questions
15 for Larry,

16

17 (No comments)

18

19 CHAIRMAN ADAMS: Okay, go ahead.

20

21 MR. DICKERSON: And lastly I'd like to
22 talk to you about the 2006/2007 winter deer mortality
23 report that we put together for you.

24

25 Everyone knows.....

26

27 CHAIRMAN ADAMS: I do have a question
28 for you here, Larry.

29

30 MR. DICKERSON: Yes, Mr. Chairman.

31

32 CHAIRMAN ADAMS: I was kind of busy at
33 the first part of your presentation and you said
34 something about a modified pellet count, what's a
35 modified pellet count?

36

37 MR. DICKERSON: Well, their protocol
38 was modified that Brinkmann and Person has established
39 that they're not following straight lines. We do a
40 1,500 foot straight line pellet count where we start at
41 sea level and we go straight up the mountain so it's at
42 different elevations crossing old growth, if it's
43 second growth, muskeg, or whatever it may be. The
44 modified pellet count that they're doing actually
45 follows deer trails more and when the deer trail ends
46 they may get off and stay somewhat on the same compass
47 bearing that follow that deer trail again. They flag
48 that so they know it and they can repeat it, however,
49 that protocol picks up more pellets, obviously deer
50 following trails than the traditional one that we did,

1 it's a modified. So they're calling it a modified.

2

3 CHAIRMAN ADAMS: Okay. All right,
4 thank you. Go ahead.

5

6 MR. DICKERSON: Okay. So lastly we're
7 talking about the winter deer mortality transect.
8 Everyone knows here that the winter of 2006 and 2007
9 was very severe, in least Units 1 through 4, where I'm
10 a little familiar with, especially Unit 2, we kept
11 getting reports that Unit 2 where trappers were seeing
12 deer, also airplanes were seeing 50 to 100 deer on some
13 of the beaches and we started having talks back in,
14 very early April, started last March, and so we went
15 through the Federal Subsistence Program, through
16 Patricia O'Connor here and Steve and Dave, together,
17 and we were able to secure some funding. So what we
18 did is we followed -- ADF&G had an established protocol
19 for winter deer mortality, however, it had been about
20 15 years since one of those had been conducted.

21

22 So we know we have mortality, we know
23 we have winter mortality even in the mildest years, we
24 always -- you can think the fawns of the year, some
25 don't survive, they're in poor health and also older
26 age class age deer generally die. So we did go out and
27 we walked on POW 13 transects. I think we did 11 in
28 Unit 1 in the different subunits. There was Unit 3 and
29 Unit 4. We don't have any information on Unit 5, Mr.
30 Chairman, and I can't really explain why. But it was
31 very interesting when we came back, we had gotten
32 reports as we said that overall in the four units, I
33 think we walked 46 transects, how it came out, we
34 averaged about a deer and a half per mile of beach
35 walk. When you walk the beach fringe, two people, one
36 person just at high tide line and one person back and
37 forth about 50 to 100 meters in searching for those
38 deer that drop out of the elevation and winter on the
39 beach as they would for the different resources and
40 usually there's an old growth, of course, along there.

41

42 So Unit 3, actually that had a lot of
43 snow, incredible snow years in Petersburg and Wrangell,
44 but there was just .3 deer per mile of beach walk,
45 which was less than any of the other from what we did.
46 And then Unit 4 had over 4 deer per mile. When you
47 look at that it may suggest that the deer in Unit 4,
48 there's higher numbers, maybe they are at or near
49 carrying capacity but personally I don't think we have
50 enough information to say that. We do know that a lot

1 of the deer that we found, a proportionate of the deer
2 that we found on Unit 2 and Unit 1 that I did see were
3 in good health. When we broke a femur you can look at
4 the marrow and if the marrow is nice and white and
5 flaky it suggests the deer is in good shape and has
6 done as good as he could before he could have been --
7 predation could have -- probably is why he died or
8 other reasons, too. We know some may have even been
9 hunter wounding and loss but we couldn't tell by the
10 time we got there. We tried to get out before the bears
11 hit the deer and drug the carcasses around or lost some
12 of those. So this gave us a good index so we could
13 look someone in the eye and say we don't think the
14 winter affected the deer as much as we thought it
15 would. I think that's very important because hunters
16 who were reporting, you know, quite a few deer on the
17 beaches and also we went exactly to the spots where
18 people said, like Exchange Cove, where there's a lot of
19 mortality and beach -- and deer living on the beaches
20 in Port Help but we did not find dead deer. At least
21 in Unit 2 and Unit 1A, or Unit 1, I'm fairly confident
22 that we could say that the weather in the winter was
23 kind of up and down and the snow was able to drop and
24 pack pretty significantly and those deer were able,
25 after awhile, to get up on top of the snow and seek out
26 better places with better forage in just those micro-
27 habitats that are there.

28
29 On Unit 2, for instance, you could
30 travel on some of those roads, like Staney Creek, and
31 there's a foot and a half or two foot of snow, but two
32 miles later you're on bare ground for two or three
33 miles so there are a lot of different micro climates
34 out there, at least, in Unit 2. Floyd told me the same
35 with Unit 1, however, I'm not familiar much with Unit 3
36 and Unit 4.

37
38 But one of our thoughts, real quickly
39 as I summarize, is we really don't know what this will
40 do for fawning of the next year. A lot of times when
41 deer are stressed, severely, that the fawns are aborted
42 or reabsorbed and, therefore, you have very, very low
43 production or low fawn survival the next year. An
44 adult animal may have pulled through the year but
45 there's other circumstances. So I think we'll need to
46 try to look to see what harvest shows us this year,
47 what people tell us and make sure we're not missing an
48 age class out there, that we didn't lose a lot of our
49 fawns and hopefully we'll also be able to get some
50 funding and get on the ground and do these same

1 transects on a normal year because on a normal mild
2 year they may be very close to what we saw this year.
3 However, there is no doubt we did have winter
4 mortality.

5
6 CHAIRMAN ADAMS: Thank you. Comments,
7 questions. Donald.

8
9 MR. HERNANDEZ: Do you see any
10 emergency actions in the future here as a result of
11 winter mortalities for say this season or next season?

12
13 MR. DICKERSON: Well, Mr. Chairman, Mr.
14 Hernandez.....

15
16 MR. HERNANDEZ: We have pretty liberal
17 seasons right now in all areas.

18
19 MR. DICKERSON: We are at least in --
20 you know, we can if we do see problems we can go back
21 to the Chairman of the Council here and ADF&G and the
22 Forest Supervisor and, you know, make some adjustments
23 on hunting seasons if that be needed. If that's what
24 you were talking about. If things were drastic enough
25 I think that's why we wanted to get out there and to
26 see it early enough, and I hate that there's a year --
27 I think what we're seeing right now, is I don't think
28 we saw the mortality that we expected and I feel that
29 -- personally, I feel, from what I'd saw and from what
30 everyone's told me and talking with enough trappers
31 that the deer did make it through, as a rule, we do not
32 know about the fawning this year and how it will be in
33 the future. So it may -- there may be some adjustments
34 that need to be made, however, I, personally, don't
35 think we have enough information at the time to do
36 that.

37
38 MR. HERNANDEZ: Okay.

39
40 CHAIRMAN ADAMS: Any more comments,
41 questions. Harvey.

42
43 MR. KITKA: Yes, thank you. I know Mr.
44 Wright at the moment, from Hoonah, and he said when
45 they got out on the Hoonah road systems there, that
46 there was an awful lot of deer, you know, in the Hoonah
47 area. So I just wanted to mention that.

48
49 MR. DICKERSON: Thank you, Mr.
50 Chairman. Mr. Kitka. One of the things that we had

1 quite a bit of reported mortality and we know that
2 mortality did occur. One of the things that we saw in
3 Unit 2 was, what we would call sport killing or
4 excessive killing from wolves. I, personally, went to
5 two places where the deer were in such poor shape that
6 the wolves really had an easy time. And in both of
7 those places there were three deer that were killed and
8 only one eaten upon a little bit. It's just they do
9 get stressed, you know, they have a rough time escaping
10 and we know that predation without a doubt, Mr. Kitka,
11 had some severe impacts, probably as one would expect.
12 But how you put your thumb on that and quantify that,
13 we'll just have to watch the best we can and try to get
14 good harvest information and see where we're at.

15

16 MR. KITKA: Thank you.

17

18 CHAIRMAN ADAMS: Okay. Any others.

19

20 (No comments)

21

22 CHAIRMAN ADAMS: I'd just like to say
23 something, don't go yet. You know in the Yakutat area
24 we never used to have deer there and I think it was in
25 the 1940s they were transplanted from Sitka and, you
26 know, over the many years that I can remember the
27 population has fluctuated quite a bit and they've never
28 taken a real good strong hold and I guess we can
29 attribute that to the bad winters and, of course,
30 predation of wolves.

31

32 The past five or six years we had
33 noticed, you know, a tremendous increase in deer
34 populations, I've seen them as much as six or seven in
35 a group at times and they even started coming into the
36 community. I was talking to one of my cousins over the
37 telephone and when she picked up the phone she just --
38 before she said hello she said oh, gee, there's two
39 deer out in my yard and they sat around out there and
40 -- or she sat there and watched them, you know, while
41 we talked, So they've started coming into the
42 community quite a bit.

43

44 Just about two or three weeks ago we
45 were sitting in church and there were two deer that
46 came right out, you know, and was eating off of the
47 foliage, you know, along the parking lot and we stopped
48 whatever it was we were doing and went to the windows
49 and watched it and I made a comment that, boy, I sure
50 wish I had my camera and one of my grandsons said well

1 I sure wish I had my gun.

2

3 (Laughter)

4

5 CHAIRMAN ADAMS: But I hope that, you
6 know, this past winter we did have a real heavy
7 snowfall and I think the question I would ask you is
8 that if this past -- not this -- yeah, the past winter
9 had any effect on the mortality of the deer, you know,
10 is there a time when we will realize that or we still
11 see a lot of deer there, does it show us that maybe it
12 didn't have no effect at all?

13

14 MR. DICKERSON: Well, I think,
15 especially in Unit 4, from what I see, I think we're
16 going to see some mortality there. We've seen a higher
17 percentage of those deer, when the femurs and the long
18 bones were broken, displayed, you know, red gelatnas
19 marrow, which is a real indication of poor health and
20 probable starvation. However, it's hard to estimate
21 how that would be spread across the island. There were
22 11 transects done there and they were historical
23 transects for the most part that were done in the past.
24 So there may be better places to do transects. I think
25 the hunters are going to tell us a lot Mr. Chairman,
26 that are there.

27

28 CHAIRMAN ADAMS: Uh-huh.

29

30 MR. DICKERSON: Deer have this great
31 ability, if the environmental factors line up, that
32 they can increase the population 25 to 35 percent per
33 year, black-tail, so they can really come back very
34 quickly from this, if the other environmental factors
35 plus additional mortalities line up together. So if,
36 in true, Unit 2, for example, has 44 to 50,000 -- let's
37 say 45,000 to 50,000 deer, they can suffer some loss
38 and then, you know, come back very quickly.

39

40 CHAIRMAN ADAMS: Uh-huh.

41

42 MR. DICKERSON: Even Dave Persons, at
43 this time, believes the limiting factor on Unit 2 is
44 predation versus the habitat. We know the habitat is
45 going to need some help. We're going to have to keep a
46 very good eye on the deer and what we do and we need to
47 do this as much, as Mr. Douville said, rehabilitation
48 with the second growth as we can and that's in the
49 plans.

50

1 But at least three of the steps that
2 the subcommittee identified, we're working in that
3 direction to improve Unit 2 deer and where we're at now
4 at a decision process. So, at least, I think these
5 things are getting started and hopefully the future
6 will be better.

7

8 CHAIRMAN ADAMS: Donald.

9

10 MR. HERNANDEZ: Thank you, Mr.
11 Chairman. I think the Council should really recognize
12 that on the deer harvest reporting efforts that
13 achieving this 90 percent reporting rate is really
14 quite exceptional. That was -- when we suggested that
15 -- recommended that from the subcommittee, you know,
16 that was a real high goal that we set to get 90 percent
17 reporting and for them to accomplish that in two years,
18 I think is really -- they really showed that they did
19 some really good work there. And I know that Dave
20 Johnson put an awful lot of time in on getting this
21 whole thing started and organized and working together
22 with ADF&G and Larry picked up midway through it and
23 they accomplished a really significant goal there and
24 this is really good information, and it's probably the
25 best we could have hoped for. So I think they should
26 really be commended for that.

27

28 MR. DICKERSON: Thank you.

29

30 CHAIRMAN ADAMS: And our compliments to
31 you, Donald, you served on that committee as well.
32 Your leadership played an important part in all of that
33 happening as well.

34

35 Any other comments or questions.

36

37 (No comments)

38

39 CHAIRMAN ADAMS: Thank you, Larry. Mr.
40 Kessler.

41

42 MR. KESSLER: Thank you, Mr. Chairman
43 and Council. I'm here to report on two things.

44

45 First the Council coordinator position.
46 As you all can see Bob Larson is in the acting
47 coordinator position and we anticipate that we're going
48 to be having an acting coordinator through the, I guess
49 we call it the winter meeting, the meeting in February
50 or March. And after that we will transition into our

1 new permanent coordinator, who you met earlier, and
2 that's Tricia O'Connor, in the back here. So Tricia is
3 currently a full-time -- the full-time fish and
4 wildlife and subsistence staff officer on the Tongass.
5 And once we transition Tricia into this position she'll
6 be continuing to do that job half time and then will be
7 doing the Council coordination job half time.

8

9 We anticipate that will work out very
10 well and we are looking forward to when that occurs.

11

12 So any questions on that.

13

14 CHAIRMAN ADAMS: Donald, please.

15

16 MR. HERNANDEZ: Yeah, that takes care
17 of the Council coordinator. Do we have somebody doing
18 the anthropology portion of what Bob used to do for the
19 region now, is that -- I know Helen.....

20

21 MR. KESSLER: At this point we don't
22 officially have anyone doing that but you -- as you saw
23 earlier at this meeting, Helen Armstrong came in and
24 helped us out with Proposal No. 4. And we haven't sort
25 of finalized anything at this point but the plan right
26 now is to work with OSM and utilize one of their Staff
27 anthropologist on a part-time basis to do this work
28 along with all the help that Melinda Hernandez also
29 provides. So it will sort of be a combination of
30 things. Melinda is still relatively new to the
31 Federal Program and has been doing great work but not
32 quite as the same professional level at this point as
33 like Dr. Schroeder did or what some of the Staff
34 anthropologists at Office of Subsistence Management can
35 do. We'll see how that works out. If we can make
36 those arrangements, if not we will be needing to look
37 at some other alternatives.

38

39 CHAIRMAN ADAMS: So you think maybe
40 that aspect of this position is going to be pretty well
41 covered by whom you have on Staff right now?

42

43 MR. KESSLER: I'm hoping that's going
44 to work out all right. But we, as I say, we haven't
45 worked out all the agreements on how that's going to
46 operate at this point. But we don't want this Council
47 to be without the anthropology assistance that's
48 needed.

49

50 The other thing that we're still trying

1 to figure out is how this two year cycle is going to
2 affect the work force that we need.

3

4 CHAIRMAN ADAMS: Okay.

5

6 MR. KESSLER: And we don't need as much
7 as work force in doing Staff analysis as what we had
8 before, how that's all going to work out for us, how
9 that's going to work out for OSM, none of that's
10 completely clear yet. Whether perhaps we will, instead
11 of having a lot of regular proposals, have more special
12 actions and other types of activities that will require
13 more Staff. Our intent for the Forest Service is to
14 provide the Staff that's needed to do the work.

15

16 CHAIRMAN ADAMS: Okay. Just for
17 Council information, soon after -- I think it was even
18 during our meeting in Kake, wasn't it Steve.....

19

20 MR. KESSLER: Uh-huh.

21

22 CHAIRMAN ADAMS:when you
23 approached me and asked me if I had any recommendations
24 as to whom I could, you know, submit for consideration
25 and I mean, of course, Bob and Tricia were one of the
26 three or four people that I named out and I really
27 appreciate, you know, the opportunity that you gave me,
28 Steve, for making an input in that process.

29

30 MR. KESSLER: You're welcome.

31

32 CHAIRMAN ADAMS: I didn't make the
33 final decision.

34

35 (Laughter)

36

37 CHAIRMAN ADAMS: But I was allowed to
38 offer some names and, of course, we have Bob working
39 here as the interim now and Tricia will soon come in as
40 full-time. The reason why I put Tricia's name in there
41 is that I did have a relationship -- no, I'm not going
42 to say that, relationship.

43

44 (Laughter)

45

46 CHAIRMAN ADAMS: I did have a working
47 relationship with her when she was the ranger in
48 Yakutat and, you know, I thought that we worked real
49 well together and I think she'll do a great job with us
50 and, notwithstanding the fact that we might be missing

1 some of those other aspects, Donald, I think, you know,
2 Staff has done a very good job in making those
3 decisions and looking over those other aspects as well.

4

5 So, thank you, Steve, for the
6 opportunity to play a part in that process.

7

8 MR. KESSLER: You're welcome.

9

10 CHAIRMAN ADAMS: Any other comments or
11 questions.

12

13 (No comments)

14

15 CHAIRMAN ADAMS: Okay.

16

17 MR. KESSLER: The other item that I'm
18 on the agenda to talk about, briefly, is the Wildlife
19 Monitoring Program. Some or if not maybe all of you
20 remember the Forest Service developed a Wildlife
21 Monitoring Program about three years ago to compliment
22 the Fisheries Monitoring Program that you talked about
23 earlier on your agenda. The reason that we were able
24 to put this Wildlife Monitoring Program together was
25 because we had a significant increase in appropriations
26 from Congress and thought that that would be the best
27 use for the funds.

28

29 CHAIRMAN ADAMS: Uh-huh.

30

31 MR. KESSLER: Unfortunately the next
32 year all that money went away in our appropriations
33 plus some more. So we started out with a big bang, we
34 did the wildlife strategic planning to figure out which
35 are the most important areas for wildlife monitoring
36 and for projects across the Forest Service, that's the
37 Chugach and Tongass National Forest. And at this point
38 we have funded three different projects.

39

40 I'm hoping that once we work out all
41 the budget numbers that we may be able to have some
42 funds available for a request for proposal for
43 additional projects in fiscal year 2008 that's coming
44 up, starting October 1st. But sort of we have to
45 balance what we do with the funds and the Forest
46 Service does have a commitment to the Fisheries
47 Monitoring Program as far as the interagency Federal
48 Subsistence Program so we are funneling as much of the
49 funds as we can that way, holding back a little bit for
50 wildlife.

1 I did want to just give you a quick
2 update on the three projects that have been funded.

3
4 There's been a black bear traditional
5 use project in Prince William Sound. That should be
6 completed by the end of this calendar year.

7
8 We have the pellet count/DNA project
9 that Mr. Dickerson talked about just a moment ago on
10 Prince of Wales, that has had three years of funding.
11 And at this point this year is the last year that we
12 have identified funding for that project.

13
14 And then the other one is the deer uses
15 and needs project on Prince of Wales of Island. And
16 Pat Petrivelli from Bureau of Indian Affairs, who's
17 here today, and the Craig Community Association put
18 that project together. We just fairly recently
19 determined that we had sufficient funding for that and
20 had agreement on exactly what that investigation plan
21 would look like. It's sort of cutting edge type work,
22 uses and needs that others have not worked on. So it
23 took quite awhile. We have a steering committee that
24 worked with the proponents to try and work out some
25 procedures that would be helpful to the process.
26 Anyway, they've started, they're in the preliminary
27 phases of that.

28
29 Those two projects, the deer pellet DNA
30 project and then this uses and need project, again, are
31 two of those legs of a three stool -- three legged
32 stool that Mr. Dickerson was talking about and we're
33 just so pleased that that project is off the ground and
34 starting now.

35
36 That's all I have unless there's some
37 other questions.

38
39 CHAIRMAN ADAMS: Any questions,
40 comments.

41
42 (No comments)

43
44 CHAIRMAN ADAMS: Thank you, Steve.
45 Okay, we've got Item No. C there, update on relevant
46 court cases. There's information in the back of the
47 book there, Page 190. Is there anyone who would like
48 to come forward and -- go ahead Steve.

49
50 MR. KESSLER: Thank you, Mr. Chairman.

1 Actually I think we've talked about both of these cases
2 associated with other areas on your agenda, with the
3 proposals, Proposal 08-04, Juneau C&T. I think I
4 pointed to both of these at that point. So there's not
5 a lot we can say about them because, again, the
6 Chistochina case has been appealed by the State and the
7 Katie John case is still an active case that will be
8 going on probably through, I would anticipate a final
9 decision on that by next June.

10

11 CHAIRMAN ADAMS: Uh-huh. Okay, thank
12 you. And then the National Park Service, Nancy, would
13 you like to do something there.

14

15 MS. SWANTON: Sure.

16

17 CHAIRMAN ADAMS: It's not on the agenda
18 in your book. We've always had it on there and then
19 for some reason or another they said it was not
20 necessary and then Nancy approached me and said she has
21 something to share with us so I put it back on.

22

23 MS. SWANTON: Well, thank you. My name
24 is Nancy Swanton. I'm with the National Park Service,
25 as you know. I appreciate the opportunity to address
26 the Council today to provide an update of the Glacier
27 Bay National Preserve Plan and Environmental
28 Assessment.

29

30 I know Jim Capra has provided updates
31 to the group on numerous occasions. Apparently this
32 has been in the works for several years. He regrets
33 not being able to make this presentation himself,
34 particularly because he wanted to let you know that the
35 plan and environmental assessment has been completed
36 after so many years and that a decision was made and
37 that decision was signed on August 9 by our Regional
38 Director.

39

40 The decision will be implemented with
41 regulations anticipated by next spring prior to the
42 next fishing season and some more detailed
43 implementation strategies, management strategies will
44 be developed to address trail maintenance and some
45 other issues.

46

47 The purpose of the plan, environmental
48 assessment, was to evaluate designation of off road
49 vehicle trails and routes and to manage ORV use in
50 Glacier Bay Preserve, specifically Dry Bay, that area.

1 The plan examined three alternatives, including a no
2 action alternative, or the status quo. Of the two
3 action alternatives, Alternative 3 was selected, and it
4 was modified slightly to add another quarter mile of
5 trail based on some public comments that were received.
6 The total miles of trail in that alternative
7 approximately -- approximate about 63 miles. And that
8 alternative did involve closing approximately 20 miles
9 of existing route or trail. And the criteria the Park
10 used to evaluate whether an area -- or whether a trail
11 or route would be considered for closure was to look at
12 existing routes or trails that duplicated access to the
13 same location or that caused excessive resource damage.
14 So those were the areas considered for closure.

15
16 The regulations, when final, will
17 authorize and regulate use of ORVs on specific trails
18 and routes and they're laid out in the final decision
19 in the Preserve of commercial fishing and for other
20 purposes, including subsistence and that's the reason
21 Jim has continued to update you here because of the
22 interest in expanding the trail opportunities for users
23 in addition to commercial fishers. And the reason for
24 commercial fishing having that special attention is
25 that Section .205 of ANILCA provides for that
26 specifically for commercial fishermen.

27
28 So this decision will fulfill direction
29 issued through an executive order that came out in the
30 early 1970s to designate ORV trails and routes on Park
31 lands in Alaska. That executive order directed us to
32 define and maintain or close as needed trails and
33 routes to protect resources.

34
35 Trails of particular interest to
36 subsistence users in that area include a short leg on
37 the East Alsek, Tractor North and Alsek North, and I'm
38 sure Bert can provide additional details on that for
39 anybody who's interested.

40
41 I think that's it unless you have
42 additional -- any questions or comments.

43
44 CHAIRMAN ADAMS: Any questions.

45
46 (No comments)

47
48 CHAIRMAN ADAMS: Normally, you know,
49 Jim Capra would be to give this report.

50

1 MS. SWANTON: Uh-huh.
2
3 CHAIRMAN ADAMS: He had to leave, could
4 you tell me.....
5
6 MS. SWANTON: Yes, he had to go to
7 Anchorage. He was sorry he wasn't able to stay longer
8 and was hoping it could have been addressed yesterday.
9
10 CHAIRMAN ADAMS: Uh-huh. Well.....
11
12 MS. SWANTON: But I'm happy to take any
13 information along.
14
15 CHAIRMAN ADAMS:I'm glad you did.
16 I'm glad you did.
17
18 MS. SWANTON: Uh-huh.
19
20 CHAIRMAN ADAMS: But, you know, if I
21 were notified I probably would have put him on
22 yesterday, too, you know but.....
23
24 MS. SWANTON: I'm sorry for that.
25
26 CHAIRMAN ADAMS:you did a great
27 job. Yeah, thank you.
28
29 MS. SWANTON: Okay, thanks. I also
30 should let you know, for those interested, that Tommie
31 Lee, the superintendent who had been at Glacier Bay for
32 quite a few years has since retired and her replacement
33 will be coming in in late November. I'll get an
34 announcement out to all of you to let you know who that
35 is.
36
37 CHAIRMAN ADAMS: We don't know who that
38 is yet?
39
40 MS. SWANTON: We do, and I can't
41 remember her last name off hand.
42
43 CHAIRMAN ADAMS: Okay.
44
45 MS. SWANTON: Her first name is Cheri,
46 her last name escapes me at the moment. I'm sorry,
47 I'll get that information to you.
48
49 CHAIRMAN ADAMS: Well, we'll forgive
50 you for that.

1 MS. SWANTON: Okay.
2
3 CHAIRMAN ADAMS: Yeah. Okay, so we'll
4 look forward to that announcement then.
5
6 MS. SWANTON: Thank you.
7
8 CHAIRMAN ADAMS: Any comments or
9 questions for Nancy.
10
11 (No comments)
12
13 CHAIRMAN ADAMS: Again, thank you.
14
15 MS. SWANTON: Uh-huh.
16
17 CHAIRMAN ADAMS: Are you ready, Dave.
18
19 MR. JOHNSON: Yes, sir.
20
21 CHAIRMAN ADAMS: Go ahead.
22
23 MR. JOHNSON: Thank you, Mr. Chairman.
24 Council. My name's Dave Johnson, I'm the subsistence
25 coordinator for the Tongass. And I want to just share
26 a little bit of information with you on the changes
27 that have already been discussed in terms of going to a
28 two year cycle with the wildlife and fish schedules.
29
30 Melinda, maybe you could hand out those
31 sheets of -- I don't know if you all have them yet or
32 not.
33
34 For any of you that want to submit
35 regulations for the current cycle, I guess we'll start
36 there. If you'll look at Page 14 and 15 in your
37 regulatory booklets that you'll find at any district's
38 office, and if you want more copies for the tribes or
39 for other -- your people that go to your city halls, if
40 there are some places we need to get some of these
41 booklets that they're not currently located in, let us
42 know that and we'll be sure to get some to you. We've
43 got plenty of them.
44
45 You have until October the 19th to
46 submit regulatory changes, proposals, to change
47 regulations in the current cycle. If you look on Page
48 14 that you have on the handout, it tells you how to do
49 that and we also have Staff to assist in doing that.
50 Also you'll see down below the actual regulatory

1 timeline for when this process will be completed for
2 the current, and I want to emphasize the current cycle.
3 And Tom Kron did an excellent job in talking about the
4 changes that are going to be occurring as we go to this
5 two year cycle.

6
7 I guess I'll stop right there. Is
8 there any questions about how to submit regulatory
9 proposals or other questions about that.

10
11 CHAIRMAN ADAMS: I think it's really
12 important, Dave, and I think, you know, the job has
13 been pretty well done I know in our area, that the word
14 really get out on the dates and deadlines, you know,
15 whether it's through media, radio or whatsoever. These
16 things should be made available to the communities in
17 how to come up and get one of these forms.

18
19 MR. JOHNSON: Right.

20
21 CHAIRMAN ADAMS: You know, I even have
22 some of these in my filing cabinets at home if anyone
23 needs to do so.

24
25 MR. JOHNSON: Sure.

26
27 CHAIRMAN ADAMS: I think that would be
28 a good idea. Mr. Bangs.

29
30 MR. BANGS: Thank you, Mr. Chairman.
31 Dave, do these notices go out to Fish and Game Advisory
32 Committees?

33
34 MR. JOHNSON: I don't know
35 specifically. I can't really say. I know I don't
36 personally send them out to the Advisory Committees. I
37 don't know what happens, quite frankly in some cases,
38 when they go to the districts.

39
40 I guess, you know, the Council members
41 here and others, if there's -- like I said if there is
42 a list of names or organizations that we need to get
43 these two we'd be glad to send them out or have people
44 just stop down at the local -- I mean like in Wrangell
45 and Petersburg and in Yakutat and Craig and Thorne Bay
46 and Sitka, we have offices and they have copies of
47 these. And if they have a problem, people don't know
48 what they're talking about, because quite frankly we
49 have some people who don't know about the Federal
50 Subsistence Program in the Federal Forest Service, so,

1 yes, let us know and we'll get them to them.

2

3 MR. BANGS: Okay, thank you.

4

5 CHAIRMAN ADAMS: Tom.

6

7 MR. KRON: Mr. Chairman. Mr. Bangs.
8 Several years ago we had Advisory Committee members,
9 Fish and Game Advisory Committee members on the mailing
10 list for all of the regs book, and, again, this is a
11 page right out of the regs book, but, again, as you
12 know that there's a change over a period of time,
13 there's turn over in members on the Advisory
14 Committees, what we've been asked, by Fish and Game at
15 that time was, that essentially we provide these to
16 their coordinators in various parts of the state that
17 work with the Advisory Committees and that they would
18 provide them. And, you know, reality is and I think in
19 a lot of parts of the state you've got people on the
20 Fish and Game Advisory Committee on the Councils, you
21 know, we do the large mailings but it's difficult to
22 assure that everybody is getting them. So I would
23 definitely encourage you if you've got a local Advisory
24 Committee that you want to make sure gets it, it sounds
25 like Dave is willing to help us make sure that
26 everybody has them. Probably some of those have gotten
27 it but probably other ones, especially new ones, you
28 know, have not.

29

30 So any way we can get things out would
31 be good. Thank you.

32

33 MR. BANGS: Thank you. Yeah, the
34 reason I asked is that just like this information on
35 projects the Forest Service is going to do on the
36 Tongass, that was sent to me and I wasn't sure how I
37 got that because I get -- I'm on the Advisory
38 Committee, and obviously that's where this came from.
39 And when I get the other books, you know, I'm not sure
40 who it came -- you know, I'm just wondering if
41 everybody's getting that.

42

43 MR. JOHNSON: Mr. Chairman. Also
44 another thing if you'll at Page 15, right there in the
45 right-hand corner, people can go to the web site, they
46 can print them off that way, they can call OSM at an
47 800 number, if they don't want to spend their nickel,
48 they can spend Uncle's nickel and they can get the
49 forms that way, and if they don't want to do it that
50 way, they can send an email to whomever and get them

1 that way. So we just want to make sure that people
2 know there's a whole bunch of different ways to get
3 these forms.

4
5 And I agree with you, Bert, we can't
6 emphasize it enough. Somebody always comes in and
7 says, I wished I would have known how to submit a
8 regulation proposal because I've been wanting to do X,
9 Y and Z, so that's just the way it is.

10
11 CHAIRMAN ADAMS: And in relation to
12 that, I think it's really important that, you know, we,
13 as Council members, you know, make this information
14 available to the people in our communities and I think
15 that's a great -- I do it a lot, although not too many
16 people are willing to fill out the form and everything
17 but it's their privilege to do so if they have a
18 problem, you know, with the regulations so that's how
19 you handle it.

20
21 MR. JOHNSON: The other thing I would
22 just emphasize, Mr. Chairman, Pages 184 and 185, you
23 may want to just highlight those as we move into this
24 two year cycle, you're going to hear it several times
25 over and over because what is going to happen now and
26 I'll move into this new process, after this year, after
27 the current wildlife cycle that we're in that will
28 close -- the proposal process will close on October
29 19th for accepting proposals and then ultimately the
30 Board will make a decision on those regulatory
31 proposals at the May meeting, next May. After that it
32 will not be until 2010 before people can submit
33 regulatory proposals through the normal process.

34
35 Now, after having said that, however,
36 if you'll look at the bottom of Page 184 in your books
37 that you've got right there in front of you, your
38 Council booklets, I want to emphasize what it says
39 there, special action requests and out of cycle project
40 proposals can address the time sensitive issues out of
41 cycle. There's been a lot of discussions here from
42 Larry about the current winter we had, so even though
43 it'll be a two year cycle, if the Council or if anybody
44 else feels that there's a problem, they can submit a
45 special action request based on weather, whatever it
46 was about an issue that they felt shouldn't wait for
47 two years.

48
49 Okay.
50

1 And, again, if you have questions how
2 to do that come see one of the Federal Staff, Forest
3 Service Staff, give me a call. I know you guys all
4 have my number now so.....

5
6 (Laughter)

7
8 MR. JOHNSON: Okay. Okay, the next
9 thing is if you'll look over at the current cycle
10 again, we're coming back to the current cycle, I'm
11 sorry for bouncing around here a little bit, you may
12 recall last year there was a proposal, WP07-06, and I'm
13 on Page 19 right now, so if you want to go to Page 19,
14 there was a proposal to align the subsistence harvest
15 limits and season in Unit 1B and 3 with Unit 2, and I
16 won't go through all this, but the Council took action
17 and if you turn over to Page 31, it provides for what
18 the actual Council did and what the Board did on that
19 proposal. The Board deferred that proposal and so it
20 will automatically be in this current cycle that we're
21 in, which means that it'll come before this Council
22 again. There will be an analysis and information
23 presented, and a lot of the information that Larry just
24 provided will be a part of that new analysis.

25
26 So that is one proposal that will be
27 before you. And then I would just throw out if there
28 are any issues that the Council feels needs to have a
29 proposal submitted, we can deal with that later, but
30 here's an opportunity for you to discuss that.

31
32 Thank you, Mr. Chairman and Council.

33
34 CHAIRMAN ADAMS: Thank you, David.
35 Comments, questions, anyone want to address a possible
36 submission of a proposal at this time.

37
38 (No comments)

39
40 CHAIRMAN ADAMS: Go ahead.

41
42 MR. JOHNSON: I just had one other
43 comment, Mr. Chairman, Unit 2 deer issues have been
44 around a long time, probably since time immemorial, I
45 guess, and I just wanted to say that in spite of Larry
46 Dickerson's humility about his role in this process,
47 the real success of this, and he's only been here less
48 than a year, you had three very excellent reports, it's
49 because of his positive working relationship with local
50 trappers, local hunters, particularly two Council

1 members, Mike Douville and Don Hernandez, he also has
2 contributed a fair amount of voluntary time on his own
3 to get data inputted and he also has incorporated and
4 solicited the work and role of his wife to help him
5 because she's also a wildlife biologist.

6

7

CHAIRMAN ADAMS: Hum.

8

9

MR. JOHNSON: So it's no coincidence
10 that the success to where we're at today is in large
11 part his working relationship with Dale and some of the
12 other folks, on the State side as well, Boyd Porter, he
13 jumped right in and did a super job and I want to thank
14 him for it.

15

16

CHAIRMAN ADAMS: And we do, too, and it
17 should be so entered into the record, for that
18 recognition.

19

20

Thank you.

21

22

MR. JOHNSON: Thank you, Mr. Chairman.

23

24

CHAIRMAN ADAMS: All right, where are
25 we -- other business.

26

27

Final review of any Council resolutions
28 passed during this meeting.

29

30

Am I looking at the right person?

31

32

MR. LARSON: I think so.

33

34

CHAIRMAN ADAMS: Okay.

35

36

(Laughter)

37

38

MR. LARSON: Mr. Chairman. From review
39 of my notes I see that there is a reference to a letter
40 regarding the Sealaska transfer that was going to be
41 drafted by Mr. Don Hernandez. I've been reviewing the
42 Subsistence Regional Council's correspondence policy
43 and you might want to look at that on Page 96 of your
44 Council book, the Council operations manual, the kind
45 of purple one, and it appears to me that our abilities
46 to contact directly the Legislature is somewhat
47 restricted, the same as would a Federal employee,
48 exactly how to convey our interests in that and to
49 promote the interest of the Council in having public
50 hearings on the Tongass National Forest is not clear to

1 me at this time but it's something that I could pursue
2 and get back to you. But the idea of writing a letter
3 directly to Congress is not it.

4
5 CHAIRMAN ADAMS: I think we've tried to
6 do that once before and got shot down.

7
8 (Laughter)

9
10 CHAIRMAN ADAMS: Donald.

11
12 MR. HERNANDEZ: Mr. Chairman. I've
13 worked up a little bit of a rough draft here, you know,
14 what I was thinking and I know I would probably be
15 working with Bob to write some kind of a letter, I
16 anticipated that this letter would go to the Forest
17 Service to possibly act on our behalf and their
18 reporting to Congress on what the implications would be
19 on this Congressional action I guess.

20
21 So I guess that's what I envisioned is
22 to be informational, you know, it's not an attempt to
23 sway Congress, but just to provide information.

24
25 If you'd like I could, you know, read
26 to the Council sort of rough ideas of what I was
27 proposing to put in the letter, if you'd like to hear
28 that, to make comments, before I work with Bob on it.
29 I don't know if that's necessary or not.

30
31 CHAIRMAN ADAMS: Yeah, before we do
32 that why don't we discuss whether it is appropriate,
33 you know, for us to communicate directly with the
34 Forest Service, you know, Bob.

35
36 MR. LARSON: And I have one suggestion,
37 and that is that it's perfectly appropriate under .805
38 of ANILCA for us to communicate with the Subsistence
39 Board and that might be the more appropriate mechanism
40 to express our concerns and wish to have it elevated
41 through the Secretaries.

42
43 CHAIRMAN ADAMS: Yeah, I think that
44 would be more appropriate, Don.

45
46 MR. HERNANDEZ: Okay.

47
48 CHAIRMAN ADAMS: So go ahead with the
49 letter and share it with us.

50

1 MR. HERNANDEZ: Okay.

2
3 The Southeast Regional Advisory Council
4 is aware that Sealaska Corporation is
5 in the process of selecting National
6 Forest land which is to be conveyed to
7 the corporation as part of its
8 entitlement of the Alaska Native Claims
9 Settlement Act.

10
11 The transfer of land from public domain
12 into private ownership will have an
13 impact on the taking of fish and
14 wildlife for subsistence uses if it has
15 been the been the policy of the
16 corporation these lands are to be
17 closed to public access.

18
19 Also significant development of visitor
20 related industries, which is the stated
21 goal of the corporation, would affect
22 the taking of fish and wildlife for
23 subsistence uses through increased
24 competition.

25
26 The Southeast Regional Advisory
27 Council, in accordance with Title VIII,
28 Section .810 of ANILCA request that the
29 Forest Service evaluate the impacts to
30 subsistence of this withdrawal and
31 notify the Regional Council of its
32 actions and hold hearings in the
33 vicinity of the areas involved in the
34 transfer.

35
36 The Southeast Regional Advisory Council
37 suggests that public hearings be held
38 in any community which can demonstrate
39 a subsistence use in any area proposed
40 for transfer.

41
42 The Southeast Regional Advisory Council
43 acknowledges that nothing in this
44 request shall be construed to prohibit
45 or impair the ability of Sealaska to
46 receive land conveyances under ANCSA.

47
48 It's a very -- I kind of limited what
49 we would be requesting essentially without getting into
50 too many details of what the implications would be but

1 just to take note that this transfer would affect
2 subsistence users, to acknowledge that and request, as
3 stated in Section .810 of Title VIII, that Councils
4 should be notified of actions and we should be informed
5 as to, you know, what is taking place and Section .810
6 also asks for the public to have the ability to have
7 input into the process.

8

9 So I just kind of limited it to those
10 two aspects, information and access by the public.

11

12 Okay.

13

14 CHAIRMAN ADAMS: Thank you, Donald.
15 Thanks for that nice work. I think it would be
16 appropriate then for the Council to accept this letter
17 as its own and we need a motion in order to accomplish
18 that.

19

20 Mr. Bangs.

21

22 MR. BANGS: Thank you, Mr. Chairman. I
23 move we adopt the letter to go on record and to be
24 submitted to the Federal Board for review.

25

26 CHAIRMAN ADAMS: Thank you. Is there a
27 second.

28

29 MR. KITKA: I'll second it.

30

31 CHAIRMAN ADAMS: Okay, seconded by
32 Harvey. Further discussion.

33

34 (No comments)

35

36 CHAIRMAN ADAMS: None. All in favor
37 say aye.

38

39 IN UNISON: Aye.

40

41 CHAIRMAN ADAMS: Opposed.

42

43 (No opposing votes)

44

45 CHAIRMAN ADAMS: Motion is carried. So
46 Bob will draft up the letter and it'll go under the
47 Southeast Advisory Council heading and have my
48 signature on it. So I get to take credit for all of
49 the good work you did there, Donald.

50

1 (Laughter)
2
3 MR. LARSON: Mr. Chairman.
4
5 CHAIRMAN ADAMS: Yes, sir.
6
7 MR. HERNANDEZ: And blame as well.
8
9 CHAIRMAN ADAMS: Pardon?
10
11 MR. HERNANDEZ: And blame as well.
12
13 CHAIRMAN ADAMS: And blame as well.
14
15 (Laughter)
16
17 MR. LARSON: I have two other notes
18 that need some final resolution.
19
20 The first is the invitation from the
21 Village of Kasaan to participate in the steelhead
22 evaluation project summary. We should be prepared to
23 provide an answer to Cathy Needham.
24
25 CHAIRMAN ADAMS: Uh-huh.
26
27 MR. LARSON: And then I have one other
28 item.
29
30 CHAIRMAN ADAMS: Well, let's take care
31 of that one first. I think that we need to respond to
32 that invitation in a positive way by having a member of
33 the Council, you know, attend this. You know she
34 requested three, you know, and I don't know, let's see
35 if it's logistically -- I think it's logistically
36 possible because we have Mr. Douville in that area and
37 then the two other closest members of the Council, of
38 course, Donald and Michael, and you have some people
39 from Ketchikan and Saxman. So, yeah, there's a number
40 of people here that could probably attend that, which
41 means that we'll probably provide the transportation
42 and lodging and all that.
43
44 MR. LARSON: And if it's the will of
45 the Council I can investigate and report back to the
46 Chair at some later date regarding the funding
47 availabilities that I am not privy to right now.
48
49 CHAIRMAN ADAMS: On behalf of the
50 Council it is the will of the Council for you to do

1 that.

2

3 (Laughter)

4

5 MR. LARSON: Okay.

6

7 CHAIRMAN ADAMS: Okay. So when are
8 those meetings?

9

10 MR. LARSON: The meeting dates were
11 October 24th and 25th in Craig and Kasaan respectively.

12

13 CHAIRMAN ADAMS: Okay.

14

15 MR. LARSON: And the last item that was
16 kind of an invitation and I just needed to put it to
17 rest is the discussion of increasing productivity at
18 Kanalku through this modification of the falls. I've
19 been in communication with the Forest Service fisheries
20 Staff and if it is the -- they have evaluated the falls
21 and are waiting for an invitation or a request to
22 further that whole process which would be required to
23 falls alterations for modification of those falls. So
24 there is an opportunity here for the Council to provide
25 that request if it is their, you know, if that's their
26 need, their interest.

27

28 CHAIRMAN ADAMS: Okay. Council, you've
29 heard that, do you want to pursue this any further.

30

31 MR. KITKA: Do we need an answer today.

32

33 CHAIRMAN ADAMS: Do we need an answer
34 to this right away?

35

36 MR. LARSON: We do not.

37

38 CHAIRMAN ADAMS: Okay. Let's ponder on
39 it for a little bit unless there are comments, any
40 ideas. Michael.

41

42 MR. BANGS: Thank you, Mr. Chairman.
43 Now, this is this the falls at Kutlaku?

44

45 CHAIRMAN ADAMS: Kanalku.

46

47 MR. LARSON: Kanalku.

48

49 MR. BANGS: Kanalku. If there was
50 money available I'm wondering if a genetic study would

1 be more appropriate to start with or -- I'm just
2 thinking out loud here really. But I thought that was
3 kind of an important ingredient to this whole thing, is
4 to find out where the fish are being caught or, you
5 know, how many fish are there, a genetic study may be
6 something that would be appropriate for funds as well.

7

8 Thank you.

9

10 MR. LARSON: Mr. Chairman. I could
11 comment on that, is that, it's my understanding that
12 Kanalku is being included in the greater Southeast
13 sockeye genetic identification study and those samples
14 are being taken and funded through a another project.
15 The issue that was more specifically addressed earlier
16 today was whether or not there was some request from
17 this body to have the Forest Service move forward with
18 identifying mechanisms to modify the falls and to
19 provide funding, to start that ball rolling.

20

21 MS. HAWKINS: Mr. Chair.

22

23 CHAIRMAN ADAMS: Yes.

24

25 MS. HAWKINS: I guess we'd probably
26 feel more comfortable if we heard from the communities
27 in that area.

28

29 CHAIRMAN ADAMS: Okay. Lee.

30

31 MR. WALLACE: Mr. Chair. Just
32 recalling the Kake meeting and Floyd was there and I
33 believe we discussed it somewhat, you know, and, again
34 we're talking about the low returns to that area and
35 there was discussion of a ladder, I believe, and in the
36 TLMP, I know there's identified as a possible ladder
37 and I'm encouraged today, just like Harvey, about the
38 -- I think we're kind of into a situation where we
39 could have a good collaboration on this whole effort,
40 Bob, from the Seiners Association saying, yeah, geez,
41 we're concerned, too, and so if you go the State
42 involved, the U.S. Forest Service and the Seiners
43 Association, I think it's a thing we should move
44 forward with.

45

46 The thing I recall from Kake is, you
47 know, if the returns aren't there for the sockeyes and
48 they got to run further to another fishing grounds to
49 capture their sockeye and what does it pose, it poses
50 more danger of loss of life, commuting, traveling a

1 farther distance. So I think if it was in my area I'd
2 be all for enhancing the system of increasing the
3 productivity of that particular stream.

4

5 CHAIRMAN ADAMS: And that means making
6 it a lot easier for them to get over the falls and into
7 the lakes. Are we talking about money here that needs
8 to be appropriated somehow through a proposal or not?

9

10 MR. LARSON: No.

11

12 CHAIRMAN ADAMS: No.

13

14 MR. LARSON: No, the idea is whether or
15 not someone else may suggest modification to the falls,
16 however, if it is the Council's will to have that
17 investigated further and forwarded for funding, and, of
18 course, projects like that, you know, require a number
19 of steps along the way including some collaboration and
20 approvals by a number of different agencies, it's in
21 the wilderness area, it's, you know, you would have to
22 have cooperation with the village of Angoon, you know,
23 there's a bunch of steps. But if you wanted to get
24 that ball rolling, I just made a note that there would
25 need to be a formal request otherwise it's not moving
26 forward.

27

28 CHAIRMAN ADAMS: Well, I think we need
29 to move it forward so why don't we go ahead and do it.

30

31 Donald.

32

33 MR. HERNANDEZ: I think I would make a
34 motion.

35

36 CHAIRMAN ADAMS: Sure.

37

38 MR. HERNANDEZ; I think it's
39 appropriate that given the amount of time that we've
40 spent discussing this system that, yeah, a request from
41 us to maybe take a good hard look at improving that
42 would be a good thing.

43

44 CHAIRMAN ADAMS: Thank you, Donald,
45 let's do it that way.

46

47 MR. HERNANDEZ: I'll make a motion.

48

49 CHAIRMAN ADAMS: Is that a motion?

50

1 MR. HERNANDEZ: That's a motion.
2
3 CHAIRMAN ADAMS: Is there a second.
4
5 MR. BANGS: I'll second.
6
7 MR. KITKA: Second.
8
9 CHAIRMAN ADAMS: Okay. Have we
10 discussed it enough.
11
12 MR. WALLACE: Question.
13
14 CHAIRMAN ADAMS: All in favor say aye.
15
16 IN UNISON: Aye.
17
18 CHAIRMAN ADAMS: Opposed.
19
20 (No opposing votes)
21
22 CHAIRMAN ADAMS: Motion is carried.
23 Okay, Bob, you've got your walking papers.
24
25 What else do you got.
26
27 MR. KITKA: Mr. Chairman.
28
29 CHAIRMAN ADAMS: Harvey.
30
31 MR. KITKA: There's one other item.
32 I'd like to make note that we should include the
33 commercial salmon organizations, because that's one of
34 the things that they're involved in and if we can get
35 them all involved then we've got everybody involved.
36
37 CHAIRMAN ADAMS: Thanks, Harvey. I
38 think that was the intent we had, how I understood it.
39
40 MR. LARSON: And the motion was made
41 by.....
42
43 CHAIRMAN ADAMS: The motion was made by
44 Donald and seconded by Harvey.
45
46 MR. LARSON: Mr. Chairman. The other
47 item that needs to be addressed is writing the annual
48 report. If you would look on Page 180 of the Board
49 book and find some guidance listed there. Remember
50 that the annual report is a way to bring regional

1 subsistence uses and needs to the attentions of the
2 Interior and Agriculture. The annual report is
3 prepared in the fall meeting and finalized in spring
4 meeting.

5
6 Annual reports contain four different
7 items. They could contain four different items, they
8 don't necessarily have to.

9
10 They identify current and anticipated
11 subsistence uses of fish and wildlife.

12
13 They evaluate the current and
14 anticipated subsistence needs for those
15 fish and wildlife.

16
17 They could recommend a strategy for the
18 management of fish and wildlife.

19
20 They could have concern or
21 recommendations concerning policies,
22 standards and guidelines governing the
23 operation of this body.

24
25 As a reminder in 2006 the annual report
26 contained issues regarding the Council's ability to
27 submit RFRs. Saxman non-rural determinations. A
28 meeting of the Chairs. The two year meeting cycle.
29 And in-season management use of bait on Prince of Wales
30 Island and permit restrictions. The only relevant item
31 of those that may be -- you may want to have further
32 consideration for would be the meeting of the Chairs.
33 I don't know that that was completely final in the
34 Council's mind.

35
36 And I do have some other topics that I
37 managed to make notes on that I'm ready to work with
38 the Council regarding formulation of an annual report.

39
40 CHAIRMAN ADAMS: All right.

41
42 MR. LARSON: The topics that I've
43 thought seems would be appropriate to do some
44 additional work on between now and the February
45 meeting, would include the Sealaska land transfer. The
46 topic that struck me that was important was the effects
47 on access, North Prince of Wales and deer habitat
48 productivities. Mechanisms to enhance collaborations
49 with the Alaska Department of Fish and Game, both in
50 the formulation of management plans and their ability

1 to enhance the communications for our proposals.
2 Chatham Straits/Kanalku Falls modifications still seems
3 like it's a timely issue. Deer, not only in Unit 2,
4 winter mortalities, is it excessive, what do we do
5 about it, how do we identify it. Steelhead management.
6 Illegal harvest is an issue is a concern both in the
7 Federal and State systems. Wildlife Information
8 Services. There may be some funds available in the
9 future and we very likely will have a better idea of
10 available funding prior to our spring meeting. And
11 travel access issues, the Tongass Forest is going
12 through that process in the next year or two and if the
13 Council wanted to have input into those, even in a
14 general fashion or a statement of interest, this would
15 be a good topic for the annual report.

16

17 CHAIRMAN ADAMS: Okay. Donald.

18

19 MR. HERNANDEZ: Mr. Chairman. Would
20 the subject of the Chilkat River jet boat use, would
21 that be something we would want to address in this
22 format or is there some other way we could do that.

23

24 CHAIRMAN ADAMS: That could be included
25 in the report. We're going to be talking about this
26 here in a few minutes.

27

28 MR. HERNANDEZ: Is that on the agenda?

29

30 CHAIRMAN ADAMS: Uh-huh.

31

32 MR. HERNANDEZ: Okay.

33

34 CHAIRMAN ADAMS: Yeah.

35

36 MR. KITKA: And what about Makhnati
37 Island.

38

39 CHAIRMAN ADAMS: Does that seem
40 appropriate for everyone.

41

42 Is that okay?

43

44 (Council nods affirmatively)

45

46 CHAIRMAN ADAMS: Joe?

47

48 MR. HOTCH: Yes.

49

50 CHAIRMAN ADAMS: Is that okay?

1 MR. HOTCH: Yes.
2
3 CHAIRMAN ADAMS: Okay. So confirm
4 dates and venue for 2008 wildlife meeting. There's a
5 calendar in the back of your book, I think it's going
6 to be -- is it in Sitka?
7
8 MR. LARSON: Yes.
9
10 CHAIRMAN ADAMS: It's going to be in
11 Sitka and it looks like the week of February 25th. So
12 if that seems appropriate with everyone we'll confirm
13 it and move on to the fall meeting.
14
15 (Pause)
16
17 CHAIRMAN ADAMS: Does that seem like
18 good dates for everyone.
19
20 (Council nods affirmatively)
21
22 CHAIRMAN ADAMS: All right. Merle,
23 Lee, is that okay?
24
25 MS. HAWKINS: (Nods affirmatively)
26
27 MR. WALLACE: (Nods affirmatively)
28
29 CHAIRMAN ADAMS: Okay. Those seem like
30 good dates, Bob, so we'll go ahead and keep that there.
31
32 MR. LARSON: Mr. Chairman. I assume
33 we're talking about travel on a Monday and meeting
34 starting on Tuesday.
35
36 CHAIRMAN ADAMS: Yes. You understand
37 that Council, travel Monday.
38
39 (Council nods affirmatively)
40
41 CHAIRMAN ADAMS: Okay. The next thing
42 is establish dates and venue for the fall 2008
43 fisheries meeting and on Page 195 there is the calendar
44 for that for us to pencil in.
45
46 It seems like, you know, what Joe was
47 telling me the other day, the snow is coming down on
48 the mountains here and it's a possibility that it might
49 keep us snowed in here, you know, before we can get out
50 of here.

1 (Laughter)

2

3 CHAIRMAN ADAMS: You know so I think we
4 need to be cognizant of the fact that, you know,
5 weather plays an important, you know, for us to travel.
6 I think right now, you know, even though we're
7 experiencing a little bit of wind and rain it seems
8 like we have the ability to get in and out of Haines
9 pretty well but other communities, you know, I know
10 it's difficult, you know, I've heard stories about
11 Kake, getting stuck there.

12

13 (Laughter)

14

15 CHAIRMAN ADAMS: I don't have any
16 problem with that, I have relatives there but I think
17 those things need to be considered as well, weather
18 plays a very important part of these dates.

19

20 I think another consideration that we
21 need to talk about is easy access, you know, to help
22 with the budgeting and all that good stuff, we need to
23 have, you know, an easy way to get to the communities,
24 and I'm not saying that Juneau, Ketchikan or Sitka, you
25 know, are logical places although, you know, they seem
26 to have easy access as far as air transportation is
27 concerned. It was easy to get here with the ferry, a
28 couple hours and you're here from Juneau. But let's
29 take those into consideration, you know, when we talk
30 about this further.

31

32 MR. BANGS: Mr. Chair.

33

34 CHAIRMAN ADAMS: Mr. Bangs, please.

35

36 MR. BANGS: Thank you, Mr. Chairman.
37 After I've talked to a few different Council members
38 about this, and we're going to be in Sitka this next
39 meeting and we were in Saxman recently and the place
40 that we haven't been to in a while is Juneau, and that
41 was one thought. And the other thought is that I think
42 earlier in the window is better than later because it
43 seems that the weather is a little bit better earlier
44 in the cycle. So that's something to consider as well.
45 That's all I had.

46

47 CHAIRMAN ADAMS: Great. I like this
48 week. This week has been okay, it looks like the week
49 of September 22nd.

50

1 MR. HERNANDEZ: Just one question, Mr.
2 Chairman.
3
4 CHAIRMAN ADAMS: Donald.
5
6 MR. HERNANDEZ: Is that -- that last
7 week in September that crosses the fiscal year, is that
8 still a problem with OSM?
9
10 CHAIRMAN ADAMS: Steve.
11
12 MR. HERNANDEZ: Is that still a problem
13 -- that's always a better week for me, I'm still
14 fishing -- I mean I should be fishing right now,
15 there's an opening going on that I'm missing and I hope
16 I didn't miss too much, but I don't want to talk to any
17 of my fishing buddies, but it's always been a little
18 bit of a hardship, this is kind of the last week of
19 fishing for me.
20
21 CHAIRMAN ADAMS: Mr. Kron.
22
23 MR. KRON: Yeah, Mr. Chair, you know,
24 ultimately we'll accommodate, you know, whatever the
25 Council decides it needs to do. The difficulty in
26 having a meeting that crosses two fiscal years is
27 essentially it doubles the paperwork, doubles the work
28 for the meeting, makes it almost like arranging for two
29 meetings. But, again, you are volunteers, we've had to
30 do this in the past, you know, if we have to do it
31 we'll do it, but if there's a way to avoid it, that'd
32 be great, but it's your decision ultimately.
33
34 Thank you, Mr. Chair.
35
36 CHAIRMAN ADAMS: So when does fishing
37 run for you Donald.
38
39 MR. HERNANDEZ: This -- after this week
40 it's usually done for me but the last week in September
41 would always kind of be the best week -- so, yeah.
42
43 CHAIRMAN ADAMS: So you're talking
44 maybe the week of September 29th.
45
46 MR. HERNANDEZ: That would be better.
47
48 CHAIRMAN ADAMS: Okay.
49
50 MR. HERNANDEZ: But I know it conflicts

1 with.....

2

3 CHAIRMAN ADAMS: That's the week I
4 meant because that's the week we're in right now, see,
5 the last week of September, isn't it the last week --
6 what day is it today?

7

8 (Laughter)

9

10 CHAIRMAN ADAMS: Where am I?

11

12 (Laughter)

13

14 CHAIRMAN ADAMS: Okay, the 26th so it
15 looks like maybe the 27th, the week of the 27th, or
16 29th, I'm sorry, and maybe it will go into maybe one or
17 two days of October.

18

19 MR. BANGS: Mr. Chairman.

20

21 CHAIRMAN ADAMS: Yes, Mr. Bangs, sorry.

22

23 MR. BANGS: I have the same problem,
24 once we enter into October, my season, but I'm kind of
25 looking for an excuse not to go.

26

27 (Laughter)

28

29 MR. BANGS: So it's up to you.

30

31 CHAIRMAN ADAMS: Not to go to this
32 meeting or fishing?

33

34 MR. BANGS: Not to go fishing.

35

36 (Laughter)

37

38 CHAIRMAN ADAMS: Anybody want to help
39 him in that effort or make a suggestion.

40

41 (Laughter)

42

43 MR. HERNANDEZ: Well, Mr. Chairman, I
44 don't think I'd want to cause too much trouble by, you
45 know, trying to cross that fiscal year, it varies from
46 year to year, some years our season is pretty much
47 over, you know, by the third week in September,
48 sometimes it's not, I'll go with September 22nd and see
49 how it works out.

50

1 CHAIRMAN ADAMS: Okay.
2
3 MR. HERNANDEZ: Maybe I won't show up.
4
5 (Laughter)
6
7 CHAIRMAN ADAMS: Okay. Why don't we
8 pencil that in and then at our next meeting we can
9 confirm it.
10
11 MR. LARSON: Okay.
12
13 MR. KESSLER: In Juneau.
14
15 MR. HERNANDEZ: Juneau.
16
17 CHAIRMAN ADAMS: In Juneau.
18
19 (Council nods affirmatively)
20
21 CHAIRMAN ADAMS: Juneau, okay. We're
22 down to No. D, which had to do with your proposal that
23 you talked about earlier and I forgot to write it down.
24
25 MR. LARSON: I have that.
26
27 CHAIRMAN ADAMS: Bob.
28
29 MR. LARSON: I have that and that is
30 Proposal 6 of -- and I've actually done some work on
31 that.
32
33 It's Proposal 6, a proposal by the
34 Alaska Department of Fish and Game that will be
35 considered at the joint board meeting that begins on
36 October 7th I believe, and it is part of a suite of
37 proposals by the Department of Fish and Game to
38 reorganize the Advisory Councils, and I think that our
39 State spokesman will have some details on that while I
40 search for my notes here.
41
42 CHAIRMAN ADAMS: Can we call on you,
43 yeah, George.
44
45 MR. PAPPAS: Mr. Chair. Yes, I've made
46 some calls this morning on the suite of proposals.
47
48 The idea that these proposals went
49 forth from the Department was to improve the Advisory
50 Committee process, to make them more efficient, provide

1 a better platform and for -- an improved platform
2 providing the public the ability to testify and
3 encourage participation as well as make it more
4 efficient. In some areas people have to travel 100
5 miles or more to get to a meeting and conversely the
6 location, districts, lines might be redrawn to
7 rebalance some of the -- be more representative of the
8 communities that the Advisory Committees actually
9 represent. I believe there are some of them that would
10 be eliminated, some of them that are not functioning
11 that would be eliminated or combined with others or
12 some other areas would be split up, I guess, to make
13 them a larger population base to participate. The idea
14 is to improve the whole process as a whole and to
15 encourage and improve public participation.

16

17 Mr. Chair.

18

19 CHAIRMAN ADAMS: Okay. Thanks for the
20 information, George.

21

22 And so what we have in front of us here
23 is a statement that was made by the village of Klukwan,
24 and this -- is this Klukwan's written.....

25

26 MR. HOTCH: Our position, yeah.

27

28 CHAIRMAN ADAMS: Their position, yeah,
29 okay.

30

31 MR. HOTCH: I think you're looking on
32 the wrong one, the first page, second page.

33

34 MS. HERNANDEZ: Last page.

35

36 CHAIRMAN ADAMS: The last page.

37

38 MS. HERNANDEZ: It's the last page, I
39 stapled both of them together, Joe, so it's the last
40 page.

41

42 MR. HOTCH: Okay.

43

44 CHAIRMAN ADAMS: Is that the one that
45 has your signature on it.

46

47 MR. HOTCH: Yes.

48

49 CHAIRMAN ADAMS: Oh, okay. Okay. So
50 just for the record this is your position and we'll

1 just enter it into the record.

2

3

MR. HOTCH: Okay.

4

5

CHAIRMAN ADAMS: Okay. The other one is something else, I think, that Joe brought up, do you know what that is Bob.

8

9

MR. LARSON: Yes. Item 18, Reference E, is the other letter from the Village of Klukwan. Do you want me to move forward?

12

13

CHAIRMAN ADAMS: Yes, please.

14

15

MR. LARSON: The Item 18, Reference E is the letter that references House Bill 87 and the -- my recommendation regarding this item is that the Council -- that it's probably not timely or appropriate for the Council to take a position on this item at this point. House Bill 87 is a State statute that has been adopted by the Alaska State Legislature. It's regarding formation of a citizen's committee to review Federal land actions. I'm not sure that any of the members of that citizen's committee have been appointed as of yet, the statute is in effect on the 28th of September. It's designed for a broad suite of things and it's actually to provide information and input by subject matter experts into the Alaska State Legislature regarding Federal land. And it may or may not have anything to do with subsistence.

31

32

CHAIRMAN ADAMS: Okay.

33

34

MR. PAPPAS: Mr. Chair.

35

36

CHAIRMAN ADAMS: Yes, George, go ahead.

37

38

MR. PAPPAS: Yeah, I talked to my supervisors about this particular issue and concur. It's specifically regarding land management issues, but I was specifically instructed that the intent does not include subsistence issues or fish and game management -- resource management issues in this process, but that's as, Mr. Larson said, it possibly could be to be determined and it hasn't started yet, it starts September 28th, I believe.

47

48

CHAIRMAN ADAMS: So I think what I'm hearing from you guys is that subsistence should be included in this process, Joe.

50

1 MR. HOTCH: What's that.

2

3 CHAIRMAN ADAMS: So I think what I'm
4 getting from your position on this is that you would
5 like to have subsistence addressed in this process?

6

7 MR. HOTCH: Well, that and the right
8 for me, everything, not only me, but all those that are
9 involved here. We go back to the treaty between Russia
10 and the United States. They guaranteed the Native the
11 right not to disturb our way of living or our
12 resources. And a new commission, advisory, it's a
13 forum, they're not giving any directions what to
14 follow. If they were given directions and I see it,
15 then I will support it, but I don't see how I could
16 form a committee here and then later give them
17 directions. This is what I see.

18

19 And then under ANILCA, I mean, yeah,
20 Title VIII, really supports our way of life and Alaska
21 statehood, they failed when they organized the state of
22 Alaska -- while they were proposing to organize the
23 state of Alaska and they went to Congress with it and
24 they didn't have that disclaimer in there, so Congress
25 sent them back to Fairbanks to include it, and Section
26 12, Article 12 really explains it. One time Senator
27 Ramona Barnes was in the State Legislature talking to
28 us Natives and John Borbridge was there, who
29 represented the Natives of Alaska and Ramona really
30 tore us down as far as she can and in response John
31 Borbridge said, lady, are you done and she said yes and
32 Mr. Borbridge said, you know, when the bill for land
33 claims is going through, Native American was sitting in
34 the audience and if at any time we were giving up our
35 rights on fishing they would have said no to our ANILCA
36 and land claims, so this is why I want to continue to
37 protect our rights for our future people and this is
38 why we have this together.

39

40 We would like to see something that the
41 new commission will do, there's nothing -- too many
42 times have I seen a commission or Fish and Game, the
43 State of Alaska and pretty soon he's replaced and he
44 goes over to the sportfishing and he takes over there
45 and he already has connection there but it's harmful to
46 me and it's harmful to my people, and we really need to
47 know that we are going to be protected. And the jet
48 boat is part of it.

49

50 Thank you.

1 CHAIRMAN ADAMS: Okay, thanks, Joe. I
2 think what would be appropriate for us, is we need some
3 more information about this issue and we're going to go
4 ahead and put it on our agenda for the next meeting in
5 February, if that's all right. I know you probably
6 want to see some action, you know, on this right away
7 but I think, you know, for it to be more effective from
8 us we need to have some more information and go from
9 there.

10

11 MR. HOTCH: Yeah, Mr. Chairman, I think
12 what I would like from this Board is a letter of
13 support and if you feel in the future that it's not in
14 your favor, that you probably could withdraw it but we
15 need something now in our hand to show that we have
16 your support.

17

18 CHAIRMAN ADAMS: One of the problems
19 that we have, you know, with letters is that to go to
20 any organization, individual or something is not
21 appropriate for us to do that, we have to go up through
22 the Federal Subsistence Board and then they handle it
23 from there. Okay. It's just not, you know, it has not
24 been, you know, in the best -- I'm not going to say in
25 the best interest of us, but it's been forbidden for us
26 to do that, that kind of letter writing.

27

28 MR. HOTCH: Mr. Chairman. I think
29 Peter Goll said he would provide some things for you
30 folks and then maybe Nancy might have some material to
31 support what we're saying.

32

33 CHAIRMAN ADAMS: Sure. We would be
34 willing to take whatever it is that you have but,
35 again, I think that issue of writing a letter in
36 support of any other program or project, you know, and
37 to any other entity is something we have to be careful
38 about and we have not been, you know, allowed to do
39 that in the past. So I feel, you know, like our hands
40 are tied at this point until we can put it on the
41 agenda for the next meeting.

42

43 MR. HOTCH: Let me untie.

44

45 (Laughter)

46

47 CHAIRMAN ADAMS: Yes, that's probably
48 the best route that we can take at this point.

49

50 MR. HOTCH: Okay.

1 CHAIRMAN ADAMS: Unless, maybe, Steve
2 you could address that a little bit, Steve Kessler, you
3 know, am I right in assuming what I just, you know,
4 told Joe.

5
6 MR. KESSLER: Mr. Chairman. I stepped
7 away for just a moment. The correspondence policy is
8 on Page 96 of here and there's Item No. 10, Page 97,
9 the last item, I think is probably the -- this is sort
10 of what you can't do, all right, may not through
11 correspondence or any other means of communication
12 attempt to persuade any elected or appointed political
13 officials, any government agency, any tribal or private
14 organizations to take a particular action on an issue.

15
16 There's some exceptions that refer to
17 No. 6, 7 and 8 that you can take on your own. And the
18 -- and as I understand it, the Council is always
19 welcome to comment on something that specifically
20 affects, you know, subsistence uses, it's just a matter
21 of how that's gone about to do that. And so there is
22 -- I mean clearly the political officials is a problem.

23
24 Other than that there are allowances
25 for that communication. In some cases that
26 communication would be need to occur by the Federal
27 Subsistence Board so you'd want to say, Federal
28 Subsistence Board, we would like you to write such and
29 such a letter and the Federal Subsistence Board has
30 recently taken firmly stances writing, for instance, to
31 the Board of Game about the Mulchatna Caribou Herd.
32 The -- what I would do is, depending on, and I'm not
33 exactly sure what this individual commun -- this
34 specific communication would be, is, I think that if
35 you would like to get a topic out in front of someone,
36 say we need to do this and then let -- maybe a little
37 subcommittee of your Council, a couple people, work
38 with Bob Larson and Bob can then work with the Office
39 of Subsistence Management and figure out if there's a
40 way that that letter can be written to the appropriate
41 people.

42
43 CHAIRMAN ADAMS: Okay. Maybe that
44 would be the best route in which we can take right now,
45 Joe. And as he's describing it to me it'd be a lot
46 faster than having us put it on the agenda because I
47 think the letter would be drafted, you know, before
48 that and then the Federal Subsistence Board, it would
49 be in their hands, you know, to deal with that issue
50 for you on your behalf.

1 MR. HOTCH: Okay. I'll need your help
2 after this then.

3

4 CHAIRMAN ADAMS: Okay, thanks, Steve.
5 but Item No. 10 is pretty clear, that this is not in
6 our best interest to do things like that, influence,
7 you know, other people, politically or otherwise,
8 although I think we do have the power to do that, it's
9 just that we can't. I'm not saying the power to do it,
10 we have tremendous amount of power from this body but
11 to do something in that manner, you know, is not
12 appropriate for us.

13

14 The next thing on the agenda, Mr.
15 Larson.

16

17 MR. LARSON: The next thing on the
18 agenda is 18F, a discussion of high powered skiffs in
19 the Chilkat River.

20

21 CHAIRMAN ADAMS: Again, this is
22 something that is out of our jurisdiction because it is
23 a State issue. Native allotment is private property,
24 you know, we were on that piece of property the other
25 day, we saw the erosion that was taking place there so
26 that also is under State jurisdiction. However, I
27 think we can also put this on the next agenda and I
28 think we have time to do that, Joe, in February and see
29 if we can put something strong on behalf of, you know,
30 your concerns, the community's concerns and interests
31 here in regards to the erosion caused by power skiffs.

32

33 So if you feel okay with that, I think
34 that that's the best way in which we can handle that.

35

36 MR. HOTCH: Mr. Chairman.

37

38 CHAIRMAN ADAMS: Uh-huh.

39

40 MR. HOTCH: I have a closing statement,
41 I want to cover a little bit of it on this statement

42

43 CHAIRMAN ADAMS: Yeah, and you'll have
44 an opportunity to do that when we're done, we're just
45 about done with our agenda, in fact, we're almost
46 meeting my deadline.

47

48 (Laughter)

49

50 CHAIRMAN ADAMS: And if you guys would

1 just allow me to do that then we would meet it.

2

3 (Laughter)

4

5 CHAIRMAN ADAMS: Next, Mr. Larson.

6

7 MR. LARSON: Mr. Chairman. Item 18G,
8 we were going to receive a list of 10 items of greatest
9 concern for subsistence from the Tlingit-Haida Central
10 Council. I don't know if that list has been printed
11 and distributed yet.

12

13 CHAIRMAN ADAMS: Carrie, do you have
14 some information on that for us.

15

16 MS. SYKES: Yes.

17

18 CHAIRMAN ADAMS: Here they are, right
19 there.

20

21 MS. SYKES: Yes, Mr. Chairman. I think
22 I informed everyone of the activities yesterday when
23 Robert and I spoke about Central Council's stand on
24 subsistence and I went ahead and have the information
25 here, so you have the letter, and the ballot and also
26 the list of concerns that were formulated by the June
27 4th meeting. So if I could just encourage all those
28 tribes who have not provided input to go ahead and get
29 that back to me, I expect that I will have that
30 information all correlated and I will make sure that
31 the RAC committee gets that.

32

33 CHAIRMAN ADAMS: Sure.

34

35 MS. SYKES: Okay.

36

37 CHAIRMAN ADAMS: Gunalcheesh.

38

39 MS. SYKES: Thank you. Howa.

40

41 CHAIRMAN ADAMS: Mr. Larson, the next
42 one.

43

44 MR. LARSON: Mr. Chairman. There are
45 two additional items, Reference 18H and 18I and maybe
46 we could take them out of order. 18I is reference to
47 the Sealaska land and their selections on north Prince
48 of Wales. I believe that I have instructions and we've
49 dealt with that.

50

1 CHAIRMAN ADAMS: Uh-huh.
2
3 MR. LARSON: The last item references
4 18H as submitted by yourself as Chairman regarding
5 delisting of eagles.
6
7 CHAIRMAN ADAMS: Uh-huh.
8
9 (Pause)
10
11 CHAIRMAN ADAMS: I can't remember why I
12 even put that on there.
13
14 (Pause)
15
16 CHAIRMAN ADAMS: Where'd the idea come
17 from because I put it on there, but it was somebody
18 else's idea. Delisting of angels -- angels.
19
20 (Laughter)
21
22 CHAIRMAN ADAMS: Delisting of eagles.
23 Oh, yeah, it came from you, David, I thought you were
24 waiving like this because you were accepting the fact
25 that you were an angel.
26
27 (Laughter)
28
29 MR. JOHNSON: Well, Mr. Chairman, when
30 you said angel I wasn't sure but then you clarified it
31 and said eagle, so.....
32
33 (Laughter)
34
35 CHAIRMAN ADAMS: Go ahead.
36
37 MR. JOHNSON: I just wanted to make
38 clear that the eagle's been delisted in much of its
39 range now as a result of the Endangered Species Act and
40 provisions have been implemented across the country.
41
42 And I'll mention to you with respect to
43 the sea otter, if the Council would like me to follow
44 up with U.S. Fish and Wildlife Service Endangered
45 Species program, I can find out what the delisting
46 process is, particularly for the sea otter and also
47 with the Marine Mammal Commission Southeast and find
48 out about some of the data, population, et cetera, and
49 then by the winter meeting have that information for
50 the Council.

1 CHAIRMAN ADAMS: Thank you. That'd be
2 great. Gunalcheesh.

3
4 MR. JOHNSON: You're welcome.

5
6 CHAIRMAN ADAMS: That's it.

7
8 MR. LARSON: Yes.

9
10 CHAIRMAN ADAMS: Okay.

11
12 MR. LARSON: And, Mr. Chairman, there's
13 -- based on conversations we've had at this meeting
14 I've included on our first draft of our February
15 meeting is a series of presentations regarding habitat,
16 wildlife species of concerns, our partners in
17 identifying and evaluating that habitat. There's
18 several groups that are very concerned and have spent
19 quite a bit of time and energy and money on those
20 topics. I'll have that as an agenda item. And there
21 is actually, regarding the effect and increase in
22 numbers and distribution of sea otters. There's a
23 number of people that have items to share with the
24 Council regarding that issue. I know it's not an area
25 of our jurisdiction but it's certainly an area that the
26 Council has shown some interest in.

27
28 CHAIRMAN ADAMS: Okay.

29
30 MR. LARSON: With that concurrence
31 we'll move forward with those two agenda items.

32
33 CHAIRMAN ADAMS: Yes, sir. Thank you.
34 Council members and ladies and gentlemen we've met our
35 -- my goal, I set the time for 3:00 o'clock this
36 afternoon, understand there may be someone who might
37 want to leave this afternoon, but before we do that I
38 promised Mr. George Pappas that he would be able to
39 take a few minutes and address some of the things that
40 we brought up, that he went back and got some answers
41 for us so George -- oh, you've got a question.

42
43 MR. BANGS: I just had one thing that I
44 thought of that I thought might be of interest to the
45 Council to put on the annual report and that had to do
46 with our discussions about the Tongass Amendment and
47 second growth management, the lack of.

48
49 CHAIRMAN ADAMS: So noted. And your
50 four-leaf clover is really wilted there, George.

1 (Laughter)

2

3 MR. PAPPAS: It's going to make it two
4 more minutes.

5

6 CHAIRMAN ADAMS: Okay. Go ahead.

7

8 MR. PAPPAS: Mr. Chair. Yes, I went
9 back and talked to -- this is specifically in relation
10 to the memorandum of agreement between the Board of
11 Fisheries and the Sitka Tribe of Alaska. The
12 memorandum of agreement was established specifically
13 between those two organizations, of course the
14 Department of Fish and Game is under the Board of
15 Fisheries, and renegotiations of that MOA, it's very
16 unique, others do not exist like it, renegotiations of
17 that MOA might not result in beneficial results in the
18 intent of what this Council was looking for
19 potentially, you know, if you reopen it, it might
20 change.

21

22 The recommendation that I have been --
23 the information I've been provided would recommend that
24 the interested parties, the Federal land managers,
25 anyone else who wants to be involved, have a formal
26 letter of request to the Department and to the Board of
27 Fish requesting that the communication regarding this
28 specific issue, regarding the Makhmati Island area, the
29 communication frequency increase, improve, a more
30 direct line of information be made available to the
31 interested parties. That is the directions I have
32 received.

33

34 And I have to retract a statement I
35 said yesterday about co-management in other parts of
36 the state, actually what exists, for example, the
37 Kuskokwim River Salmon Management Cooperative Fishery
38 Management Group, it's a cooperative, not actually co-
39 management, and the goal of that group, which was
40 established by the Board of Fish, and I believe Mr.
41 Kron was involved with that for many years, was to gain
42 consensus among the users, the different users, the
43 industry, the different agencies involved, what have
44 you, everybody came to the table and basically provided
45 the information, insight, recommendations they had and
46 to try to reach consensus. The vast majority of the
47 time consensus was reached, but the Board of Fish does
48 not delegate a management authority to anybody else
49 besides the Department of Fish and Game for resources,
50 that is. Very rarely did the Department override a

1 logical consensus. And on many occasions where the
2 Department was indifferent about a decision they
3 specifically went with the consensus from the user
4 groups, the subsistence users, the agencies, the
5 industry, what have you. I wanted to pass that along.

6
7 Another form of a group, as an example,
8 was the Chignik Area Salmon Management In-Season
9 Fisheries Advisory Group, and I actually was the co-
10 chair of that. There was the industry -- excuse me,
11 they had an independent co-chair, department co-chair
12 and assigned seats for different folks for subsistence,
13 industry, the cooperative fisheries fleet and the
14 independent fisheries fleet to coordinate when the
15 fishery was going to happen, who it would impact, you
16 know, is there enough tin in town to can the pinks up,
17 is the weather coming, is there a funeral this weekend,
18 et cetera, everything was thrown on the table to decide
19 the best way to have a fishery and it worked
20 fantastically at the time.

21
22 I just wanted to clear up that the
23 Board of Fish does not delegate authority to outside
24 the Department of Fish and Game but the Department of
25 Fish and Game definitely wants to work with individuals
26 to achieve a common goal.

27
28 Thank you, sir.

29
30 CHAIRMAN ADAMS: Thank you, sir.
31 Appreciate those clarifications.

32
33 Let me just say that, you know, we
34 appreciate your presence here, George, it's a different
35 tone than what we've had in the past, you know, with
36 trying to deal with the State and we hope that the door
37 is wide open now for us to follow the conditions of
38 ANILCA that the State and the Feds should jointly work
39 together on subsistence issues and that means, you
40 know, in every avenue as possible. So we appreciate
41 your willingness to go to the phone and get answers for
42 us and come back and report. That tells me, anyhow,
43 that, you know, we've got an opportunity here to work
44 with you on these issues.

45
46 Gunalcheesh.

47
48 MR. PAPPAS: Thank you. And, sir, I'd
49 like to thank you and the Council, I was instructed by,
50 not my supervisor, but others, that this was the

1 toughest Council in the State.

2

3 (Laughter)

4

5 MR. PAPPAS: I appreciate -- I did not
6 bring an ice pack with me, maybe I'll bring another one
7 of these with me next year.

8

9 (Laughter)

10

11 MR. PAPPAS: And I also want to assure
12 you that when the Department goes forth to the Federal
13 Subsistence Board we're not going to have new
14 information, we're not going to have -- our positions
15 are going to be finalized off the information that we
16 collected here. There's nothing hidden. The idea --
17 because years ago, I guess, the Department came forth
18 with a finalized opinion and they were criticized for
19 that, but I understand the intent of this Council is
20 that they have all the information that the Department
21 has available for their decision-making process and
22 have that presented to you in a straightforward,
23 upright manner that's easy to interpret to assist you
24 and make your decisions, and vice versa, we want the
25 other agencies and the public and the Council to
26 provide us information so we can base our decisions
27 upon that.

28

29 CHAIRMAN ADAMS: Thank you.

30

31 MR. PAPPAS; Thank you, very much.

32

33 CHAIRMAN ADAMS: We're going to end
34 this by allowing Council members to make some final
35 comments and I do want to thank everyone for being here
36 and hanging in here. But let's each take a couple
37 minutes now and talk about whatever you feel about this
38 meeting, or what has happened here or your own personal
39 views, and we'll start with Mr. Michael Bangs. And I'm
40 going to reserve Joe for the very last because he said
41 -- not only because of the fact that he is here, but he
42 wanted that, so we'll go with Mike and then skip over
43 to Harvey.

44

45 MR. HOTCH: No, I can go right in line.

46

47 CHAIRMAN ADAMS: Pardon.

48

49 MR. HOTCH: I can go right in line, I
50 don't have too much.

1 CHAIRMAN ADAMS: Okay. I hope not.
2
3 (Laughter)
4
5 MR. HOTCH: Okay.
6
7 MR. BANGS: Thank you, Mr. Chairman.
8
9 MS. HERNANDEZ: Bert, can I give a
10 quick update about Dick before Mike.....
11
12 CHAIRMAN ADAMS: Sure, please do.
13
14 MS. HERNANDEZ: I got a call from Dick
15 Stokes' daughter and what had happened was that a
16 couple of weeks ago he hadn't felt well with his heart
17 and he got medivac'd to Seattle and he was still real
18 confident he'd be able to make it here and I think his
19 family kind of knew that it wasn't going to happen but
20 he kept calling me and saying I'm going to be there,
21 I'm going to be there so don't cancel my plane ticket,
22 but he's going to be heading back down again and he
23 really wished he could be here and he wanted me to tell
24 everyone, you know, that this was his first meeting he
25 was going to miss and he was very disappointed.
26
27 But very soon, on October 8th, he and
28 his wife are going to be celebrating their 60th wedding
29 anniversary. They don't think there's going to be any
30 kind of celebration by the family, a public
31 celebration, but a goal of his daughter is to have more
32 than 60 cards with well wishes for their anniversary
33 sent to them so I've got their home address,
34 everything's going to be forwarded to Seattle.
35
36 So Dick wanted me to send everyone his
37 best.
38
39 CHAIRMAN ADAMS: Thanks. Thanks.
40 Okay, Mr. Bangs, please.
41
42 MR. BANGS: Thank you, Mr. Chairman.
43 First of all I'd like to thank the city of Haines and
44 the people of Klukwan that opened their communities up
45 and invited us here, it was a good stay. And I think
46 the meeting was very productive. And I really
47 appreciate the cooking that went on here, it was
48 fantastic meals, that was a real treat.
49
50 And I just want to thank everyone for

1 the participation and the kindness that everyone seemed
2 to show each other, and I just hope that we'll have a
3 chance to come back here again sometime.

4
5 Thank you.

6
7 CHAIRMAN ADAMS: Thank you. Okay, Joe.

8
9 MR. HOTCH: All right. I've only got
10 six pages.....

11
12 (Laughter)

13
14 MR. HOTCH:let me see if I can
15 find it.

16
17 (Laughter)

18
19 MR. HOTCH: Mr. Chairman.

20
21 CHAIRMAN ADAMS: Yes.

22
23 MR. HOTCH: I'd like to thank all the
24 Board members for your wisdom, for your knowledge and
25 how to assist the need of different communities.

26
27 Like I said earlier I've been on State
28 Board and almost every night when you're adjourning
29 you're almost ready to.....

30
31 (Laughter)

32
33 MR. HOTCH:we had a problem
34 between gillnetters, seiner, fishermen, we were
35 supposed to have been Federal Subsistence Board but we
36 hardly heard anything about subsistence it was all
37 commercial. But, Mr. Chairman, God gave us stewardship
38 over all things in each area before State and Federal
39 governments were created. And our ancestors did
40 tremendous work doing so up to our time, we need to
41 continue for our children's future and grandchildren,
42 to do these things.

43
44 Now, a number of years ago the late
45 Raymond Dick from Hoonah told me this sockeye that was
46 tagged on Chilkat River was caught off the coast of
47 Oregon and then again there's another incident, 18
48 salmon tagged at 18 Mile Chilkat River was caught at
49 the great oil spill area up north, it was tagged, why
50 can't that bring us into this Federal position, it goes

1 all over the world, all these fish, sockeye tagged in
2 Chilkat going up and caught in the Oregon coast, that's
3 Federal waters. Mr. Chairman. And same with the king
4 salmon, it was caught at Eight Mile and tagged and then
5 caught at -- up north. Now, because of our division of
6 State and Federal governments, we are divided, we are
7 divided, we're not put together, I'm almost ready to
8 fight with my own friend.....

9

(Laughter)

10

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MR. HOTCH:because of this State
and Federal where a long time ago we used to be
together.

And in closing, Mr. Chairman, in our
cultural and traditional way of life we'll drown in
front of you folks here, my way of living, the question
will come by our children, why didn't our parents do
anything.

All the people here in the audience,
thank you very much for coming, and you might not be on
the board or anything but you may be the one that will
come to the aid, I really hope and pray that some day
our children will have the freedom that they had
centuries ago and that freedom will only come if we
resolve the high powered skiffs used because the damage
is there. Like I told you many of you, our elders
would say in Tlingit, (In Tlingit) -- I'll explain it
later, why did they say that, coho went to the river
bank, chewed on it three or four times, I saw it, this
is why I'm telling you, and it drifted away, this is
why our elders used to tell us, (In Tlingit) and they
would start telling something that would make our
children and grandchildren live longer and survive,
this is the way we are. We're telling you, some of you
are biologist, and our biologists was our parents and
grandparents when we were growing up, nothing was on
paper, it was all here.

The love wasn't showing here, it was
right here.

Gunalcheesh.

CHAIRMAN ADAMS: Gunalcheesh.

MR. HOTCH: Thank you.

1 CHAIRMAN ADAMS: Thank you.
2
3 MR. HOTCH: That's the fifth page, the
4 fifth page.
5
6 (Laughter)
7
8 CHAIRMAN ADAMS: Gunalcheesh. Harvey,
9 please.
10
11 MR. KITKA: Thank you, Mr. Chairman.
12 I, too, would like to thank the city of Haines and for
13 Joe taking us to Klukwan and for the people up there
14 showing us their cultural central and the things that
15 they have ongoing.
16
17 I've enjoyed all the meals that were
18 served to us here, they were really great.
19
20 And just kind of an introduction, I was
21 told by some of my elders that if somebody starts the
22 talk by saying, in the beginning, you better sit down,
23 so I won't start that.
24
25 (Laughter)
26
27 MR. KITKA: Thank you so much for
28 allowing us to be here.
29
30 Thank you.
31
32 CHAIRMAN ADAMS: Or if they start by
33 once upon a time.
34
35 (Laughter)
36
37 CHAIRMAN ADAMS: Merle, please, you'll
38 be next.
39
40 MS. HAWKINS: Yes, it's been a pleasure
41 being here, being on the RAC and working with
42 everybody. It just amazes me the wide variety of
43 things that we touch on and the high caliber of people
44 we work with on the community and all the State and
45 Federal agency people.
46
47 And I'm happy that KIC got in their
48 request for reconsideration and we've got to work on
49 our eulachon issue and, of course, our herring eggs
50 from Sitka, so we've worked on a lot of important

1 issues.

2

3 So I'm glad to meet Marilyn Wilson and
4 know that she's taking good care of my great niece and
5 so that was a pleasure to be here in the community.
6 The food was excellent and it was a good trip, so glad
7 to be wearing this hat.

8

9 Thanks.

10

11 CHAIRMAN ADAMS: Thank you, Merle, and
12 we're glad to have you, too.

13

14 Lee.

15

16 MR. WALLACE: Yes. I'd just like to
17 extend my thank you's to the Klukwan people and the
18 Haines people for hosting us and taking good care of
19 us.

20

21 This meeting was interesting, you know,
22 it's my second one, and I'm on a learning curve and I
23 rely a lot on these veterans that have been on the
24 Council, you know, I'm watching them and I'm sitting on
25 the side bar and getting information. But one thing
26 I've learned to do, you know, is we have a lot of data
27 that's given to us by interagency Staffs and biologists
28 and we take this information and you got to read it and
29 digest it and hopefully get it mailed to you on time
30 and receive it prior to getting up here, that helps a
31 lot, but one thing I do really rely on, too, is I
32 appreciate all that data, but what I really appreciate
33 is individuals from the communities. We talked about
34 the Makhnati Island and what weighed heavily on me is
35 Harvey, he's there in Sitka, he sees what the situation
36 really is and I've got to run with that information and
37 take the information that we get and hopefully make the
38 right decisions.

39

40 One thing that Mayor Joe Williams from
41 Saxman, he was president for many years in the IRA and
42 he always said, if Saxman's not at the table, you're
43 not going to be heard, and unfortunately, again, you
44 know, everybody can't make the meetings and Kake was
45 absent and Nick wasn't here and OVK submitted a letter
46 and a request and unfortunately their voice wasn't here
47 and I think if their voice was here I think things
48 might have changed as -- evidently Nick called Harvey
49 and Harvey, you know, said -- did you guys pass our
50 proposal, on our letter, no, we didn't, and that just

1 really proves to me that, yeah, it's very important to
2 be at the table and I guess when I look at it, I look
3 at it personally, maybe I should have spoke more
4 looking at their letter and their request, and it was
5 kind of the same thing with the Neva Creek proposal.
6 I'm really -- I'm here as a subsistence user, the 70/30
7 rule here is existing on this Council and I guess I
8 have participated in the commercial fisheries as a
9 younger person, but now it's pretty much a subsistence
10 user and I really -- I looked at the proposal and the
11 young man, he was born in that area, Excursion Inlet,
12 and with his being born there, certainly his family
13 goes back to that area and so they had this long use of
14 using that particular creek to get their sockeye and I
15 think probably what I think I failed to do is push
16 forward to amend his proposal and amend it would be
17 simply putting a limit on the catch, whereas the
18 proposal was no limit and probably the proper thing for
19 this Council and myself should have done was let's
20 align it with the rest of the regulation and there's a
21 limit on it.

22

23 But I think hopefully I'm going to grow
24 and hopefully I'll be more vocal and request these
25 changes. I'm still kind of under a big learning curve
26 here. Hopefully in our Sitka meeting will have a
27 little more participation in pushing things. Because
28 when I see proposals from my people, our people, and
29 they're failing, that means I'm failing and we, as a
30 Council, are failing, because again it is, like Joe
31 mentioned, it's subsistence, and granted, yeah, there's
32 other things we're considering, we're considering all
33 the commercial fishing and sports fishing and
34 everything else and we're trying to be fair to each and
35 every group.

36

37 Thank you.

38

39 Gunalcheesh. Howa

40

41 CHAIRMAN ADAMS: Thank you, Lee.

42 Donald.

43

44 MR. HERNANDEZ: Thank you, Mr.
45 Chairman. I also wanted to thank the people of Haines
46 and Klukwan for the warm welcome and the good food and
47 all the baked goods. I really appreciated that.

48

49 I want to thank the people that have
50 come to the meeting that aren't part of the Federal

1 program, the folks that came from Kasaan and Tlingit-
2 Haida Central Council, really appreciate their being
3 here and hearing their inputs.

4
5 I also want to thank the local people
6 that came and testified before us. I feel a little bit
7 frustrated at times that we're a little constrained in
8 what we can do. I know the people from Haines came,
9 you know, with two pretty serious situations that they
10 would have liked us to have dealt with and I think
11 we're a little frustrated in just the way the
12 jurisdiction in what we're allowed to do, we can't take
13 direct action and I feel a little bit frustrated about
14 that, but I also wanted to tell them, you know, I think
15 it's really great that we go to these different
16 communities and hear their concerns because what you
17 told us is not unique to Haines, I think we're going to
18 see that same problem in other areas, you know, it's
19 not just you and there probably will be opportunities
20 to maybe deal with similar situations and hopefully
21 actions we may be able to take somewhere else will, in
22 some way, help the situation here on the Chilkat.

23
24 But other than that, I'm pretty happy.
25 I think we've worked forward on a lot of very difficult
26 issues facing our region and I think we've made some
27 good progress and I'm real satisfied with that.

28
29 So, thank you.

30
31 CHAIRMAN ADAMS: Thank you, Donald.

32
33 I want to express my appreciation to
34 this Council. We're, you know, as mentioned a couple
35 times here, you're volunteers, you come here, you know,
36 to ponder over important issues and one of the things
37 that I have learned, you know, as the Chairman over the
38 past year or so is that if an issue such as the
39 Makhnati Island one and, you know, a couple others,
40 comes before that are very difficult, I can count on
41 these guys here to sit and caucus and fathom it all out
42 and come out with an answer, you know, and I think
43 that's really great being able to do that and I don't
44 have to stand over their shoulders and make sure, you
45 know, that they're doing the right thing because I know
46 they're doing the right thing.

47
48 And so, you know, my appreciation to
49 you, all of you, you know, is really sincere in the
50 fact that you can tackle an issue and you can come out

1 with a real good outcome.

2

3 I was told after the Makhnati Island
4 issue that we did well, you know, and that came from a
5 couple of Federal people and so that was a real huge
6 compliment as far as I was concerned and it's all due
7 to your work.

8

9 This facility is beautiful. I took
10 some pictures before I left, earlier, because I vowed I
11 was going to do that before I left, it's just
12 outstanding and I just want to compliment Haines, you
13 know, for having this place and we were able to have
14 our meeting here. I met the guy who was responsible
15 for building it and, you know, Marilyn, if you see him,
16 let him know what I said, that this is something that
17 you can really, really be proud of.

18

19 MS. WILSON: Thank you.

20

21 CHAIRMAN ADAMS: The ANS meals were
22 outstanding and we hope that we contributed to their
23 cause. You know as I said earlier, as we mentioned
24 earlier there's a convention coming up and they need to
25 send their delegates down there and hopefully, you
26 know, our small contribution helped them to be able to
27 be there.

28

29 Donald hit on a real important issue
30 and that is the importance of the citizens, you know,
31 the communities to be a part of this process. And we
32 would rather listen to you, you know, rather than us
33 listening to each other. And so, you know, the more
34 participation that comes from the villages and the
35 communities, that's why we have these meetings in a
36 different place every time, just for that purpose, and
37 Harvey is always nudging me, we've got to remember
38 that, you know.

39

40 (Laughter)

41

42 CHAIRMAN ADAMS: In answer to Lee's,
43 you know, concern, in not being able to -- feeling
44 kind, I guess, sorry for not being able to address
45 certain proposals that probably didn't go the right way
46 and that it's better -- it is better, you know, that
47 people who sit on this Board, you know, or Council, it
48 is good that they are here, you know, I am happy Frank
49 Wright was here during some critical parts of some of
50 those proposals. Nick wasn't here. But I need to

1 remind us all that we represent all of Southeast
2 Alaska, not just -- at the beginning of the meeting we
3 talk about our own little communities and so forth but
4 when it comes down to doing -- looking at the issues
5 after that, you know, we're talking about Yakutat,
6 we're not talking about, you know, all of those other
7 little communities that we could probably take up as
8 pet-peeves, you know, that we want to see happen, we
9 are working on behalf of all of Southeast Alaska. And
10 even though certain communities, you know, are included
11 in these proposals, we need to look at it in that
12 manner.

13

14 I want to thank Klukwan for the tour
15 the other day. We went over to their village and saw
16 the cultural center and I was really impressed, Joe,
17 and I think, you know, there's going to be an
18 opportunity for anyone who has not had that chance, you
19 know, to go see those facilities over there. The
20 Forest Service has two vehicles to take anyone who
21 wants to go down there and I guess that's set for 4:00
22 o'clock, is it, Melinda.

23

24 MS. HERNANDEZ: (Nods affirmatively)

25

26 CHAIRMAN ADAMS: So 4:00 o'clock. If
27 you're not leaving I would encourage you to go take
28 advantage of that because it is really, really
29 something.

30

31 MR. JOHNSON: We'll leave here about
32 3:30'ish to get out there by 4:00.

33

34 CHAIRMAN ADAMS: So I better.....

35

36 MS. HAWKINS: Could you give us a
37 minute to freshen up.

38

39 (Laughter)

40

41 CHAIRMAN ADAMS: So, again, you know,
42 thanks to the community, thanks to this great Council,
43 they are the best and they are the toughest, as you
44 could see, George, but we will be here continuing to
45 work on your behalf, you know, for as long as we are
46 here -- as long as I'm here, you know, that's my goal.

47

48 So gunalcheesh, and thank you. Are you
49 going to say something?

50

1 MR. HOTCH: I found the fifth page.
2
3 (Laughter)
4
5 CHAIRMAN ADAMS: Fifth page.
6
7 MR. HOTCH: Mr. Chairman. I just want
8 to -- talking about the State government and the
9 Federal. I heard about a marriage, a minister marrying
10 a man and a woman there and they left town for about 10
11 years, pretty soon the minister ran into the couple,
12 the way he ended his marriage was for better or for
13 worse and the minister came up to the man and wife, and
14 he said, well, how's marriage going and the woman said
15 right away, he's getting worse and I'm getting better.
16
17 (Laughter)
18
19 CHAIRMAN ADAMS: With that, you know, I
20 think we.....
21
22 (Laughter)
23
24 CHAIRMAN ADAMS:better.....
25
26 MR. WARREN: Could the subsistence user
27 have something to say.
28
29 CHAIRMAN ADAMS: Sure. And you know
30 what I would like you to do when you're done, Ed, is if
31 you would give us a closing prayer so we can end this
32 meeting, you know, in a proper way, could you do that?
33
34 MR. WARREN: I could probably talk from
35 right here.
36
37 CHAIRMAN ADAMS: Sure.
38
39 MR. WARREN: As a tribal judge I have
40 two or three complaints, an elderly couple were putting
41 their grandpa -- deer out here and a Fish and Game
42 agent came along and he looked at it and said -- they
43 had their name on the buoy, their full name, their
44 mailing address and telephone but the Fish and Game
45 agent said he didn't like this, the letters were too
46 small, and that's all he said, he just grabbed -- took
47 off with it. Well, I'm bringing this up because I
48 promised myself I'll find an appropriate time to say
49 something about it because it's desperate for me --
50 your last few minutes here, but I want to say that the

1 middle management we've been hearing from are well
2 insulated from the daily problems of applying the
3 program to, why, perhaps by design. Again, another
4 problem is Fish and Game does not talk with charts,
5 visual help is significant, I notice that Fish and
6 Wildlife use charts, U.S. Forestry use charts, why not
7 use charts when it comes to this particular activity.
8 Well, I'm a political realist, I'd say it's probably by
9 design so they won't be held accountable to something
10 the subsistence users saw and wanted to recall.

11
12 I retired three times, once in fishing,
13 medical field and middle management in corporation, and
14 chairman of the board and senior vice president, I have
15 high values, and the English language was the
16 management skills. I think it's available when you ask
17 for it. So I'm saying there is something missing when
18 our senior citizens have to be taking their fishing
19 gear away from them. They have no retirement, they
20 have no unemployment, they don't have fringe benefits,
21 they're on fixed income, one couple on fixed income
22 barely can afford to get another pot (ph). But
23 listening to the program people, a sense a degree of
24 the sincerity so why -- why the field managers will
25 quote the law to the subsistence user and the area of
26 usage, these are every day problems for the subsistence
27 users. You do not hear it because 99 percent of your
28 time is taken up by program people. Again, maybe by
29 design.

30
31 What I want to say is perhaps this
32 Council here should ask for Fish and Wildlife Staff to
33 help evaluate proposals that are presented and be in on
34 evaluation, did it do what you expected -- are you
35 doing what you'd planned to do, is it measurable, I am
36 a subsistence user, a prime beneficiary of the word
37 subsistence.

38
39 So if I don't speak up, who's going to
40 do it. So I'm saying in the tale of business are we
41 using all the management tools that are available.
42 Fish and Game's not using the charts, their
43 counterpart, Fish and Wildlife does, so as an officer
44 in a corporation I would say it's a little suspicious.
45 Maybe they don't want to hold themselves accountable.

46
47 Now, I've been wanting to say this for
48 at least 10 years. I talked to myself to boil my anger
49 down to where I could talk like a manager, and I'm
50 saying this is something we have to -- I have to do,

1 you have to do, but don't forget you've got a back up,
2 Fish and Wildlife professionals to assess what's going
3 on.

4

5 I want to thank the members -- I have
6 to put everybody in one little pot, some of you guys
7 are very good, you're articulate, you're sensitive, but
8 the outcome at the application level as a site
9 supervisor is rather brutal.

10

11 I want to thank you for not throwing
12 your bottles at me, raw eggs and everything else. A
13 corporate officer gets that every once in awhile, raw
14 eggs thrown at them.

15

16 Thank you Chairman.

17

18 CHAIRMAN ADAMS: Thank you, Ed. Thank
19 you for those words. Would you be willing to give a
20 closing prayer for us.

21

22 MR. WARREN: Say again.

23

24 CHAIRMAN ADAMS: A prayer.

25

26 MR. WARREN: Oh, yes.

27

28 CHAIRMAN ADAMS: Would you, everyone,
29 please rise.

30

31 MR. WARREN: (Prayer)

32

33 CHAIRMAN ADAMS: Thank you.

34

35 (Off record)

36

37 (END OF PROCEEDINGS)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 338 through 481 contain a full, true and correct Transcript of the SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME III, taken electronically by Computer Matrix Court Reporters on the 25th day of September 2007, beginning at the hour of 8:30 o'clock a.m. at Haines, 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 17th day of October 2007.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08