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SOUTHEAST ALASKA
FEDERAL SUBSISTENCE REGIONAL
ADVISORY COUNCIL

October 27, 1999

9:00 a.m.

Taken at:
Angoon Community Center
Angoon, Alaska

Reported by:
Sandra M. Mierop, CSR, RPR, CRR

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2 SOUTHEAST FEDERAL SUBSISTENCE
3 REGIONAL ADVISORY COUNCIL

4 SEAT 1:
5 MR. BERT ADAMS
6 P. O. Box 349
7 Yakutat, Alaska 99689

8 SEAT 2:
9 MR. FLOYD KOOKESH
10 206 Beaver Trail
11 P. O. Box 25
12 Angoon, Alaska 99820

13 SEAT 3:
14 MR. WILLIAM C. "BILL" THOMAS, CHAIR
15 P. O. Box 5196
16 Ketchikan, Alaska 99901

17 SEAT 5:
18 MR. ALAN SORUM
19 P. O. Box 2245
20 Wrangell, Alaska 99929

21 SEAT 6:
22 MS. MARY RUDOLPH
23 P. O. Box 155
24 Hoonah, Alaska 99829

25 SEAT 7:
26 MS. PATRICIA PHILLIPS
27 P. O. Box 33
28 Pelican, Alaska 99832

29 SEAT 8:
30 MS. MIM McCONNELL (Via speakerphone, when noted)
31 P. O. Box 8009
32 Port Alexander, Alaska 99836

33 SEAT 9:
34 MR. LONNIE ANDERSON
35 P. O. Box 237
36 Kake, Alaska 99830

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1 SEAT 10:
MS. MARILYN R. WILSON
2 P. O. Box 235
Haines, Alaska 99827
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SEAT 11:
4 MS. MILLIE STEVENS
P. O. Box 426
5 Craig, Alaska 99921
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SEAT 12:
7 MS. VICKI LeCORNU, SECRETARY
Box 201
8 Hydaburg, Alaska 99922
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SEAT 13:
MS. DOLLY GARZA, VICE CHAIR
10 Box 1793
Sitka, Alaska 99835
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FRED P. CLARK
12 Council Coordinator
c/o USDA Forest Service- Subsistence
13 Alaska Region
Federal Building, Box 21628
14 Juneau, Alaska 99802
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1 OCTOBER 27, 1999

2 MR. THOMAS: Good morning,
3 everybody. My watch says 9:00 o'clock straight up,
4 so we'll get started on time so our record will
5 reflect that.

6 Secretary, will you confirm our
7 quorum for us, please?

8 MS. LeCORNU: Do you want me to call
9 the roll?

10 MR. THOMAS: Just tell us if there is
11 a quorum.

12 MS. LeCORNU: There is a quorum
13 present.

14 MR. THOMAS: Item No. 3 is a time
15 when members of the host community can offer their
16 remarks of welcome if they wish to do so. For other
17 comments, we have that -- we have that anyplace else
18 in the agenda? We can squeeze that in; but right
19 now we're just going through the protocol part of
20 the meeting.

21 I'll start by saying welcome to
22 everybody that's here. Welcome to members of
23 Angoon. Congratulations on your successes of
24 retrieving your prow that's been gone for so long.
25 I think I can speak for the rest of the council when
I say that we were honored at least to be in town
and around when the festivities were happening, so
that we had a better understanding of what the
significance of that part of our heritage really
meant. That was a real demonstration of Subsistence
activity going back over a hundred years. And so we
were honored, and we were thrilled for your
successes in being able to retrieve that.

 With that, we'll invite anybody from
Angoon that may have a remark, a welcome.

 We have the mayor's speech.

19 MR. ANDERSON: Mr. Chairman, sitting
20 right by you there.

21 MR. KOOKESH: Good morning. For
22 those of you who don't know, we have three groups in
23 Angoon. One is Kootznoowoo, and the other is the
24 Angoon Community Association. I believe Walter Jack
25 will speak for the community association, and Dennis
Star will speak for Kootznoowoo. He's the
chairman.

 I'd like to say, welcome to Angoon.
We're glad to be the host. A lot of you don't know
this, but Subsistence is a lot of our life. The
only thing we don't know about your organization is
the role. We have to start playing with you. A lot

1 of us do a lot of good lip service on Subsistence,
2 but I think this forum will allow us to move in a
3 different direction.

4 But welcome to Angoon.

5 A little background on myself. I
6 have two speeches. I'm a board member; I'm a new
7 elected board member. One of the things that I had
8 done before I became a board member is I'm known as
9 an operator of uninspected passenger vessels. I'm a
10 charter Nazi in a sense, and I'm also a strong
11 Subsistence user.

12 My beliefs on Subsistence is that
13 I've always considered myself a provider. I never
14 hesitated to take for more than for just myself.
15 Dennis can attest to that. This is a teamwork
16 effort on our part.

17 We have -- we enjoy doing this. We
18 believe that Subsistence to us is another -- an
19 economy. To me it's better than receiving USDA
20 food. It's better than being on welfare. It's
21 something we consider for. What I'd like to do here
22 as a new member is come here with no bias, and I
23 believe I'm coming here with an open mind. I'm glad
24 I have an opportunity to serve. When it came to
25 qualifications, I believe I had all of those. I'm
not hesitant to review documents. Like I said, I
want to be here with an open mind. I don't want to
bring in bias. I know I might have a different
point of view on matters, but we're like the wind;
we're like a tree in the wind, and we'll bend with
it; and I'm willing to do that.

Again, welcome. Thank you.

17 MR. STAR: Mr. Chairman, my name is
18 Dennis Star, corporation chairman. Today we're here
19 to learn -- to be able to help our villages on our
20 concerns. I know we're going to learn a lot from
21 this body right here. I know the villages have
22 different concerns, but they all mean the same
23 thing. I hope to learn from this group the best way
24 to do this thing. I see that you have a proposal
25 here. I'm concerned that you have put out to us
probably through our government with Walter Jack,
who will be talking. There's a lot of concerns that
we need; and if we work together as villages and
turn them into this body, I'm sure that we'll get a
lot accomplished. I know this is a new thing going,
and you want to talk to village people and
representatives on how to protect our way of life
and Subsistence; and I'd like to welcome you all to
Angoon, like our Mayor mentioned, and our people

1 here. Welcome to Angoon, and thank you for
attending the program last night.

2 MR. THOMAS: Thank you.

3 MR. JACK: Mr. Chairman, my name is
4 Walter Jack. I'd like to welcome the people to the
5 big city of Angoon. Welcome to the big city. I'm
6 really glad that you guys made it here. I remember
7 when we were at the Kellikof, we were talking about
8 the Subsistence issues and the important issues to
9 the tribe that Marlene and her husband has always
10 been pushing for Subsistence for the rural
11 communities; and it is a very important issue to the
12 rural communities, and one of the things that I do
13 know is that with the government relationship with
14 the tribes in the United States that we would like
15 to establish our own tribal fish & wildlife through
16 the IRA; and that's a set thing already. It has
17 been in place, so I'm glad you guys are here to hear
18 the community's comments so that we can work on a
19 government-to-government relationship with the
20 Federal Government. Hopefully, we'll be able to set
21 down some memorandums of understandings with the
22 Federal Government through the IRA; and that's what
23 we would like to see happen.

24 I believe we were the only community
25 that got on the teleconference and said that we'd
like to see the Federal takeover simply because we
knew the opportunities there. So, I'm glad to
welcome to Angoon every one of you. Mr. Anderson
over there too. So, thank you.

MR. THOMAS: Thank you.

Anybody else from the large city of
Angoon?

MR. KOOKESH: No.

MR. THOMAS: Well, we appreciate
that. Thank you for your kind remarks. Now we're
going to move on to the section --

MR. CLARK: How about welcomes from
other people who have -- like from agencies and
things of that sort?

MR. THOMAS: Well, I don't know --
we've never done that.

MR. CLARK: Yes, we have. Sorry to
disagree. But at most meetings when we have
representatives from agencies who work in the area,
they're often included --

MR. THOMAS: Let's go on. There's
another section under Tab C. Let's get down to that
part of it.

MR. CLARK: That's fine.

1 MR. THOMAS: We'll incorporate it
2 with that. Because I don't argue with the person
3 that put so much effort into putting this agenda
4 together, specifically the chairman representative
5 of the host community.

6 Okay, have y'all had a chance to
7 review the agenda?

8 Good.

9 MS. OWEN: Mr. Chairman, I have a
10 question; and when you're doing the -- going through
11 all the tabs and everything as you have the
12 proposals and all that, will there be time for
13 tribal representatives to ask questions, to comment
14 on those; or do we have to wait until the section on
15 tribal representatives?

16 MR. THOMAS: Well, you could do
17 that. If you could, take advantage of these forms,
18 there's one back on the table back there, and fill
19 them out; and then I'll know if somebody is
20 interested in making comments, and it gives you an
21 opportunity to -- for me to include you in these.

22 MS. OWEN: As it stands right now, I
23 have comments in every tab.

24 MS. GARZA: Dorothy, just for the
25 information of the public, we do have this being
26 recorded. It will be transcribed; so when you
27 speak, if you could state your name so that we could
28 put that in the record; and that was Dorothy --

29 MS. OWEN: Dorothy Owen, and I'm
30 representing Douglas Indian Association.

31 MR. CLARK: Mr. Chairman, I'd also
32 like to let people in the audience know, if you can,
33 fill out these blue forms that Bill was showing
34 you. If you can just give them to me, I'll pass
35 them to Bill.

36 MR. THOMAS: Do you guys want to get
37 familiar with the process? That's part of the
38 process. So get familiar with it.

39 What's the wishes on the agenda?

40 MS. GARZA: Move to adopt the agenda
41 as a guide.

42 MR. THOMAS: Do I hear a second?

43 MR. ANDERSON: Second, Mr. Chairman.

44 MR. THOMAS: Discussion?

45 All those in favor, say "aye."

46 COUNCIL MEMBERS: Aye.

47 MR. THOMAS: Opposed?

48 Okay. We have a guide.

49 Have you had a chance to review the
50 minutes of 17 and 18? What's the wishes of the

1 Council?

MS. GARZA: For discussion, move to
2 adopt the minutes of March 17th-18th, 1999.

MR. THOMAS: Do you have a specific
3 you want to discuss?

MS. GARZA: Well, once it's on the
4 table, yeah.

MR. ANDERSON: I second for
5 discussion purposes.

MS. GARZA: Under corrections,
6 Mr. Chair, on page 5 of the minutes regarding
Yakutat, on the vote, we have the amendment bills,
7 have informed voted on the motion and roll call. It
said "motion failed," but it should be main motion
8 failed.

MR. THOMAS: Okay. The record will
9 reflect that correction. Thank you.

Further corrections?

MS. GARZA: No.

I would move to adopt the minutes as
11 corrected.

MR. THOMAS: There's a motion. Is
12 there a second?

MS. LeCORNU: I'll second the
13 motion.

MR. THOMAS: Moved and seconded that
14 we adopt the minutes as amended.

Any further discussions?

MR. CLARK: Question.

MR. THOMAS: Do you have a question?

MR. CLARK: I have a question.

MR. THOMAS: Okay.

MR. CLARK: Is it the wish of the
17 Council that I make this correction and remail out
18 these -- the minutes to everyone, or would just a
note to that effect suffice?

MR. THOMAS: It would suffice by
19 showing in the transcript.

MR. CLARK: Okay.

MR. THOMAS: Further discussion?

MS. GARZA: Call for the question.

MR. THOMAS: Question was called.

22 All those in favor say "aye."

COUNCIL MEMBERS: Aye.

MR. THOMAS: Opposed?

Okay. Motion passes.

24 On comments, I want to take this time
to welcome new members Floyd Kookesh and Millie
25 Stevens; and I want to also express our distress of
the fact that --

1 MS. GARZA: One more member.

2 MR. THOMAS: Oh, I wasn't going to
3 recognize him. Bert Adams from Yakutat. So if I
4 miss somebody, don't remind me because it's on
5 purpose.

6 MR. ADAMS: Dolly just wanted to vote
7 on her side for chair.

(Laughter.)

8 MR. THOMAS: We're not going to have
9 swearing in until after elections.

10 MS. GARZA: I've got herring eggs in
11 my room, too.

(Laughter.)

12 MR. THOMAS: Keep this party above
13 the belt now.

14 Welcome, guys. You're embarrassing
15 the chairman early.

16 Under further comments, we have --
17 doesn't look like a very lengthy agenda; but since
18 this is -- since ANILCA specifically refers to
19 travel issues, we're looking for a rural, there
20 would be no ANILCA. ANILCA is strictly for rural
21 issues. It talks about different forms of doing
22 things. ANILCA is very specific on how they want to
23 do things. It's a very responsible piece of
24 regulation. It asks that the people work together
25 for the continued access and use of Subsistence; and
whenever there's a shortage of a resource in a
region or location, when priorities will take
effect. If there's no shortage, then there's no
priorities. When there's no priorities, then
there's nobody excluded.

With proper management prior to, it
should be a rare consideration.

18 No -- when you're a Council member,
19 we're not here to represent only the community
20 you're from; that's why they call this a Regional
21 Advisory Council. Everybody here supports the
22 wishes of the Council or a majority of the Council
23 because it is a region. There are some communities
24 that aren't here as members because of the number of
25 communities it would take to have everybody
represented personally, and we -- this was designed
to avoid that. That's one of the good designs.
It's the only improvement I've seen so far.

I am happy that we're here to be able
to give members of Saxman and people from agencies
that haven't had the opportunity to attend any of
our meetings to give you an idea of what the process
is all about.

1 Many people that haven't followed
2 ANILCA, they figured by October 1st the boogeyman
3 wouldn't have showed up; but as of October 1st, the
4 boogeyman is here. I'm kind of glad it's here
5 because it gives us a chance to show that we're not
6 here to get rid of any other user groups; we're here
7 to work as another group in making sure that there's
8 enough resources for everybody all the time, and
9 that's called proper management.

10 So, we're not fighting with anybody.
11 We have no adversaries. We're working together.
12 Right now there's a very strong cooperative
13 management agreement with the State. The State has
14 a wealth of information with a long history. Now,
15 down the road you're going to find some regulations
16 that doesn't fit the needs of your area. When that
17 happens, you'll notice proposal forms out there.
18 That's when you have the opportunity to discuss
19 amongst yourselves what is wrong with that
20 particular regulation. It's got a number. It's got
21 specific language; and your proposal, the form
22 provides for you to make a change, refer to that
23 number, list down what the existing language on the
24 regulation is, and show what changes you'd like to
25 make in that or to eliminate the regulation
altogether.

1 Now, that's not going to say it's
2 going to happen. Those are proposals that you
3 submit to this Council. Once this Council receives
4 those proposals, they'll be given to a group we call
5 a staff committee. And that staff committee -- I'll
6 let some of the staff committee identify that
7 because I'm not a member of that. I've never been
8 to any of their meetings. They're not as cordial as
9 we are. They're pretty exclusive; so when we get to
10 that point, anybody that's on the staff committee --
11 during the comments -- now, we're going to expand
12 the comments under council member comments to
13 agencies, departments, offices, wannabes,
14 everybody. So, I offer you that introduction to
15 give you what the Council's responsibilities are.

16 If you all have a -- this -- there's
17 a Federal Register back there. Does that Register
18 have Title VIII in it, that Federal Register?

19 MR. CLARK: No, it just has the
20 regulations. I have Title VIII right here.

21 MR. THOMAS: Title VIII, you've all
22 heard of Title VIII. ANILCA stands for Alaska
23 National Interest Land Conservation Act. The key
24 word in ANILCA is conservation. Conservation
25

1 doesn't mean to stop. Conservation means to think.
2 There's nothing new in that. As a Subsistence
3 community, conservation is one of your No. 1
4 personal and focal protocols. That's why we say
5 take care of the land and the land will take care of
6 you. That's conservation. So, we want to be sure
7 that we keep those kinds of interpretations and
8 concepts in mind.

9 You folks are more involved and more
10 up to date from Angoon than you realize you are.
11 You had Gabe George on here for a long time. Gabe
12 George represented Angoon very well.

13 Members -- that's why they call us a
14 Regional Council. Everybody here is familiar
15 somewhat with other parts of the region. Patty over
16 there is from Pelican, but she's got interests in
17 other parts of the region that she has very strong
18 feelings about and has done a wonderful job
19 representing those areas; and so this is a good
20 council. We have a good process in identifying
21 members to be considered for appointment. The
22 Council itself doesn't have any role in determining
23 who the members are going to be. That's done by
24 other people. Typically it would be done by other
25 people that don't know what they're doing, but in
this case we can make that difference; they do call
members of the region. Some of them are council
members. Some aren't. They're looking for
information, as much as they can gather, pertaining
to the credentials of a candidate; and once that
interview is over with for resources, there's no
more association to that application. And it's
worked very well so far.

 So, you'll have a chance to ask
questions throughout the -- throughout the meeting.
This is a very user-friendly meeting; but if we
aren't working with the rest of Alaska, we're
working with people that don't support ANILCA;
that's why we have a process. You guys were very
alert to go over there and become familiar with the
process. The process is not intended to scare you.
It's not intended to confuse you. It's intended to
reflect some sense of organization, some sense of
consistency, and a direction for where we want to go
with what we're doing with resource management.
Resource management includes anything that lives or
grows. So, with that, I'll leave it there.

 We have Council members --

25 MR. CLARK: Mr. Chairman, perhaps we
should try again to get Mim on line.

1 MR. THOMAS: Sure.
MS. GARZA: Mr. Chairman?
2 MR. THOMAS: Dolly?
MS. GARZA: Also, we should let
3 everyone know that we are missing two council
members, Mim, who Fred is trying to get on the line,
4 and Hermann, in Sitka. I don't know if everybody
knows he's been in bad health because of his knees,
5 and it's my understanding that he has submitted a
resignation; so we are missing that seat. I've gone
6 to see Herman, and he's having a hard time not being
able to move because he's been so active all his
7 life. I'm sure he would like a card from anybody.
If you get to Sitka, stop by to see him. It's my
8 understanding that recovery will be very slow, and
he will be in a wheelchair for a long time. That's
9 something that Herman has not done and is not used
to, so he could use the support of our Council.
10 MR. THOMAS: Thank you, Dolly.
How many of you here know Herman
11 Kitka? So, as Dolly said, any gesture of contact
will really be appreciated by Herman. I sent him a
12 letter last week telling him that he picked a poor
excuse to resign, but -- so....
13 When he gets through here, we'll
continue our meeting.
14 (Mim McConnell available via
telephone.)
15 MR. THOMAS: Okay, Mim, we're on Tab
J-11.
16 (Laughter.)
MR. THOMAS: Good thing you have
17 mute. Good morning.
MS. McCONNELL: Good morning, I
18 didn't catch what you said. I heard all the
laughter, but....
19 MR. THOMAS: I was just bringing you
up to date where we're at on the agenda.
20 MS. McCONNELL: Okay. That was the
tab. I got you.
21 MR. THOMAS: Tab J-11.
MS. McCONNELL: I got you. That was
22 quick.
MR. THOMAS: Well, you were slow.
23 MS. McCONNELL: I was up here
earlier. Where were you?
24 MR. THOMAS: I was looking for you.
Mim, we're on Tab C, No. 6. I just
25 got through making the chairman's comments on
there. Now we're into members' comments. You see

1 the provisions in that section on what anybody would
2 like to mention or discuss, it's all yours. Now is
3 the time to do that. Not to say that we can't do it
4 again later on in the agenda. I just wanted to let
5 you know where we're at so far and give you a chance
6 if any other members have anything to offer in this
7 area, you might have a chance to get your thoughts
8 together for a change and share with us.

9 Okay. Now, with that, we'll go back
10 to the members that are here.

11 Anybody else have any words of
12 wisdom? There will be no criticism or disagreement
13 with the chairman.

14 Dolly?

15 MS. GARZA: Mr. Chairman, I have a
16 couple of things to report on. My name is Dolly
17 Garza, and I've lived in Sitka for 14 years. I am
18 originally from Ketchikan, and I work for the
19 university as a professor. My office has been moved
20 to Ketchikan, so two weeks ago I moved down there;
21 and I'm in the process of settling in. So I want
22 the Council to know that, that I have moved to
23 Ketchikan. As part of my job the hope is that by
24 being in Ketchikan I'll be better able to work with
25 Prince of Wales and have better service with the
other ferry services, and I have to work with the
other communities in the next couple of years.

In terms of the other committees I'm
on, I'm the chairman of the State commission that
works on mammals statewide. MMPA is up for
reauthorization; and if you're not familiar with
MMPA, that is the Federal law that gives Natives the
right to hunt seals, sea otter, beluga, walrus, the
marine mammals in Alaska's waters. It has a
provision that allows Alaska Natives to hunt for
traditional trade and barter, and it comes up every
four years; and generally there are groups that try
to eliminate the Alaska Native harvest rights. That
is an issue in this reauthorization. In addition,
MMPA, although -- MMPA has been the organization or
the law that has allowed for co-management. We have
memorandums of agreements with the Fish & Wildlife
Service as well as the National Marine Fisheries
Services. I also sit on the Alaska Sea Otter and
Sea Lion Commission, and we have co-management
efforts with the Fish & Wildlife Service through
that process. Through that, we also have it with
the Sitka tribe with the Sitka marine mammal
authorization. As we go through fisheries
management we do have examples of how co-management

1 has worked with Native organizations, Native tribal
2 bodies, and the Federal Government. Hopefully, the
3 marine mammal organizations will step forward and
4 help with the processes as we go forth.

5 Some of the efforts we've worked on
6 are with stellar sea otters and sea lions. We've
7 developed management plans, so Sitka has a
8 management plan for sea otters. We've served that
9 management plan with tribal organizations that is
10 interested in it, and we'll be glad to share it with
11 anybody else.

12 We also have an EPA grant where we
13 will be testing for contaminants. Sitka was picked
14 as one site. We will be testing seagull eggs as
15 well as harbor bases, so we'll go from Sitka, Prince
16 William Sound, up to Kotzebue. The intent is they
17 will start this as a test program, and hopefully in
18 the next five years they will put lots of money into
19 it so that rural residents who have issues with the
20 safety of the foods they're eating will be able to
21 get things tested; and we'll have a have a better
22 idea of what contaminants are out there.

23 I think that's all I want to report
24 on at this time, Mr. Chair. Thank you.

25 MR. THOMAS: Thank you, Dolly.

Members from Angoon, I've got one,
two, three, four, five, six empty chairs over here.
Come on up so we could swear at each other.

We appreciate if you join us. When
you guys school up like that, it looks like we're
different bunches of fish.

With a cup like that, he's not afraid
of anybody.

Okay. That's better.

Thank you.

Mim, take yours off of mute for a
bit. Could you give us an overview or an update or
some introduction to your involvement with the Unit
4 management?

MS. McCONNELL: Yeah. There's -- I'm
going to my second meeting with them next week in
Juneau, 4th and 5th. And right now they have me
listed as representing the Port Alexander Fish &
Game Advisory Committee. I'm now, once again, a
member of that illustrious committee and am
officially appointed by them to represent them on
the brown bear management team. So, that's where
that stands.

MR. THOMAS: Mim, give us -- give us
a little introduction to that management team,

1 please.

2 MS. McCONNELL: Yeah, it was -- my
3 understanding of it is that it was assembled by the
4 Board of Game to come up with a management plan for
5 Unit 4, Baranof/Fishkof Island. It has people from
6 all different -- game people. It has guides. It
7 has environmentalists, a lot of the visitors'
8 association. Just quite a mixture of people on it,
9 and they're coming up with a management plan for
10 managing brown bear. From my understanding, it was
11 mostly instigated by the guides. They apparently
12 were concerned about the increased number of people
13 out there guiding, and the number of bears that were
14 being killed and wounded and whatever; and, I think,
15 they wanted to try and put a limit on the number of
16 guides; but they couldn't do it without a management
17 plan in place. And I'm involved in that, so there
18 may be somebody out there in the rural that knows
19 more about that than I do. That's basically kind of
20 a summary about what the group is about.

21 MR. THOMAS: Thank you, Mim. Mike
22 Kurak is here.

23 MS. McCONNELL: Oh, good, he probably
24 knows more.

25 MR. THOMAS: But he's not going to be
able to speak.

MS. McCONNELL: Oh.

MR. THOMAS: Good job, Mim. Thank
you, and if anything else comes to mind or if you
have anything else you'd like to offer, feel free.

MS. McCONNELL: Well, yeah, just one
other activity I've been involved in is I started a
newsletter; and I'm just sending out my first
volume, first issue on the mail plane today. In
fact, I hope I'll get a mail plane today. It'll
probably take off in a few minutes. As some of you
may or may not know, mail planes have been few and
far between. Apparently Task One has said they'll
stop here. The newsletter is called Seaside News.
"Seaside" stands for Southeast Alaska Naval
Independent Diversified Economy. What that is, it's
kind of to try to connect people in the Southeast.
This initial issue is to kind of catch people up
that went to the Tongass Community Conference that
some of you know I was involved in putting on in
Sitka. I'm trying to get in touch with people that
attended that conference and let them know what's
been going on since then, and then we'll see where
it goes from there. So, if anybody is interested in
a copy of that, be sure to let me know somewhere

1 along the way.

2 MR. THOMAS: Thank you, Mim. Before
3 you stop, we're going to go into introductions of
4 everybody here so we know who we're looking at.
5 I've never seen you look better.

(Laughter.)

6 MR. THOMAS: Tell us who you are and
7 something about yourself.

8 MS. McCONNELL: Who, me?

9 MR. THOMAS: You.

10 MS. McCONNELL: Well, I'm Mim
11 McConnell; and I am, once again, living in Port
12 Alexander, which was my home for 13 years at some
13 point there. I seem to be sort of a nomad these
14 days, but we're back here for the winter. Let's
15 see. I don't know.

16 What do you want me to -- what do you
17 want to know?

18 MR. THOMAS: I'll fill in the blanks
19 as we go along. I'll let them know who you are
20 before we go. Thank you. Put it back on mute.

21 MS. McCONNELL: I don't know if I
22 like being at this disadvantage here.

23 MR. THOMAS: I like it.

(Laughter.)

24 MR. THOMAS: Okay. To continue our
25 introductions, I'll start with our -- the most
26 illustrious people. Mr. Anderson, let us know who
27 you are. Try to keep it honest.

28 MR. ANDERSON: For the next 30
29 minutes, I'm Lonnie Anderson. I'm from Kake. I
30 represent Kake. It's been my third term on the
31 Council, and we're doing our best to ensure that
32 Subsistence exists in the rural areas. Thank you.

33 MR. THOMAS: Thank you.

Marilyn?

34 MS. WILSON: My name is Marilyn
35 Wilson. I'm from Haines. I got involved with
36 Subsistence in 1989 when we almost lost it through
37 the State system; and I ended up being on the
38 advisory board there, the State Fish & Game Advisory
39 Board in Haines; and I attended some of the State
40 Regional Council meetings, and then I was able to
41 get on this one; and there was quite a difference
42 from the other council. I've been on this Council
43 since the beginning, and I don't know how long ago
44 that was.

45 MR. THOMAS: Okay. Thank you,
46 Marilyn.

Bert?

1 MR. ADAMS: My name is Bert Adams,
2 Sr. I come from Yakutat. I'm normally appointed to
3 the Council. We go to the spring meeting. I don't
4 know where it was at, probably in Sitka. I saw John
5 Vale at the airport. He said he was not applying
6 for the Council, and he asked me if I would be
7 interested. I said, "Yeah." I just resigned from
8 the tribal council; and the door was open to step
9 into that, besides fishing and being a Subsistence
10 user and learning how to be a captain. And then I
11 heard some information from Jim Capra over there,
12 just brief information about myself; and I gave it
13 to him. I expected maybe to hear, you know, about
14 midsummer or so. Midsummer came around, and I
15 didn't hear anything. So I figured somebody had
16 already taken that seat; so I just, you know, didn't
17 worry about it anymore.

 And then I get a call from Fred Clark
10 here about a month ago congratulating me about being
11 appointed to the Council, and I was surprised.
12 And -- but happy. I think -- I think as a former
13 member of the tribal council and serving as its
14 president for about six years, I am a very strong
15 tribal advocate, tribal government advocate; and, I
16 think, I can offer a lot of insights in that regard,
17 how we can better approach the Subsistence issues as
18 well as the other issues too. But as I mentioned,
19 I'm a commercial fisherman; I set net; I trawl; I
20 long-line for halibut; I get back here, and I do
21 some shrimp pot fishing this winter. This year I
22 started working for my son as a charter boat
23 captain. So with all of those various experiences
24 and everything, I feel, you know, that I have a lot
25 to offer here. I hope I do.

18 MR. THOMAS: You do.

 MR. ADAMS: If I can, a little bit
19 later on, Mr. Chairman, I have a little bit of
20 insights that I can share with you; but I understand
21 this is just an introduction part.

21 MR. THOMAS: That's true.

22 MR. ADAMS: Thank you.

 MR. THOMAS: Thank you.

22 MS. GARZA: I'm Dolly Garza. My
23 mother is from Craig; my father was Raven Dog
24 Salmon. I have some relatives here in Angoon. I
25 was introduced to some of them last night. I don't
26 know all of them. I work for Mama in Alaska -- I
27 worked in Ketchikan when Ketchikan was certainly a
28 rural community and had a large Native population,
29 and we spent a lot of time getting our food because

1 that is what we have. I have, like everybody on
2 this Council, a strong commitment to ensuring that
3 we continue to be able to have access to our
4 resources; and I hope to be able to work with the
5 people of Angoon. This is a wonderful turnout from
6 your community. Some of the other communities we
7 basically have the Feds there and some of the State
8 there, but we don't have much of the community; so
9 it's really good to see you here, and we hope to
10 work with you in the next couple of days. Thanks.

11 MR. THOMAS: Thank you. She was
12 going to tell you the Feds, but she -- but she
13 braked it up a little bit.

(Laughter.)

14 MS. LeCORNU: My name is Vicki
15 LeCornu. I'm from Hydaburg. I've served, I think,
16 for five years now. I was glad to hear Angoon said
17 they were glad for the Federal takeover because I've
18 advocated that for years because I've been totally
19 insulted by the State, and I have to remind people
20 if we're adopting the State regulations that we're
21 adopting -- I think they allow us 20 crows to eat
22 on; so I'm totally insulted, and I'm totally happy
23 that the Feds are here; and I hope maybe that they
24 can open eyes for the people that we will not be
25 detrimental to the State. That we are a culture,
many cultures that are going to survive; and Angoon,
I think, is a perfect example for us, that they've
survived. We're survivors, and we're going to come
out if we do maintain that we have a right. And I
feel that we do have contentions. Otherwise, we
wouldn't be here; and I feel that if it wasn't for
Katie John having a contention, we wouldn't be
here. And so when I see these federal intentions to
take over the waters and I see that they are not
taking over all the waters, I'm -- I have another
contention. So, I feel we have a lot of work to do;
and that work includes being effective. And so when
I come -- I come from Hydaburg and on the island I
see people from Craig and Klawock, and they're
struggling to get their deer; because we're allowing
them four deer, some ridiculous amount. But we
still have people going to jail, and we also have
people getting their rifles and boats confiscated by
the State; and now if that happens under the Federal
system, I have to question myself as to my
effectiveness; and I appreciate any suggestions that
we can get off the diamond, make this really work
effectively for the people. And so -- you know, I
have an uphill battle, I believe; and I'm going to

1 make sure that our concerns are met; and from
2 Hydaburg, we've been a strong advocate from -- I
3 heard somebody say for an economy; Mim said that.
4 We need an economy. We don't have economies. We
5 don't have fishing rights. We don't have fishing
6 permits. So, where do we fall? We fall in between
7 the cracks. That's why I say we are not as
8 effective as we should be, but I hope to do a better
9 job; and I will work for that.

MR. THOMAS: Thank you.

10 Mary?

MS. RUDOLPH: I'm Mary Rudolph from
11 Hoonah, from Glacier Bay. My name is Gin-n-haug.
12 I'm Chookan-shaa, and I've been on this Federal
13 Subsistence Board for a few years here; and it's
14 still a learning process for me. I'm excited about
15 the Federal takeover; but, like Vicki said, we still
16 have a long ways to go in getting our tribes to be
17 very active in what we're involved in right now.
18 The tribal members are still unaware of what their
19 role and what their position is. To have an active
20 tribe working towards a goal of what they would like
21 to see implemented into the laws, it would work good
22 to our advantage because we would like to be the
23 voice of trying to get all this in place rather than
24 the voice of others that have been speaking for the
25 rural villages; and a lot of times our people have
been blind or have gotten in trouble with the law
because during the winter they're subsisting and in
the same voice can't understand how they can survive
because of being seasonal workers; so, it's been a
lot of work being a grandmother and taking care of
my mom and still burned out of my home, but this is
a real nice little vacation to get away and meet all
the good friends I have here.

Thank you.

MR. THOMAS: So you're using us for a
vacation now?

(Laughter.)

MS. RUDOLPH: Trying to get away from
home.

MR. THOMAS: Patty?

MS. PHILLIPS: I'm Patricia Phillips,
27-year resident of Pelican. I'm Eskimo and Aleut.
My children are Eskimo, Aleut, and Haida. My
husband and I both are lifelong Alaskans. I'm on
the Pelican City Council, and I want to protect the
lifestyle that we have in Pelican and yet still
sustain our economy.

MR. THOMAS: Alan?

1 MR. SORUM: I'm Alan Sorum. I'm from
2 Wrangell. I've been a resident there for nine
3 years. I've spent my summer as an itinerant harbor
4 master. I've managed to be in Wrangell, Whittier,
5 and Valdez. I'm going to have to offer the chairman
6 my resignation from the Council. I started feeling
7 like Patty, because I didn't realize how involved
8 I've been in it. I've been talking to Fred; I hope
9 we can do some web pages. I don't know how it's
going to work with the Southcentral Council; Valdez
isn't a real community. I don't know if they intend
to get involved, but I want to stay involved. What
I've contributed from this group -- I've certainly
got a lot more out of this group than I thought was
ever possible. I do appreciate the opportunity to
be involved with this issue and with the
community -- shame on you.

MS. PHILLIPS: For what?

10 MR. SORUM: You started.

MS. STEVENS: Good morning,
11 everyone. My name is Millie Stevens, and I'm glad
12 to be back. When the Federal Subsistence, Southeast
13 was first formed, I was a member then; and I'm back
14 again, and I'm very happy to be back because I feel
15 this is a very important time for Alaskans with the
16 Federal takeover. At first I didn't -- wasn't quite
17 certain if I was going to have the time because I'm
18 spread out so thin, and the reason why I re-applied
19 is because I am involved with almost everything.
20 So, I'm in contact with a lot of people. I hear
21 their concerns, their complaints, their
22 suggestions. I've been on the City Council in Craig
23 for eight years. I serve as the tribal chairman.
24 We're right now in the process of building a tribal
25 hall. We haven't had a tribal hall in Craig since
the A & B hall fell. So it's a very exciting time
for us. So, I spent a lot of time right now
concentrating on the erection of our new hall. I'm
also the vice president to Tlingit/Haida Central
Council, and that position has really expanded my
horizon. I not only work on the local level,
statewide level, but now national; and I see that --
as Alaska Natives our problems are kind of unique
because a lot of us live in remote areas. The Lower
48, they're pretty much connected; so they have a
hard time understanding why we can't get from point
A to point B. I'm hoping that I can offer a lot of
my expertise to this Council. I'm not a commercial
fisherwoman. My father is a retired commercial
fisherman. I've been a Subsistence user all of my

1 life whether I lived in rural or out of state; and,
2 again, it's just a very exciting time for us with
3 the Federal takeover. It's exciting, but in a way
4 kind of scary. We need to make sure that we make
5 the right moves, because it impacts an awful lot of
6 people. And, again, I'm really happy to be here in
7 Angoon. Yesterday was a very exciting time. As I
8 grew up, my mother would tell me about the different
9 parties, the different celebrations that would
10 happen; and I witnessed that last night; and it was
11 very, very exciting to see the young people running
12 the whole program; it was very, very exciting. I
13 think they did an outstanding job.

Thank you, Mr. Chairman.

MR. THOMAS: Floyd?

MR. KOOKESH: My name is Floyd

9 Kookesh. I'm a two-time Mayor of Angoon. I've
10 always been involved in mainly -- in terms of local
11 involvement, I've done mainly Indian education
12 work. I've been the chairman -- I'd like to say
13 since time immemorial, because I don't remember the
14 date that I started doing that. I'm a lifelong
15 resident of Angoon and hope that I will continue to
16 stay here. I am an IFQ holder. I am a very strong
17 Subsistence user. My partner Dennis is over there.
18 I'm a charter operator, and one of the things I
19 do -- hopefully during my three-year term I'd like
20 to believe that during my term, as far as our
21 community is concerned, I'd like to be able to -- to
22 bring us into the light, so to speak; and I'd like
23 to be able to see us -- we have concerns here, to be
24 able to respond to our concerns. I know that this
25 position calls for us to be -- since there's 13 of
us representing 22 communities or however many is in
Southeast Alaska. I believe I know we represent all
of them, but at the local level everybody has more
access to me. I know they all are aware of that by
now. And, I guess, my role in the community,
hopefully, my presence here as a board member and
being in this community will help the community.
The community -- I don't know if you've listened to
Subsistence; you always hear like there's a
frustration in the voice, and hopefully I can help
with that.

One of the things, as the Mayor, that
came across my desk the other day, I got a meeting
from a gentleman. I don't recall his name; but I'm
scheduled to do this Unit 4, brown bear management
meeting on November 4th, a teleconference; and
Subsistence -- excuse me, bear management on

1 Admiralty Island is an issue that Vivian and I have
2 dealt with as a second or two-time mayor here; and
3 I'd like to be able to -- I'm involved again. I'd
4 like to be able to follow this a lot more closely;
5 because Admiralty Island, we are affected. Vivian
6 and I have pros and cons about bear management on
7 Admiralty Island, I'd like to see. Take a document
8 like this, I've never seen a document like this. As
9 Mayor of Angoon, I got the phone call -- two weeks
10 in office here; and one week later I'm already
11 involved in a teleconference, and I'm happy to be
12 involved in that. As a board member, I'm more than
13 willing to learn. Like I said, hopefully my input
14 will become invaluable for you and for the community
15 that I reside in and for the other members of
16 Southeast. I'm only able to represent -- since I
17 live here most of the time, I'll probably get most
18 of my input from this community; but this community
19 needs to talk to me, and I will be responsive. It's
20 important that communication does exist.

11 Thank you.

12 MR. THOMAS: Thank you, Floyd.

13 Okay. The reason we took time for
14 introduction from the members of the Council is to
15 give you folks a pretty good picture of who you have
16 representing this issue. They are all committed
17 people. They're all knowledgeable people. They're
18 all users. And so I know I have to reflect what
19 somebody else said about your attendance. This is
20 one of the better attendances we've had from local
21 communities in a long time.

22 I've worked -- a lot of terms I hear
23 all the time; one of them is frustration. I agree
24 with that, but I find it ironic that it takes the
25 Federal Government to come; and that will get rid of
26 our frustration, because historically as tribal
27 members we've had more trouble with each other than
28 we've had with anybody else. So we need to outgrow
29 that. Now we're going into a new millennium, and
30 I'd like not to drag these old carcasses from this
31 one into that one.

32 So, ANILCA is a legislation that
33 gives rural communities the leverage, the
34 opportunity to show their stuff and to be part of
35 that process. In my case, now, I'm the only member
36 on this Council that is an ineligible user under the
37 Federal program. But I've never been impacted
38 because there's been no priorities implemented in
39 the nine years I've been involved, and I don't think
40 there will be because there's been some improvements

1 in management. Hindsight, flexibility, cooperation,
2 communications, all those factors have entered into
a better management scheme than we're experienced
with in the past.

3 I belong to all the Native
4 organizations that you folks do, the village
corporations, ANB. I got my application in for
ANS.

5 MS. GARZA: Can you cook?

6 MR. THOMAS: No.

MS. GARZA: Can't get in, then.

7 MR. THOMAS: So, anyway, that's what
our Council looks like. If there's anybody from
8 other agencies that would like to introduce
themselves or members of the audience, this is the
time; and we will welcome that. We're so happy
9 you're here; we'll give you anything you want. Tell
us who you are.

10 MS. HOFFMAN: Good morning, my name
is Vivian Hoffman; and I'm the Admiralty National
11 Monument Ranger for the Forest Service, and I was
also asked to represent the forest supervisors for
12 the Tongass National Forest. Unfortunately, they
were unable to come. I think probably most of you
13 are aware that we have a number of new leaders on
the national forest in the Tongass, and they're all
14 very excited and committed to the Subsistence issues
and working with the Federal Council and the
15 communities, with the Tongass and the tribes. They
send their best wishes and wish they could be here.
16 For myself, I also have a strong connection to
Angoon; and I have enjoyed the privilege of working
17 with them now for about 12 years. I obviously have
a passion and great concern for their Subsistence
18 lifestyle. I'm glad that Floyd is here to represent
the community as well.

19 I'd like to let you know, welcome to
one of our Tongass communities. We're pleased to be
20 here ourselves. Thank you for it. Just to remind
everyone that rural communities and people in the
21 Tongass have a strong commitment. We want to make
sure that the lifestyle and traditions of
22 Subsistence users are protected.

Thank you very much. We look forward
23 to working with you.

MR. THOMAS: Thank you.

24 A SPEAKER: Good morning --

MS. ZUBOFF: My name is Marlene
25 Zuboff. My Tlingit name is Hazoo. I come from the
Kalkoondraan house, from Klawock. I've lived with

1 the Dei-Shee-Taan tribe ever since my great
2 grandmother was brought to Angoon as a bride. I'm
3 director for the tribal government. I'd like to
4 welcome you to Angoon and appreciate those of you
5 that participated in our ceremony last night, very
6 important to the rural history of Angoon.

7 I feel it's very important that you
8 are here. We're glad that you are able to come to
9 Angoon to hold your meeting. Subsistence is of
10 vital importance to the community of Angoon. We are
11 in a unique situation where we're surrounded by
12 Federal land; and Angoon, it's been documented,
13 relies heavily off the land. It's not just for our
14 sustenance but closely tied to our culture in every
15 aspect. So, we have been making sure we have been
16 actively involved in respect to speaking about our
17 Subsistence way of life. We like to say traditional
18 and customary use of the land and sea.

19 I'm glad to hear that many of the
20 Feds are here today and look forward to being able
21 to get to know who each one of you are. I feel it's
22 important for Angoon. There are so many things
23 happening. I would like to refer to Black Organ
24 from Sitka tribes. He was at that environmental
25 protection workshop that took place in February when
the tribes talked about the ships and ballast the
water being dumped in Southeast water. At that time
we were not aware that we would be aware of crude
oil being dumped. As a Subsistence user, I teach my
kids and grandson how to live off the land, very
important if we want to keep this renewable resource
that is available. Some of the activities that have
taken place, such as dumping ballast water in the
Southeast water. I think it's a concern for all of
us, because as a Subsistence user of the land I have
seen where we have, for lack of the better term, cut
sacks through the fish, all the way to the bone,
sometimes one or two, sometimes embedded through the
whole fish, very concerned for our communities in
Southeast that rely off the land. So, once again,
welcome; and for those of you who participated,
again, kicheech wo; hope your stay is good.

MR. THOMAS: If anybody is going to
speak from that side of Marlene, I'm going to ask
you to come forward; because everybody here is
trying to be a chicken, and the head doesn't quite
turn back that far; but if you're on the side of
Marlene, come up here and let us see who you are.

MS. THOMPSON: I would just like to
say -- I am Maxine Thompson. I am the past Mayor of

1 Angoon. I recognize quite a few faces here. I feel
2 like YOU ARE friends that come to visit Angoon, as
3 well as family from neighboring communities. I was
4 very excited about the Federal Subsistence Board
5 having their meeting in Angoon, because it's a very
6 significant time for our community. During my term
7 as Mayor, I took part in a lot of testimonies that
8 were being held on the hill in Juneau; and I had the
9 opportunity to meet different legislators and just
10 present the local concerns of our community. I'm
11 not sure anybody ever mentioned our high
12 unemployment in Angoon. As a business owner, I've
13 watched the revenues decline on a steady basis. Our
14 people use our Subsistence food not only to provide
15 for their food, but as Marlene stated it's
16 intricately applied during our potlatch parties, and
17 our 40-day party and immediately after our burial.
18 We have what is called a burn dish. This consists
19 of favorite foods of the deceased; and this is
20 Subsistence food, traditional and customary foods.
21 So, this is very significant to our culture; and
22 it's very emotional to us. You know, when we have
23 to speak, time and again, to protect our Subsistence
24 food -- a lot of different documents were provided
25 to me when I first took seat as Mayor, and one of
26 them was testimony that was given by an Elder that
27 had long deceased; and at the time it was in the
28 early 1900s, 1935, something like that. And I
29 thought it was so sad that we have to continually
30 come and give testimony to protect something that is
31 a traditional use of our people. There is some
32 books out on the market now that speak to the --
33 "Your Blood Type, Your Diet," and what basically in
34 a nutshell that says is my diet is predetermined for
35 me. It's not a selective choice based on who my
36 ancestors were, and that is the best food for me
37 because of who I am, because of where my ancestors
38 came from; and so, that is also something that I
39 believe the Federal Commission probably hasn't heard
40 testimony on and probably will hear more on.

41 I'm not sure if anybody mentioned
42 either that we're in a unique situation here in
43 Angoon because we are surrounded by monument land,
44 and so our dialogue with the Federal people and the
45 Federal Subsistence Board is of utmost importance
46 for us. We have to increase that dialogue. We have
47 to get on a one-to-one basis, and we need to
48 strengthen our ties; and one of the things that you
49 witnessed last night was the return of the raven
50 beaver prow piece. That was significant because

1 that prow piece provided Subsistence food,
2 traditional foods for our people. It ensured their
3 survival of Angoon, all of Angoon; and that's the
4 reason why the whole community participated.
5 Although it was a raven beaver property, that canoe
6 provided sustenance for all of Angoon; and so it was
7 a celebration for all of Angoon. And I thought it
8 was extremely unique that this prow piece would
9 surface at a significant time as Angoon and the
10 Kootznookoo heritage was really involved in the
11 bombardment process. We gave testimony time and
12 again in Juneau on the bombardment; and it passed
13 through the House and Senate, slipped right
14 through. There was little or no opposition; and as
15 if to stand up and give testimony for the community
16 of Angoon, that raven beaver prow piece came
17 forward; and to our people that is a significant
18 occasion, and I'm just so glad that you're able to
19 come and take part and share with us this unique
20 monument to our community. Welcome to Angoon, and
21 thank you.

MR. THOMAS: Thank you.

22 We haven't sent you the bill yet for
23 handling that prow piece.

24 Anybody else? Agencies, audience?
25 Right in front of you, Bill.

MR. BEDFORD: I really appreciate the
opportunity to speak with you folks. I'd like to
thank the people of Angoon; the hospitality that you
showed us last night was legendary. It was a very
moving experience for me to observe.

My name is David Bedford, and I'm
with Southeast Alaska Seiners; and I joined
Southeast Seiners about a year and a half ago, in
April of 1998.

My first job when I came through the
door was to write comments on the Federal
Regulations on Subsistence, the draft regulations on
that. The comment was five days after I started
working. I spent the first five days working on
that. A month later I was in a special session of
the Legislature, in an effort to try to see a
constitutional amendment put before the people that
would allow the people to provide for the rural
priorities. We failed in that special session. We
failed in the one that followed, and I had the honor
to represent -- the last time to represent the
United Firemen of Alaska in the last special session
in which we tried again to get the State of Alaska
to do the right thing. It's my sorrow to report

1 what you know far too well, that we came two
2 individual human beings short of doing what was the
3 right thing. In any event, we now have the
4 reality that fisheries will come under the Federal
5 works. I come here to learn how it works. I sit
6 back; and as time goes on, I hope to involve
7 whatever perspectives I may be able to. Thank you
8 very much.

9 MR. KNAUER: Welcome to new members.
10 Thank you, Angoon, for the wonderful hospitality
11 last night. I appreciate the honor of coming to
12 Angoon with the prow. It demonstrates to me the
13 cultural ties that you have with the people in the
14 past and the representation that the youth provide
15 for carrying this culture and tradition in the
16 future. I'm Bill Knauer. I'm with the Federal
17 Subsistence Management Program. I deal with
18 regulations and policies and hope that I can assist
19 both the Council members and other folks here in
20 answering questions throughout the meeting; and if
21 any folks have questions afterwards, my phone number
22 is plastered throughout most of the documents. Feel
23 free to call me up in Anchorage.

24 MR. JOHNSON: My name is David
25 Roadkill Johnson, and I want to express appreciation
to the Angoon community last night. There were so
many things about that event that will stick with me
for a long time, and especially having the Elders
and the young people together and interacting. It
almost reminded me of some of my old reunions when I
was young.

I'd like to express appreciation for
the Council to allow me to serve during Fred's
absence this spring. If anything turned out good
during that time, I would give credit to Bill
Thomas. And if it didn't turn out good, I would
give credit to Fred. If something really got messed
up, you can say Roadkill did it.

I understand, I'm now the point
person for the Tongass, the entire Tongass, for
Subsistence. I thought that meant the person that
was out in front of the program, and I found out
that point person means you have cross-hairs; and
you sit on a point. So, anyway, I look forward to
working with the Council, still, in that capacity.

MS. GARZA: Thank you, Dave.

Jack?

A SPEAKER: I'm a biologist for the
Sitka tribe. I'd like to thank the Angoon people
for the wonderful evening last night. Witnessing

1 the whole event really brought full circle -- really
2 brought full circle the word customary and
3 traditional resources. So, I'll be speaking for
4 Sitka somewhat along with Ray Nielson and John
5 Woolfield -- he's not coming; it's Ray and I. It's
6 good to see all of you again, and I look forward to
7 working with you for the next day or so.

8 MS. GARZA: We also have Nels from
9 Sitka.

10 A SPEAKER: I'm sorry.

11 MS. GARZA: Any other agency comments
12 or other community members?

13 MR. NIELSON: Council members, I'm
14 honored to be here once again. Thanks to the
15 community of Angoon for a very moving experience and
16 honor to export the prow piece on the catamaran for
17 the food; that's health food at its best, no
18 preservatives, no additives. The culture and for
19 the Subsistence foods, that's what we're all about.
20 We're always fighting for what's recognized already
21 as an ongoing practice, protecting and obtaining
22 what's legal in Indian law; and the Federal
23 Government is more of a better practice than it
24 always has been for the state agencies. I'm a
25 member of the Sitka Fishing Committee Subsistence
26 League. I advocate for the Native rights and Native
27 foods, but I also speak for the non-Native people
28 who honor our Subsistence ways in Sitka. We are a
29 rural community, and we owe a lot to people that
30 gave us that designation in the past. At this
31 point, I guess we're concerned about how long the
32 rural designation will be provided for us.

33 And I am here representing Sitka ANB
34 Camp 1, Subsistence Committee and, also, along with
35 Jack, the Sitka Tribe of Alaska, Customary &
36 Traditional Committee. It's through that process,
37 we used to be Subsistence. We eliminated the word
38 Subsistence from the tribe. It's now customary and
39 traditional. Last night it was very evident with
40 Angoon, very good food; and we look forward to
41 working with the Federal agencies on government
42 relations. Hopefully we can obtain what we want
43 recognized and protect what we already have.

44 MR. SUMMERS; My name is Clarence
45 Summers. I work with the National Park Service. I
46 want to thank the people of Angoon for having
47 this -- hosting this meeting. I really feel it was
48 an honor to attend your celebration, the return of
49 the prow. I work in a support role providing --
50 coordinating with the National Parks Service for our

1 regional directors' appointment to the Federal
2 Subsistence Board. Judy Gottlieb serves in that
3 role. Council members, once again, it's an honor
4 and privilege to be here at one of your meetings.
5 Thank you.

6 MR. HOWELL: My name is Wayne
7 Howell. I work at Glacier Bay National Park; and I,
8 too, would like to thank the people of Angoon for
9 the wonderful gathering last night. It's a treat to
10 be able to go down that buffet table and sample all
11 of that wonderful Subsistence food and be able to
12 participate in that.

13 I'm here to listen and learn and also
14 to provide any information I can about what's
15 currently going on at Glacier Bay, particularly as
16 it concerns commercial fishing issues, and what's
17 going on between the Parks Service and the people in
18 Hoonah regarding their access to Glacier Bay. If
19 anyone needs it, I'll provide information.

20 MR. LAWSON: Gun nux cheesh, my name
21 is Nels Lawson. I'd also like to thank the people
22 of Angoon for allowing me to be part of the
23 repatriation of the beaver prow. Thank you very
24 much.

25 So, the Council reflected the many
different hats they're wearing. Yesterday I had on
a different hat. When Hermann Kitka, our clan
leader, heard that I was going to be in Angoon at
the time the beaver prow was going to be
repatriated, as his nephew, he gave me a task to
represent the Sitka town as appropriate. Today I
have a different hat on, and my hat that I have on
today is the tribal government specialist for the
Forest Service. As the specialist for the Forest
Service, I see our job is to help Fred and the
Council with the Subsistence program. The other
specialist is Larry Roberts. We are the Tongass
team for the tribal government specialist.

Thank you.

MS. BRASE: My name is Audra Brase.
I'm representing Alaska Department of Fish & Game,
and I've been to Angoon before. I've seen a lot of
you guys. I'm the one that comes and issues
Subsistence permits. I don't know if I'll be coming
back next year. That's a part of why I'm here, to
see what the Feds might say, what the process is
about. Thank you for the opportunity to be here. I
had a great time last night. It was neat to see
people of Angoon, rather than people getting
permits. The beaver prow was beautiful. Thank you,

1 all. I hope to get some insight.

2 MR. JACOBS: My name is Mark Jacobs,
3 Jr. My roots is in Angoon through my mother and my
4 dad. At the present time, I am the head of the
5 killer whale house town here on the waterfront. My
6 dad is from the beaver clan, so we were directly
7 involved in the repatriation of the beaver prow
8 figure. I've been involved in the Fish & Game for a
9 long time, and you know I'm very blunt. Sometimes
10 devastating, and I stay out of your -- the reach of
11 your fist.

12 The very -- the very first meeting
13 you guys had, remember, it took us two days to get
14 to Juneau, foggy. Time was running out. Finally
15 the board got a quorum, and they called the meeting
16 to order. Lo and behold, here comes three high-paid
17 fish & game leaders and dominated the table with
18 their regulation books. Our time was running out;
19 we were there on moneys from our organizations,
20 running from a thousand dollars to \$1500 apiece and
21 couldn't stay too much longer.

22 5:00 o'clock at night I protested
23 these guys that were filibustering their State
24 regulations on what was supposed to be a Subsistence
25 hearing. I said, "This is a Subsistence hearing,
and why are these guys filibustering their State
regulations?" One of you ladies protested and said,
"We want the information from them." You're there
because of your knowledge of Subsistence. Not that
you're an expert or got a doctorate on Alaska State
regulations. Those guys up -- got very little bit
of time to testify. Got out about 7:00 o'clock.
Two hours of testimony. Anybody -- I got my hand
in, and I was satisfied.

18 I'm hoping now that this will be a
19 better situation. When a commercial fisherman is
20 hollering at Subsistence and saying that Subsistence
21 is depleting your fish, go ahead and tell them
22 you're talking about the depletion, you got to be
23 cut off and continue Subsistence. That's what
24 they're talking about. Don't let them say that
25 Subsistence is responsible for depleting our
resources. 1 percent is all that we take. And we
don't waste.

23 I got pictures for three weeks ago at
24 the -- from there in SERAC, and the whole bottom was
25 filled with backbones and fish heads. Robbie Liches
fished out a lot of the animal parts that were
discarded. That's the way they operate.

Then they write into their

1 regulations that we must take Subsistence in the
2 nonwasteful manner. We use fish heads, and we use
3 fish eggs; and she even uses the male sperm.

MS. GARZA: Milk.

3 MR. JACOBS: It's edible, and it's
4 nutritious. I'm a member of the Southeast
5 Subsistence Commission, and Harold Martin is our
6 chairman. I don't want to get too devastating right
7 now. I have my testimony written. It's only
8 groundwork. I will be responding and try to meet
9 the deadlines piece by piece proposals. Thank you.

MR. THOMAS: You might as well
finish. I'm already devastated.

(Laughter.)

8 MR. SHORTER: It's always a bad
9 position to be the next person to speak after
10 Mr. Jacobs speaks. I'm Bob Shorter with Juneau
11 Forestry Science & Lab. I'd like to thank the
12 community of Angoon, particularly for including us
13 who aren't from here in what was a very personal
14 ceremony and something that I know really reaches
15 into the heart of what people feel in Angoon
16 concerning -- I'd like to thank the people of Angoon
17 and the Angoon Subsistence area for giving me a lot
18 of fish and game over the years; so I think I've
19 eaten my way through Angoon as well.

20 These are real important times, and I
21 was thinking about this meeting and thinking about
22 the efforts that the Council and the people who
23 contribute their time put in on these things; and I
24 was trying to be sort of global, so I remembered
25 something I read that Haval wrote; and I was really
moved by that, because he was saying that it was the
efforts of individuals that make change. It's the
efforts of individuals who are doing the right
thing. Even when it doesn't look like they're going
to win, they get someplace. I was thinking that
that might be a thought that sticks through my mind
in this meeting. I really look forward to the
chance of working with you again. Particularly, the
chance to talk to the tribal members and Council
members about ways that research can work much more
closely with communities and serve Subsistence
users' needs.

MR. THOMAS: You were doubting the
capabilities of our Council? You have doubts?

A SPEAKER: To do miracles?

MR. MARTIN: Thank you. My name is
Harold Martin. I am the Subsistence director for
the Central Council, which is a federally recognized

1 tribal organization. As Mark mentioned, I'm also
2 the chairman of the Southeast Native Subsistence
3 Commission. I wear many other hats. I will be
4 presenting you a brief overview of our activities
5 during public comment. I too would like to thank
6 Mayor Kookesh and the people of Angoon for welcoming
7 us into their community and being a part of a very
8 memorable occasion yesterday. Thank you.

9 MS. GARZA: Thank you, Harold.

10 MR. TUREK: I'm Mike Turek, from the
11 Alaska Department of Fish & Game, Division of
12 Subsistence. I'd like to thank the people of Angoon
13 for allowing me to be a part of your organization.
14 I thank Fred for organizing the boats over here so
15 we could be a part of bringing the beaver prow
16 over. I'll save the rest of my spiel for when --
17 later in the meeting when I talk about some of the
18 work we're doing on Prince of Wales Island, the
19 plans we have in the future. I thank the Council
20 for having me come to the meeting. Thank you.

21 MR. WHITMAN: My name is Jack
22 Whitman. I work for the Department of Fish & Game
23 Wildlife Department in Sitka as the area management
24 biologist for Unit 4. I also serve as the lone
25 State representative on the Unit 4 brown bear
management team. You had a request earlier about
how you got called, and I suggested we call you and
the Hoonah mayor to participate in these meetings.

I won't take up much of your time.
My heartfelt thanks to Angoon for the celebration
last night and allowing me to participate, to see
the ceremonies. Thank you.

If there are any questions from the
board on specifics of the brown bear management
team, hopefully I can lend some insight on that.
Thank you.

MS. GARZA: Thank you.

Dorothy?

MS. OWEN: My name is Dorothy Owen,
and I'm representing the association with the
tribe. I am a last-minute replacement. Our usual
Subsistence manager person is Butch Lighten, and the
only reason I was chosen is I was here already. But
they did fax me over the information I needed. And
I'd like to thank Angoon, also, for the ceremony
that they had last night. It was really -- really
brought me back to what -- where I come from and
what I really am. And I am also a Subsistence user
but in an area that is not rural. So, we do it as
much as we can and gather as much as we can, try to

1 do it legally.

MS. GARZA: Thank you, Dorothy.

2 MR. CASIPIT: My name is Cal
3 Casipit. I'm the Subsistence staff biologist for
4 the Forest Service, based in the regional office.
5 I've been involved with much of the fisheries and
6 planning over the past summer. I'm looking forward
7 to working with the Council on fisheries issues. I
8 want to thank Mayor Kookesh for having us here. It
9 was an honor to witness the ceremonies, and it was
10 an honor to be on the boat with the prow. I'll be
11 talking to you later, so I'll keep it short.
12 Thanks.

MS. ENSTROM: My name is Cindy

8 Enstrom. I'm acting director for the Forest Service
9 for Fish & Wildlife in the Alaska region. I work
10 with Fred Clark and Cal. I want to say I'm happy to
11 be here. Thank you for the celebration and all your
12 hospitality.

MR. SHIPLEY: My name is Linn

11 Shipley. I'm a wildlife biologist with the Forest
12 Service in Sitka. I, too, would like to thank the
13 community for allowing me to participate in bringing
14 the beaver prow home.

13 MS. GARZA: Some guy I kept calling
14 James all night, but he's actually Mark.

14 MR. SHAWAN: Mark Shawan. I'm with
15 the State of Alaska Fish & Game. I'm the sport fish
16 management biologist for the Juneau area. I've only
17 been to Angoon one previous time for a day trip.
18 It's a pleasure to be back, and I really appreciate
19 the hospitality to allow an outsider like me to be
20 part of the ceremony you had yesterday. I
21 appreciate that. I'll be here to perhaps answer any
22 questions on the recreational side of fishing. If
23 anybody has any questions, the Council and the
24 public.

A SPEAKER: I'm with the National

20 Park Service in Glacier Bay in Yakutat. I
21 coordinate the Subsistence out of Yakutat, I'll
22 answer some of the questions for Glacier Bay. Thank
23 you to the people of Angoon. It was an honor to be
24 here to bring the prow back.

MS. LAUBENSTEIN: I'm Karen

23 Laubenstein, and I work with Bill Knauer in the
24 Federal Subsistence office in Anchorage. I do all
25 the meeting books and write a lot of the information
for you to pick up. I'm a technical writer. I'm
also profoundly deaf, so last night I had a
different experience with the prow. I've been

1 recording it since we left Juneau and video in a
2 take back to show the other staff in the Subsistence
3 office who couldn't come and wanted to be here for
4 it. I was doing a lot of recording, but I also
5 wanted to motion with the heartbeat. You didn't
6 have to hear everything to know you could feel the
7 heartbeat. You could feel the history. You
8 could -- there was just so much there that made it
9 so special that I know it's something I'm never
10 going to forget the rest of my life, and I hope the
11 video will make that impact on people back home so
12 they can have that experience.

13 If any of you have materials that
14 we're short on, you want it mailed to somewhere,
15 whatever, I'm probably the person you tell about
16 that, and also supplies or anything else for the
17 meeting. I basically try to take care of that with
18 Fred.

19 I also wanted to tell you that Fred
20 did a lot to get the prow here, get us here, get the
21 meeting here. We really appreciate his work. We've
22 been doing a lot over the telephone, okay.

23 Lastly, I have a realtime captioner.
24 She's recording the meeting, but I'm also reading it
25 as we go instead of having a sign language
26 interpreter; and we hope to get a projector up here
27 so you can read it too as the meeting's going on if
28 you don't hear everything, but we're waiting to get
29 a projector screen. Meanwhile, that's what I'm
30 doing. I'm reading the whole thing.

31 Thank you, especially the people of
32 Angoon. You embraced us, and you've made it
33 something -- the experience of a lifetime; so, thank
34 you.

35 MS. GARZA: Thank you, Karen.

36 MR. PETERSON: I want to thank you
37 for a wonderful evening last night, all you folk
38 from Angoon. My name is Harry Peterson, and I work
39 for the Forest Service in Juneau, Alaska. I work in
40 the Wildlife Subsistence staff as an administrative
41 assistant with Cal, Cindy, Fred.

42 MS. GARZA: Fred?

43 MR. CLARK: Since people kept
44 throwing out my name, I thought I'd better --

45 (Laughter.)

46 I'm Fred Clark; and I think a lot of
47 the work I've done over the last 20 years has been
48 with kind of a cultural bent, working as an
49 anthropologist, cultural specialist for
50 universities, museums, for Native organizations, for

1 tribes; so I've been to a lot of cultural events
2 working with people, doing rural histories with
3 people for a long time. I want to tell you, last
4 night has never been surpassed in my experience. I
5 want to thank the people of Angoon for that, and the
6 sense of connectiveness, the humility that we should
7 all experience from being able to be a part of this
8 great experience for Angoon.

9 Coming in on the shirttails of Angoon
10 to be able to experience this is a very wonderful,
11 long-lived experience that will keep in our hearts
12 for a long time. Thank you very much.

13 To the Council, I'd just like to say,
14 it's great to be back in the saddle again.

15 MS. GARZA: Good to have you back.
16 We much appreciated -- we do have some Angoon people
17 that haven't introduced themselves. If you could,
18 we pretty much introduced everybody up here. So we
19 would like to know who you are.

20 MR. CULVER: My name is Jack Culver.
21 I'm pastor of the Assembly of God here in town. I
22 pastor for people who are Subsistence users. I'm a
23 Subsistence user. I'm interested in hearing what
24 you guys have to say.

25 MR. HOWARD: My name is John Howard,
26 Sr., born and raised in Alaska. I'm 73 years old,
27 and I know what Subsistence is like under the
28 Federal Government; I know that. I've lived it;
29 I've also had my experience with State regulations.
30 My hat's off to the legislature that did not support
31 the amendment.

32 MS. GARZA: Who is next? Who is next
33 to you? Is it Ray?

34 MR. WILSON: My name is Ray Wilson.
35 I'm -- I came over with the Yakushat dancers to help
36 bring over the prow, and we're really honored. I
37 was also here representing Al Perkin. I'd like to
38 thank the Angoon people for the hospitality that
39 they showed last night, for the way they ran
40 things. Somebody said something about the young
41 people how they -- how they conducted the doing last
42 night; and to see everybody working together was
43 really something; and I think it's something that we
44 need in the Native communities that even though
45 we're against eagles, we have come together somehow
46 and started pulling together; and I -- that's what
47 I'm going to work on as I get into what I'm going to
48 do. I just want to thank you for letting me talk.

49 MS. GARZA: Thank you.

50 MR. FRED: I'm Matthew Fred, Jr. from

1 Angoon. My family comes from Klawock, Alaska. I
2 come from the drum house. My Tlingit name is
3 Kookhoosh. I'd like to see the Alaskan people here
4 and all the people out here taking part. I'd like
5 to thank Gabriel George for suggesting that -- that
6 the Council be invited to come here. I hope
7 there'll be a lot of interest and ideas come out of
8 this -- these proceedings because we're a new
9 territory, and the IRAs really need to get up to
10 speed on what to do with Subsistence nowadays.

11 I think the Internet could take a
12 part in Federal Subsistence Management because of
13 the large size of Alaska, and my job here today will
14 be to get Mark Jacobs riled up or calmed down; and
15 my Internet address is JRWolf6@Yahoo.Com.

16 MS. GARZA: Mr. Cadack back there?

17 MR. THOMAS: Mr. Cadack?

18 MR. CADACK: I'm Mr. Cadack, Sr. I'm
19 from the city of Kake. I'm a tribal board member.
20 I'm here to make sure that our Mayor stays on top of
21 our Subsistence in Kake. I would have got up
22 earlier; I'm having a hard time today. I had a
23 little bit of bad news last night. I've been trying
24 to deal with it today, but I'm going to stay here;
25 and I want to make sure that we do a lot to make
sure that our people are in control of Subsistence.
I think that the Native people could take the best
control of Subsistence because we will never overuse
or overutilize our resources; and if we do, we
will -- we will punish our people, probably better
than anybody else in this world because we were
brought up that way; and I think it will -- it's the
only way to go. Let your Native people take care of
what is theirs and what's always been theirs, and I
thank the people of Angoon; and I'd like to thank
Floyd for inviting us. We're here to actually meet
with the City of Angoon and the IRA, and I
appreciate everything you guys are doing.

26 Thank you.

27 MS. GARZA: Thank you.

28 Who is sitting next to you, Henry?

29 MR. THOMAS: Oh, some guy.

30 MS. GARZA: Send him up here.

31 MR. JACK: My name is Frank Jack, Sr.
32 I come from Angoon. I've been here all my life.
33 So, we as a people of Angoon live on Subsistence;
34 and I'm part of it -- I believe some of you that
35 were here last night at the party you see how much
Subsistence that you ate out of the table. We can't
go around about way to get away from -- you can't

1 eat Spam all your life. So when we are in need of
2 it, we take Subsistence; that's what our people do
3 in Angoon. So if you're going to live on Spam,
4 that's something; you can take part of it, so we're
5 going to live on Subsistence as long as we live in
6 Angoon.

7 You know, I'm a minister of the Word
8 of God. God told us in his Word, there's a few
9 words that whatever he left for us we're going to be
10 using it, so that's -- I believe that God put fish
11 in the water for us to use for our Subsistence. So
12 I just -- I can say I thank the Lord for it. So --
13 like I say, we can't go a roundabout way to get rid
14 of it, and that's what I've seen in many a times
15 that we talk about Subsistence. We try to do away
16 with it. You know, we can't limit you of what you
17 eat from the store; and that's the size of it on
18 Subsistence. We've been talking about it for the
19 past maybe 20 years. We can't just throw it away.
20 We can't overstep it. You can use Subsistence --

21 You know, let me say it this way. I
22 work for the ferry system. Angoon hired me -- about
23 four years I believe I had it, and I used to see
24 people from -- on Kanalku go up to Mitchell Bay; and
25 one day when these guys came to the ferry terminal
in their canoes, they were heavy. I asked them,
"How many fish did you get?" and he mentioned how
many he got in his canoe, and these are not -- are
not Indians. So you see how subsistence is used
here in our village for everybody to come to our
village to use it. We -- we don't chase them out.
We don't say, "Get out of Angoon." No. It's not
right. So, let's thank the Lord for what he's done
for us here in our village.

18 Thank you.

19 MS. GARZA: Thank you. Matt, we're
20 introducing ourselves.

21 MR. KOOKESH: I'm Matt Kookesh. The
22 impacts of your visit are all positive, and we
23 really appreciate you guys coming here to Angoon and
24 meeting over here. You filled every hotel room for
25 doing fundraising, through lunches and dinners; and
this is really an opportunity for the community to
also see the process, the Federal process which will
probably be here for a while. Again, thank you for
coming; and I want to welcome Bill home. You have
two homes here even though you say there's one; but
you come from the Dei-Shee-Taana, and I also want to
welcome Vicki and Dolly; and Marilyn, welcome home;
she's from Angoon.

1 We have a bunch of relations of Bob
2 Schroeder who has been around here for a while. I'd
3 like to welcome him back. I want to talk to you a
4 little bit about the dog salmon. The house that he
5 comes from is from White Water Bay, and they were
6 put in the middle of town because of their -- their
7 relationship with the Haidas and Kasaan, and the
8 relationship they had there was there was a Tlingit
9 woman married a Haida; so what the dog salmon had
10 was access to the big canoes, so they were a pretty
11 rich tribe. So, in the research, the Dei-Shee-Taan
12 are half Haidas. I thought I'd just put that little
13 bit of information in there so Bill knows that he's
14 from Angoon, and I come -- my father comes from the
15 same house; so welcome to Angoon. .

16 MS. GARZA: Don Bremner? Where are
17 you? Where is my sweetheart?

18 MR. THOMAS: Drop some wisdom on us.

19 MR. BREMNER: Well, my name is Don
20 Bremner. I'm originally from Yakutat. I'm living
21 in Juneau because my family is there right now. I
22 want to just say for everybody what we experienced
23 last night, you know, these little guys like Matt
24 and I that are real low on the totem pole don't get
25 to get up there and be out front with the clan
leaders; but we experienced what they're
experiencing, and what we experienced last night was
the -- the grandfathers coming home to be with their
people here today; and that's what we did. We
helped represent their grandfathers coming home. So
it was kind of a real unique and good experience for
all of us even though I've lived here in the past.
The people of Angoon -- and, like Matt says, welcome
home, welcome home. Everybody I met last night
would say "Welcome home, welcome home; you've been
gone too long from home," things like that.

26 So, I think what you're doing here
27 with Subsistence is the mirror of what you
28 experienced last night. So, it's a blend of two
29 worlds. That's what I felt in my heart. I don't
30 know what you felt in your heart. You have to take
31 that home yourself. So, thank you for being here.

32 MS. GARZA: Thank you, Don.

33 MR. McCLUSKEY: Thank you. I'm Peter
34 McCluskey. My real name is Gastaa. I come from
35 Aanaakhit. I'm Kee-naad-ei; I'm Dog Salmon. And
36 Aanaahkit is the central house, the big house in
37 Angoon, big Dog Salmon house. I did a letter of
38 invitation to the Council, and I was glad you
39 accepted. Welcome all of you to Angoon. There's a

1 story. There was two guys hunting; and they saw
2 deer on the beach, went to the beach and started
3 chasing it; and a lot of you that hunt knows you
4 just hunt in the woods without finding markers so
5 you can get back out. They were running; they kept
6 running; they'd see it again, chase it again. They
7 finally sat down. They were tired. They finally
8 caught their breath, and they were sitting there and
9 saying, "You know what, I think we're lost." They
10 got up and started walking. They sat down again to
11 rest. They said, well, we'll try again. They
12 started walking again. They still couldn't figure
13 out where they were at. They said, "I'll tell you
14 what, you fire three shots in the air; somebody
15 should hear us? Okay. They fired three shots. No
16 response.

17 They walked again and said, "Okay,
18 I'll fire three more shots, okay?" Fired three
19 shots. Still no response.

20 They went down; they kept on walking,
21 and they were resting again and then finally started
22 walking; and he says, "Why don't you fire three more
23 shots"?

24 He looked at him and said, "I can't,
25 I ran out of arrows."

(Laughter.)

26 MR. McCLUSKEY: But I really do
27 appreciate you accepting the invitation and coming
28 to Angoon and express my appreciation on your coming
29 with the beaver prow. My grandfather is a witness
30 when Angoon was bombarded. His name was Nahool
31 Billy Jones. He was interviewed in 1949 when he
32 talked about the bombardment. He was 13 years old
33 when it happened. They were down here on the
34 beach.

35 Those of you that put up food, our
36 old people never said "Subsistence" and never had
37 that word. I did a lot with my grandmother; and she
38 never said, "I'm going to go subsist." It was just
39 seasonal, anything that was around that time. Our
40 people went by calendar, what you can eat and what
41 you can't eat. We never had that word
42 "Subsistence." I never heard her say it.

43 Learning Tlingit from her was
44 different. I grew up in that age where I knew they
45 were fighting for our rights. I know the people
46 that used to go door to door, "We're going to have a
47 meeting; you got to be there." They went door to
48 door. I had the privilege of going to a meeting
49 once with my grandfather, Billy Jones. The old

1 people sat around in a circle; it was a circle.
2 They just made a circle when they sat there, with
3 the wood stove right in the middle. That was the
4 Dei-Shee-Taan, they used the first house in the
5 community, Raven Beaver house. And they all sat
6 there; they never spoke English. All their meetings
7 was all Tlingit. The first thing they did,
8 everybody was talking; they called the meeting to
9 order; everybody sat down in that circle. They all
10 took their hats off, put it on the floor. They all
11 stood up, and they started praying. After they were
12 done praying they sat down. There was a lot of
13 feeling in their meetings when they sat there. They
14 argued -- you could tell they were arguing because
15 they were standing there raising their voice. I
16 knew they were arguing. After the meeting was over,
17 they did the same thing. They prayed. Before they
18 left, they were all standing there shaking hands,
19 all the tribal people. That's what I remember about
20 the old people. We were never allowed to enter
21 public meetings whenever they had it. The first
22 time kids were ever brought to a public meeting was
23 when Robert Supoff was alive. There was 62 of us
24 that performed in a dance group. But I'm with the
25 ANB. I've been involved with the ANB through my
uncle, Paul James; and I've had the honor of sitting
in with Mr. Martin here last year at convention.
I've heard about Subsistence most of my life. Our
old people don't read, so they don't understand what
regulations are. They just know that we're getting
food to feed our family. That's what they think
about regulations. They never paid any attention to
them. This was bringing food to their families.

And the other thing I have, as far as
Subsistence, it kind of bothers me that down in Good
Bay I've heard reports that when they go down there
they see deer there, a whole bunch of deer hanging,
just hanging; and the only thing taken from them is
the hindquarter. Our people don't waste food like
that. You know it can't be Native. Maybe it is,
but I've never seen anybody here waste food like
that. We use everything. Same thing with fish, we
cook the heads, the tails. Everything is used. We
don't waste nothing. I've been putting up fish; I
even -- the bones -- before I throw the bones away,
I scrape the bones, make fresh pack. My children
are learning all this. It was kind of hard. I
spent time in the military; and when I was away from
home, I missed eating food I grew up on; and
that's -- I think when you look at the word

1 Subsistence, it just doesn't fit in our language.
2 The old people don't have that word for it. But I
3 do appreciate you folks coming, the whole Council,
4 and meeting with Mr. Clark here and Mr. Thomas,
5 talking with him on the phone. It was a privilege.
6 Again, I thank you for coming.

7 MS. GARZA: Thank you.

8 Mr. Thomas?

9 MR. THOMAS: Thank you. I'm glad we
10 took the time for the introductions. I think that
11 gives you a little better feel for the direction
12 that we want to take as an Advisory Council, our
13 commitment to the communities, the commitment to the
14 region, and to the process. The process, like I
15 said, I've been saying, I keep saying, is designed
16 strictly for the continued access to these foods
17 that we're talking about by the rural communities,
18 not just the Natives in their communities, but for
19 the people that live in rural communities.

20 You guys are trying to take off from
21 last night. The potlatch is over. This is a
22 different meeting. We're going to take a break; and
23 there is a fundraiser, but no feed. If it don't
24 continue, we'll have pizzas flown in.

25 Let's take a smoke break. For those
26 who don't smoke, reconvene at 1:15.

27 MS. GARZA: Can we get some
28 information from Fred on how the meals will go and
29 what we're obligated to do?

30 MR. CLARK: The way I understand it
31 is lunches like today will be provided for today,
32 but you all are responsible for payment of those
33 meals.

34 MS. GARZA: Breakfast.

35 MR. CLARK: Breakfast will be at the
36 Kootznahoo Lodge. Albert will tell us how much it
37 will be.

38 MS. GARZA: Dinner?

39 MR. CLARK: Dinner is going to be a
40 fundraiser and will be at Kootznahoo Lodge, will be
41 provided -- women's basketball -- girl's basketball
42 team. So we'll just pay for it there.

43 MR. THOMAS: This is a Subsistence
44 group. You're treating us like corporations.

45 A SPEAKER: You want to know what
46 time low tide is?

47 (Laughter.)

48 MR. THOMAS: That's about all the
49 information I can absorb right now. So we'll come
50 back at 1:17.

1 (Lunch break.)
2 MR. THOMAS: While we're waiting for
3 Bill Knauer, I'm giving you the opportunity to
4 expand on what we talked about this morning. I'm
5 giving you that opportunity.

6 Everybody's on mute.

7 MR. THOMAS: Mim, if you're still
8 there, I guess we're on break until Bill gets back.

9 MS. GARZA: Mr. Chairman, I had a
10 couple questions that maybe could be clarified by
11 Fred.

12 Fred?

13 I've had a couple questions, and I
14 know some of us know how; but it would be good to
15 have it clarified by you, and that is how council
16 members are seated.

17 MR. CLARK: How council members are
18 seated?

19 MS. GARZA: The process from the
20 application to the selection.

21 MR. CLARK: I'll come up here, it
22 might be easier for Mim to hear.

23 The council selection process is kind
24 of a long, drawn-out, bureaucratic thing. It's very
25 akin to a personnel process in hiring in agencies
and tribes and other organizations. It has three
basic parts. The first is the nomination phase,
where people who are considered by communities to be
very knowledgeable about Subsistence are nominated
for membership on the Council. And then those --
those people are nominated or applications are sent
in along with recommendations, names of people who
recommend these people.

Each different region has a panel of
people who set up from the agencies to go through
these applications. They call up the applicants, do
an interview over the phone, and contact all of the
applicants' recommendees and talk to them about the
person and take notes and everything. There's very
specific questions, not just ask them any old thing,
but very specific questions, the people who are
applying or nominated to the seats and the people
who are recommending them are asked.

So, eventually it ends up to a panel
of agency people who go through the responses and
kind of rate those responses on a number of
different -- against a number of different
criteria. How does this person fit within our
criteria of geographical distribution across the
region or their knowledge of Subsistence resources

1 or the ability to work well with people in general,
2 that sort of thing. Then this panel comes up with a
3 recommendation that goes to the staff meeting. Bill
4 talked about the staff committee earlier today, and
5 the staff committee is an agency group, an
interagency group that is kind of in between the
6 level of -- like my level and Cal's level and the
7 other Federal staff here, between them and the
8 Federal Subsistence Board.

9 So, the staff committee directs staff
10 to the Federal Subsistence Board. They go to the
11 recommendation committee by this panel, and it goes
12 from there; they make a recommendation to the
13 Federal Subsistence Board. The Federal Subsistence
14 Board then makes a recommendation to the secretaries
15 of agriculture and secretary of interior who make
16 the appointment primarily, and it takes about nine
17 months to go through that process.

18 Was that kind of what you wanted,
19 though?

20 MS. GARZA: So, then, in terms of the
21 seat, then, seats are not dedicated to a community?

22 MR. CLARK: That's correct. There
23 are 13 seats that are designated in Southeast Alaska
24 for this Council. Each of those seats is just a
25 number. It's not specific to a community. However,
one thing that the program does try very hard to do
is keep an even distribution of people across the
region. But seats don't belong to communities, even
geographic regions, per se; but as the process goes
on, seeing that we will have several vacancies and
we have several people who are coming up for
renomination this next year, that's one of the
things that will be closely looked at. I think one
thing that people might be thinking very strongly
about right now is the vacancies in Sitka, and
that's certainly going to be looked at very
closely.

20 MS. GARZA: Also, so the vacancy in
21 Wrangell will not necessarily be replaced by a
22 Wrangell person?

23 MR. CLARK: That's right.

24 MS. GARZA: So, if someone is
25 interested in sitting on the Council but they don't
live in Wrangell or Sitka, they can still apply?

MR. CLARK: That's correct.

24 MS. GARZA: Do they have to be
nominated, or could they nominate themselves?

25 MR. CLARK: They could nominate
themselves. But the key is -- there's several keys,

1 but one is that to be eligible to apply for council
2 membership you have to be a resident of the region.
3 There's some confusion still in some areas that
4 people think that you have to be a rural resident to
5 serve on the Council; you don't have to be. You can
6 be an urban resident to serve on the Council. The
7 main thing is to be a resident. You don't have to
8 be from any particular place in the region, just
9 from the region.

MS. GARZA: So, if someone is very
6 interested in a position on the Council, does it do
7 them good to run around getting letters of
8 resolutions or support from tribal organizations; or
9 because of the process, do those letters matter?

MR. CLARK: They are looked at, but
8 sometimes they -- they're just put in and weighed
9 with everything else. It's not that they are not
10 looked at. They are important for people to have.
11 It fits in with their recommendations. So, if a
12 person has a recommendation from a tribal council,
13 chairman, for instance, then they would have a
14 letter of support from the tribe as well as that
15 person's name. So, the people who are doing the
16 evaluations will probably interview the tribal
17 chairperson who signs the letter or whatever.

MS. GARZA: Okay.
14 Thank you, Fred.

MR. CLARK: Any other questions?

MS. GARZA: We're all waiting for
15 you, Bill.

MR. KNAUER: I apologize. I
16 apologize; I was kidnapped by the Mayor.

MR. THOMAS: Okay. In that case,
17 okay.

MR. KNAUER: Good afternoon. Again,
18 I'm Bill Knauer with Fish & Wildlife Service, Office
19 of Subsistence Management. Many of you have seen me
20 around --

MR. THOMAS: Excuse me. One thing
20 the reporter asked, when you give your name, spell
21 it for her as well.

MR. KNAUER: K-n-a-u-e-r. In this
22 case, I've been told that I'm in her dictionary, so
23 I think that means something. Either I have
24 notoriety or I'm famous. I think it would probably
25 be the notoriety.

I will apologize. I'm going to be
24 reading a lot of the presentation, and the reason
25 for this is that we're trying to be sure that we
have made a similar presentation at every Regional

1 Council. We don't want to be unfair. We don't want
2 to take the chance that we have missed things that
3 might be important. I'm also going to go through
4 and at the end of each general topic I'll stop and
5 ask that -- you know, provide the opportunity for
6 questions; because there are a number of things
7 relative to the fisheries program that are confusing
8 or that there might be questions on.

9 I will be touching on a number of the
10 items that are found in the fisheries implementation
11 plan. It's back under Tab D. I'll not cover every
12 topic there, but I will mention some of the major
13 ones.

14 As many of you know, we've been
15 preparing to manage Subsistence fisheries since the
16 Katie John decision back in 1995 when it went to the
17 Supreme Court and they refused to hear the lower
18 Court's ruling. In the years since this decision we
19 have published an advanced notice of a proposed
20 rule. We've published a proposed rule. We've
21 prepared an environmental assessment; and back on
22 January 8th of this year, we published a final rule
23 which would take effect on October 1 if the State
24 did not resolve the situation and present a ballot
25 for public voting, which we're sorry they did not.

During this time, we have had
extensive public review. The councils have been
briefed and informed regularly. We've held over 40
additional public meetings to gather comments on the
advanced notice and also on the proposed rule.
Since 1995, implementation was delayed three
different times by Congress, and now we are actually
implementing the Katie John decision.

Since January of this year, our
planning efforts have intensified. In April we
developed the implementation plan that all of you
were provided copies of and are also in the Regional
Council book today.

The implementation plan outlines 14
major issues or tasks that internally we needed to
address as we move forward towards the October 1
date.

I'd like to share our progress on
some of those more important tasks in the plan. The
topics I'm going to talk about in particular are the
organizational approach that the Federal program
will be taking, cooperative management efforts that
we'll undertake with tribes and other Native
organizations, the efforts that will be involved in
Federal/State cooperation, Regional Council

1 structures; extraterritorial jurisdiction; customary
2 trade; and orientation or training program for
3 Regional Council members; and the fisheries
4 regulatory process, and then some specific
5 regulations that might apply down here.

6 The first is that of what we're
7 calling a unified approach to information
8 gathering. One of the more important tasks is
9 determining how the five federal agencies are going
10 to organize and implement these regulations. In
11 developing budgets and staffing plans we needed to
12 define an organizational approach that would
13 encourage effective coordination between the five
14 agencies. As you know, fisheries management is far
15 more complex than wildlife management and will call
16 for a slightly different approach.

17 We began by first looking at how we
18 were going to organize to gather the information
19 about fisheries and harvests, including traditional
20 environmental knowledge that were needed to make
21 sound regulatory decisions.

22 As a result of this exercise, we have
23 developed what we call unified resource monitoring.
24 This approach recognizes the need for the agencies
25 to work together to identify resource monitoring
priorities statewide and allocate the funding that
we received and the staff directly to those
priorities.

While staff from four of the five
agencies will be co-located, in other words, grouped
together at key locations around the state, we'll
also need to establish additional connections
between the agencies to ensure a common direction
for the program.

A central office in the Fish &
Wildlife Service which is separate from the office
of Subsistence management is being created to
coordinate the resource monitoring aspect of the
fisheries program.

If you haven't gathered so far, we
view resource monitoring as one of the keystones of
this entire program. Without the information to
make sound decisions, it would be very difficult to
proceed in an orderly and responsible manner.

This office will be required to
provide the most up-to-date information possible in
fast-moving situations, particularly in season for
managing fisheries. The overall administration of
the program will remain primarily with the office of
Subsistence management. Those folks that you've

1 been dealing with for the past -- in your case, six
2 to seven years.

3 The staff will be enlarged with
4 fisheries biologists, additional council
5 coordinators, social scientists, and administrative
6 staff to ensure adequate technical support for the
7 Regional Advisory Councils and the Federal
8 Subsistence Board. Some field staff will be
9 provided with the responsibilities -- or
10 responsibilities for regulating the fisheries in
11 season. In other words, the regulations and the
12 board will be delegating in-season authority to some
13 field folks because we know that some of the
14 in-season decisions will require quick action. But
15 it will be within the guidelines that the board
16 sets.

17 Are there any questions on this first
18 topic?

19 MR. THOMAS: What is the monitoring
20 going to include?

21 MR. KNAUER: That will include such
22 things as possibly sonar stations, possibly counting
23 towers, possibly harvest reporting, censuses. I'll
24 go into that a little bit more, but we don't
25 anticipate trying to duplicate anything that the
State or Native organizations or fishery
organizations are doing now. We don't -- we do not
want to be duplicative. We want to expand the
breadth and capabilities of these organizations
whether it's longer hours, additional sites, a wider
area covered. That's what we hope to do.

MR. THOMAS: Mark?

MR. JACOBS: I'd like to ask a
question on how you treat local and traditional
knowledge. I've noticed you've mentioned --

MR. KNAUER: That's correct. One of
the things that we currently have on board, we have
a social scientist that is assigned to each regional
team to assist each Regional Council in both
gathering or analyzing the data that the State may
have collected from community harvest surveys, from
studies that sometimes local tribes have done, but
also researching some of the anthropological
histories, some of the oral histories that have been
done.

We anticipate increasing this staff
and working with the tribes around the State to
gather additional information. In many cases, these
folks know better than anyone else some of the local
conditions and some of the local practices.

1 MR. THOMAS: You have a follow-up,
Mark?

2 MR. JACOBS: Yeah, the reason I asked
3 this question is sometimes the lucrateness of
4 fisheries overshadows every other opinion that we
have.

4 MR. THOMAS: Okay. Dolly?

5 MS. GARZA: Bill, I understand in
6 reading over this document it's the intent, at least
7 at this time, to be supplementing existing
8 programs. My first comment -- and that's something
9 I've heard from many people -- is that the State has
10 cut back so substantially on fisheries research,
11 fisheries monitoring, division of Subsistence that
12 there will be a lot of supplementing that is
13 necessary. However, there is concern that in the
14 supplementative process we hope that it will not be
15 the intent by supplementing we just give AF&G the
16 money because that certainly has not been the hope
17 of all the people who have gotten up and testified
18 that we do need Federal fisheries management; and we
19 do need the federal protection right now. I hope as
20 we go forward and discuss how we can get additional
21 information such as the traditional knowledge that
22 Mark was talking about that we do pay more than lip
23 service to working out the MOAs and the MOUs with
24 the tribal organizations, such as Sitka tribe who
25 have biologists on board.

15 MR. KNAUER: I'm going to hold off
16 answering that for just a second because the next
17 two segments talk about how we intend to deal and
18 interact with Native organizations and then also the
19 Federal/State cooperative management strategy. When
I'm done with those, if you don't feel I've answered
some of your questions, please raise the issue
again.

19 MS. GARZA: Okay.

20 MR. THOMAS: Vicki?

20 MS. LeCORNU: Bill, I see you have
21 all this resource monitoring, sonar stations,
22 counting, reporting; and you say you don't want to
23 duplicate what other agencies have done, but in all
24 of these things that you're going to do there's one
25 thing that's not being done; and we've -- I think
we've requested it through this board on our annual
report, that we need to find out what the needs of
the communities are. We don't care what they've
used in the past because we've been deprived of
participating, so that 1 percent is really an
erroneous figure because we haven't been willing --

1 we haven't been an active participant in the
2 fisheries. So, I see you have a lot of resource
3 monitoring, a lot of reporting on what we've done.
4 So, as far as the other agencies, they have not
5 given us that information that we've requested in
6 the annual report; and, I believe, it is the trust,
7 duty of the secretary to respond to this request by
8 us in our annual report that we do need -- we do
9 need the staff to find out what the needs are. We
10 don't want to find out what the past has been,
11 because it has been detrimental to Subsistence. So,
12 that's the only thing I see missing here.

13 MR. KNAUER: This list is just
14 examples. In many cases, the village harvest
15 surveys will help to determine and indicate what a
16 community's both past needs as well as uses have
17 been. We recognize that a lot of times the surveys
18 and the information that's provided may have
19 resulted from the availability of resources or the
20 regulatory restrictions that were in place, and so
21 there will be numerous things that will be
22 considered in all this information gathering.

23 MS. LeCORNU: That was my point, that
24 we've been regulated out of the fisheries. So, it
25 just came to my attention that you had some figures
26 in here that I don't know where they came from. So,
27 I welcome to see staff that will help us develop --
28 not what has been done in the past. Those --
29 information gathering, in my community, have been
30 less than my desired outcome.

31 MR. ANDERSON: Mr. Chairman, I have a
32 question for Bill. Has any thought been given to
33 letting the tribes which know the conditions in the
34 Subsistence area have the ability to regulate
35 that -- the fish itself or the Subsistence use?

36 MR. KNAUER: Legally, we cannot --
37 the secretary cannot delegate the regulatory
38 authority. They cannot delegate the authority to
39 the State, nor can they delegate the regulatory
40 authority to other entities such as a Regional
41 Council or a tribe. Now, that doesn't mean that
42 there cannot be a very close working relationship
43 and contracts or cooperative agreements with other
44 entities; but they are prohibited legally from
45 delegating that management responsibility.

46 MR. ANDERSON: Thank you.

47 MR. THOMAS: Anybody else?

48 MS. WILSON: Down here, Bill.

49 MR. THOMAS: Marilyn?

50 MS. WILSON: Bill, I wanted to know

1 about the monitoring part. The tribes work with the
2 Federals to monitor the resource, like all our
3 members were wondering if the Federals would work
4 with the village -- you know, even if they weren't
5 trained scientifically, didn't have a degree, can
6 they work and get a job, be paid through the Federal
7 Government or through their tribal government and
8 give the information?

9 MR. KNAUER: There are going to be
10 numerous types of programs. I believe around the
11 state there's in excess of 50 different programs
12 right now that tribes are conducting, fishery
13 monitoring efforts that tribes are doing themselves,
14 counting towers, counting weirs, doing harvest
15 surveys. I was astounded to learn that the tribes
16 around the state were doing so much in that regard.
17 Fishery organizations are doing the same thing as
18 well as the State. So, we hope to enhance that
19 effort. Some of the tribes are working within their
20 tribes to enhance the ability of their own folks to
21 participate. They're working to train their -- some
22 of their members to become technical folks or
23 professionals in these areas; and that's the -- you
24 know, we're going to be working with these folks
25 that already have programs and those that don't
also.

MR. THOMAS: Okay. There might be a
flaw in our process here. In fact, there is a flaw;
because these forms only allow for people to respond
to proposals. We're not dealing with proposals, and
the people here want to speak; so they have no way
of letting me know what their concerns were because
there's no provision on the paper for that.

So, that being the case, I'm going to
call the names of people that submitted these blue
pieces of paper and see if you want to come up at
this time. If you don't, that's fine.

John Howard, Sr.? Did you want to
comment now?

Okay. You want to give him a seat
there. Give us your name; spell your name.

MR. HOWARD: My name is John Howard,
Sr., H-o-w-a-r-d, Sr., senior. I stated before this
morning that I was born and raised in Tenakee. I'm
73 years old and living in Angoon for the past 40
years. Off and on I've been working construction
jobs, and I've been in absence from Angoon. There's
a drastic difference between the State's regulation
and the Federal regulation. The Federal didn't
preach to us on Subsistence. They didn't do that.

1 We made a living. State is all together living.
2 It's been pretty hard for my people. So things have
3 changed under the State. We have to get a permit
4 now to subsist. Back in the Federal regulations, we
5 didn't have to do that. The definition of
6 Subsistence under the Federal Government was to live
7 it. Now the State is trying to redefine the word
8 "Subsistence" and is struggling with it.

9 That's the reason why I said earlier,
10 my hat's off to those people that did not support
11 the initiative, the vote on the Subsistence, put on
12 the ballot, and push this whole thing to the Federal
13 Government side.

14 I'm quite aware there could be a
15 danger of a Federal takeover that might have been
16 changed from the territorial days. However --
17 there's so many things that I got involved in in my
18 lifetime. My first introduction to fishing was back
19 in 1934; that's a long time. That's how long I've
20 been involved with Subsistence; that's how long I've
21 been involved in fishing. I trapped under the
22 Federal Government, fished under the Federal
23 Government, subsisted under the Federal Government.
24 Various things are available to my people that was
25 there. As thoughts went through my mind, how long
have our people lived; they're taking Indians now.
There could be thousands and thousands of years. I
had a grandfather; white people used to refer to him
as Chief Jack. He couldn't talk English. He
couldn't understand it, let alone talk; but he used
to tell me stories from way back, how long our
people have lived here. He told me about the flood;
you know, he laughed at me; and I thought my
grandfather was telling another one of his fairy
tales, but he was pointing out those mountains where
people survived by foot. In his tongue, in Indian
tongue, and still had a hard time trying to believe
him.

1965, I became a Christian, started
reading the Bible.

Excuse me.

MR. THOMAS: You're fine. Take your
time.

MR. HOWARD: It's hard for me to keep
from getting emotional, what's happened to my
people. They have been raised in Alaska. When the
Indian culture surfaced, the question arose in the
newsletter, if the land and the resources could be
returned to the Natives to manage. I have to answer
it with a question of my own: Who handles the

1 Subsistence? Who handles that for the right of the
pilgrims? Who is doing that?

2 One thing I would like to say, the
3 Native people contract with the Federal Government
4 since they've taking us over, contracted with us,
5 with the Native people. Let them handle their own
6 way of life. It's not easy to live in the village
7 with all the restrictions that have been put on the
8 Subsistence lifestyle.

9 I guided a few days for the lodge
10 here in Angoon. I couldn't take it seeing what has
11 happened. I thought about my people. We're forced
12 to shake off those halibut during commercial fishing
13 time, yet the millionaires that come up here and
14 fish -- charter these boats from these lodges can
15 keep two daily. Two halibut. There, an Indian, the
16 people, the people that invented the halibut hook
17 can't do that. I'd like to go back to my
18 grandfather, how I used to watch him make fishing
19 lines, knots about that far apart; and at the end of
20 that was that Indian hook. And for a float he had
21 his halibuts seal stomach blown up. This is the
22 kind of life I lived here. Preserved the way, how
23 to preserve food. But now they put a limited basis
24 on it.

25 It wasn't easy to live under the
statehood, because of their regulations:

Some of you were at the party last
night. You see how the food was put up. Many of
our people do that. Maybe we have to do it after
dark. That's their lifestyle.

I've been involved in many trades in
my life. I consider myself the jack of many trades,
not a master, for a living. In my times, during
those days, they weren't fishing, the high school
diploma, you see silver -- served on silver platters
like they do now. That's tough time. There was no
welfare. No welfare, I had a Subsistence
lifestyle.

Yes, I do like to see the Federal
Government take over, have a contract with our
Native people on Subsistence. I don't want to go
back to the State anymore. I've had enough of
them.

There are so many things that bothers
me. I try not to think about it, but it comes to my
mind so many times; and I try to question myself
what kind of documentation that there is that they
show with the United States that they purchased the
land from the Indian people? The Indian land comes

1 to surface; the question was asked, and the reply
2 from the State people -- the government themselves
3 fellow by the -- fellow by the name of Ron
4 Somerville, 1971. I responded to some of those
5 leaders when I met them. I told one leader -- I
6 says, since 1971, come extinguish it. The pilgrims
7 survived outside of Plymouth Rock. Extinguished in
8 1971, what were they doing to initiate the State
9 back in the '50s. Who gave them that when the land
10 didn't belong to them? That's all I have for now.
11 Thank you very much.

MR. THOMAS: Thank you, John.

7 With reference to some of the
8 comments, I'm concerned that John just shared the
9 part of ANILCA and Title VIII that is probably my
10 favorite part of the whole legislation. It reads:
11 Section 801 declares that it is important to provide
12 rural residents with the opportunity for continued
13 Subsistence uses on federal public land and that the
14 administrative structure should be set up in such a
15 way that rural people have a meaningful role in the
16 management of fish and wildlife and on Subsistence
17 uses on federal public lands in Alaska.

So, that's just a bureaucratic way of
13 saying that they're going to use input from the
14 rural communities. That's what they're doing now.

14 Good comments.

Thank you very much.

15 Okay. And the next one here is -- I
16 got to pick out my favorites.

16 Mark Jacob, Jr., come on down.

17 MS. GARZA: Mr. Chairman,
18 Mr. Chairman, it's 2:00 o'clock. Do you think we
19 have time before 5:00?

18 MR. THOMAS: Three hours, Mark.

19 MS. GARZA: Tell him you're only
20 joking.

20 MR. JACOBS: Thank you,
21 Mr. Chairman. My name is Mark Jacobs, Jr., Lot 625,
22 Sitka, Alaska 99835.

21 My home phone number is
22 907-747-8168. Fax number, 907-747-2678.

22 First of all, I would like to say how
23 pleased I am of the Federal takeover of fish and
24 game management in navigable waters and Federal
25 lands.

24 Though the concentration of paid
25 government is far away, Washington, D.C., is the
26 accusation, this is a humanitarian move by the
27 Federal Government, to overshadow Alaska State

1 Legislature who refuses to comply with ANILCA, Title
2 VIII. At the onset of implementing rural
3 Subsistence in Subsistence use and take, we as
4 Natives, agreed to, Native and non-Native alike, the
5 use of natural resources. We felt that our white
6 brothers who chose to enjoy a true Alaskan lifestyle
7 should not be deprived. I still feel that way
8 today.

9 In Sitka, Alaska, a neighbor
10 brotherhood wrote and adopted a position document
11 endorsing the concept of Native and non-Native
12 alike. Not long after the implementation of that
13 Subsistence law, those opposed to the law began to
14 interpret the law as Native only. There were many,
15 many interpretations. I am afraid of bureaucratic
16 interpretations -- I'll leave this aside for now
17 because when it comes to interpretation by
18 bureaucracies, it always seems to work against us.
19 I was objecting to the permits in Sitko Bay. We
20 used to take 50 sockeyes per permit, and they cut us
21 down to 25. When they cut us down to 10, I made a
22 statement in a hearing; and I don't consider the
23 limit of ten sockeyes Subsistence practice, and I
24 don't; but the next hearing I heard that statement
25 repeated when they heard Mr. Jacobs saying and
that's away from Sitka he doesn't believe in
Subsistence. That was wrong. See, take my word,
just give it a little twist. Use it in their
favor.

I think I've had a lot of dealings
with bureaucracies. I've had a lot of dealings with
Fish & Game; I've had a lot of dealings with Fish &
Wildlife and the Forest Services, especially. Like
I said, sometimes I'm very blunt, sometimes pretty
devastating; because I know my history; I know my
Indian law, and I think I have pretty good knowledge
of white man's law.

Before I go to my written testimony,
I would like to know how many of you have a copy of
the State Constitution?

Okay. You understand that white
man's language? Written in very powerful manner and
rigid. Now, we deal with the bureaucracies; and in
the Subsistence summit in Anchorage, we decided to
put a lot of emphasis on -- are you saying "shush"?

MR. THOMAS: Holding my chin up.
Chin up.

MR. JACOBS: Chin up?
Anyway, we tried to put a lot of
emphasis on inherent rights because the Federal

1 Government and the State of Alaska prefers to use
2 customary and traditional. On the contrary,
3 inherent rights is not subject to statutes. The
4 same as tribal sovereignty. It cannot be
5 legislated. It cannot be taken away. It cannot be
6 negotiated; but at times, we as tribal governments,
7 in order to get our hand on a little bit of
8 appropriations, we provided for a waiver. And it's
9 a limited waiver. When we waive our sovereign
10 immunity, it applies only to that particular program
11 and funding.

12 Now, I want to finish out by saying
13 that inherent rights is not subject to legislation,
14 statutes; because it can -- in -- Parliament and
15 Congress can pass all the laws they want on the
16 books, black and white, saying that inherent rights
17 of everybody is extinguished; rights is hereby
18 extinguished. It's on the books; it's written.
19 Congress claims powers over the English. We still
20 have inherent rights despite of the light. Inherent
21 rights cannot be legislated. You're born with it,
22 and you die with it. They don't want to use that,
23 and at times we talk about it.

24 Not long after, those opposed to the
25 law began to interpret the word "Subsistence." It's
26 what they mean. It's not the only word that came
27 into the question of interpretation. Then they
28 began to interpret the word "rural." The State lost
29 every case in the interpretation of "rural,"
30 appealed to the 9th Circuit Court. The 9th Circuit
31 Court ruled against the State of Alaska telling the
32 State of Alaska that they will not be allowed to
33 have their own interpretation of what rural is.
34 There's a lot of things that comes to my memory;
35 I've got four hours here.

MS. GARZA: There.

19 MR. JACOBS: I was in the meeting in
20 Alyeska called by the State of Alaska to determine
21 the word "rural." They didn't announce that they
22 were going to provide two buses to take the people
23 to Alyeska. It was in the paper for public input in
24 the City of Anchorage. Those that came down to the
25 lobby, Indian time, missed out on that trip. The
26 buses were full. That was the meeting where we
27 decided that you cannot change Southeastern Alaska
28 status as rural. The State of Alaska and Fish &
29 Game began to use a head count, and I've argued with
30 them time and time again. They came up with 2500 as
31 limitations of what rural is, and from thereon it
32 becomes urban.

1 In one hearing I asked them along the
2 articles you'll find a number of Eskimo communities
3 in the neighborhood of 2500. Very unlikely you'll
4 find one with exactly 2500. Is it rural, or is it
5 urban? Now, if it's 2500, it's rural; and the young
6 lady gives the birth. Is it still rural; 2501,
7 that's urban? A few days later an Elder dies, back
8 to 2500. How ridiculous can you get? They're
9 trying to deprive me of my dry fish.

10 They said they're using the standards
11 of census. I said, "Fine and dandy. You cannot use
12 census laws or census regulations to deprive me of
13 my rights. Even if I'm a criminal and they have
14 evidence on me through census takers, they can't use
15 that against me." That's what the census law is.
16 Couldn't use it.

17 Now, Sitka had 8300 people at that
18 time; and it's urban; and I said, "No, it's still
19 rural." It doesn't count, doesn't go by head
20 count. 8300 people, now they've decided 7500 and
21 you're over limit. Yes, I know, I remember when you
22 as Fish & Game Board decided that 7800 will be the
23 cutoff number of head count. In addition, you also
24 said the Coast Guard personnel will not be qualified
25 for Subsistence because they're rotating
population. I said but you're talking the
population against Sitka. Eliminate that 2500
increase by the Coast Guard station, we're still
rural.

 I think the thing that began to
change a little bit in our favor -- to get back to a
year ago in the AFN convention, Secretary of
Interior Bruce Babbitt says that we will not help
Alaska Natives if we do not accept the proposed
constitution. I think his representative was Mary
Williams. I don't remember the date exactly. I
specifically remember those dates.

 MR. THOMAS: Deborah Williams.

20 MR. JACOBS: Okay. Deborah
21 Williams. I go to the mike, and it's not the first
22 time at a mike because some of you that seen me in
23 testifying before Fish & Game the recording system
24 goes out; the mike doesn't work; even in the Federal
25 takeover they had a video machine set up now and sat
there in that Federal building from 9:30 in the
morning until 10:30 that night. My turn came at
10:30 that night. Guess what happened? They picked
up the video equipment. They don't like the word
"inherent." They can't do anything with it. It's
something we are born with, and we die with it. It

1 can't be taken away. It can only be suppressed.
2 You can stop me at any time. I think I'm talking
3 quite a bit. I have a lot to say, but I won't be
4 utilizing the system of sending in proposals, the
5 one proposal; you can deal with it one at a time
6 instead of a long later. That's the system I plan
7 to use today.

8 Let me get back to the statement by
9 Bruce Babbitt. When he said if you don't help
10 Alaska Natives, I got to the mike; it wasn't
11 working, but the one on the podium was working. I
12 said, "I remind this convention that this is what
13 happens to me when I got to the mike." I want to
14 use that one on the podium. Come on up. About
15 3,000 people in the hall there. I don't know if any
16 of you were there at that time. You heard the
17 Secretary of Interior Bruce Babbitt said he will not
18 help Alaska Natives if we will not accept the
19 proposed constitutional amendment. I said, "This is
20 an insult to the State of Alaska, an insult to its
21 people, an insult to the constitution that's very
22 rigid and says what it means."

23 The proposal he's talking about says
24 that the Legislature may provide for Subsistence
25 preference, but not required. A rigid constitution
that we're proud of, a model constitution, a
proposal that was read to us was a wishy-washy
section. I went on to say that this is nothing but
a bureaucratic blackmail. The secretary was
embarrassed, and I had to say that. Like I said,
I'm pretty blunt and pretty devastating when it
comes to Native rights and when our rights are on
the verge of destruction.

MR. THOMAS: Okay.

MR. JACOBS: Okay. That's good
enough. I didn't get to read this whole thing, but
I'll file it with this work.

MR. THOMAS: Gun nux cheesh.

MR. JACOBS: Gun nux cheesh for the
time.

You'll hear from me again.

MR. THOMAS: We'll count on it.

MR. THOMAS: Ed Gamble, Jr. -- Sr.

MR. GAMBLE: Good afternoon, and
thank you for the opportunity to address this
regional board. I'd like to begin by welcoming
Title VIII of ANILCA to its birthplace. Title VIII
was written and driven in the raven house of Angoon
during the time of our concern of Subsistence being
in ANSCA. It has no definition. The State had no

1 regulation, and yet they gave the authority to the
2 State of Alaska to regulate the Native way of life.
3 We had many concerns here, and what was in Title
4 VIII of ANILCA is the concerns of our elderly at
5 that time. And I'm happy to be sitting there and be
6 able to live long enough to see the Federal takeover
7 because it was predicted at that time that this will
8 happen, and the regulatory powers would come back to
9 the small communities where Subsistence is being
10 done.

11 Our concern is that State management
12 had all the hearings, everything that concerned the
13 use by the Native people. They took the concerns to
14 places like Kodiak where they had hearings on it;
15 and they took the concerns to Anchorage, Kenai, and
16 all the regions, not the true Subsistence users. I
17 have a concern, and I'd like to see -- I enjoy
18 seeing what is developing right now because that's
19 how I was raised. I lived the life of Subsistence.
20 I enjoyed it. My sisters always told me we were
21 very rich and never knew it. We always thought
22 because we didn't have that much money that we were
23 poor people; but then because of the lifestyle we
24 realized just how much we had within us or for us.

25 I'm speaking on behalf of Angoon
Community Association. I'm secretary of Angoon
Community Association tribal, and I see this
commission here as the protectors of Title VIII of
ANILCA. The State's idea of management was to
regulate the use by the Native people. The Elders
and the Native people seen themselves as the
wildlife that lives surround us. They believe that
they have the same right that the bear has, the
eagle has, and all the animals that are around the
fishery or that wander around our forest. They
believe themselves to be that, and they figured that
government was there to protect their right; and
it's becoming more true today as we look around us.
We have sport hunting, commercial fishing. My son
last -- this early spring went out, and he was
working on a fish packer that packs on the Outside
and picks up a lot of the resources that go into the
creek. A lot of those things are not managed; but
yet when a word like "Subsistence" came into ANSCA,
all of a sudden the government wanted to regulate
just the use by the Native people, when in reality
the job that they had was to regulate all the other
activities around -- around us so that we can
continue the use that we have; and we believe that
it's a right, and we don't think it's a Native

1 right. When ANILCA was drawn up, we were looking at
2 the Charlie Andersons, the Schneiders, those people
3 that lived around us and did the same kind of
4 lifestyle. The young people growing up in the
5 community, seeing that George Turnmyer did a lot
6 more than we did. He done the process; he done the
7 Native crafts that came along with it also. So, I'm
8 here supporting this commission, and I'm sitting
9 here appreciating the fact that our young -- our
10 young Alaska Native Brotherhood president invited
11 this commission to be here in this community, which
12 finally gave us the opportunity to sit here and
13 address a commission that's going to have an impact
14 on us. I think that's very favorable to our
15 people.

16 A lot of times people look at us, and
17 they look at us that all of us should be Native
18 dancers; all of us should carve; all of us should
19 beat. There are some of us that do these things,
20 and that -- our culture -- this is one of the most
21 important parts of our culture, because we've taught
22 and prepared our food for the upcoming winter as a
23 Tlingit people. We had the opportunity to do those
24 oral things. That's when we started beating, and
25 that's when we carved and other things; because we
would be ready for the upcoming year. That's a
seasonal activity, and it's an annual activity.
It's an ongoing activity. A lot of times people
talk about preserving the culture. We talk about
saving the language. What good is that without the
heart -- the heart of the native people, and that's
the resources that we depend on to even exist.

1 I applaud comments that were made at
2 the AFN when he was talking about -- when everyone
3 was talking about the new millennium, when we're
4 living in the new millennium. Nobody talks about
5 the past when only we were here, and that's the
6 Native people of Alaska. That was a good comment,
7 and that gives you a good understanding of what
8 Subsistence really is. We're reaching into that
9 past millennium and trying to preserve what was
10 there for the future.

11 I like the comments of John. A lot
12 of our activities with the halibut went downhill;
13 and, yet, allows outfitter guides to catch as much
14 halibut as they want. We watch them leave our
15 community, and no one's regulating that. But we
16 were restricted as Native people to have hands-off
17 of halibut. I think this commission needs to look
18 at other -- not just look at the Native people, but

1 look at other activities and put some regulation
2 into that so that our people can have this in the
3 future, so we can be ongoing. Otherwise, that part
4 and that very strong part of our culture is going to
5 be gone from us. What one little thing we can grab
6 for our younger generation is going to be a valuable
7 one in the future. This thing, this ANILCA, this
8 Title VIII, at the time that it was being prepared,
9 we didn't think it was going to be that much; and
10 when I heard about the Federal takeover, I had to
11 laugh to myself and cheer; and I say it's beginning
12 to happen, and it's happened. Now, we have a start
13 toward the future; and it happened at an appropriate
14 time. It is going on 2000 and it's going to be a
15 beginning; and that's just a comment I wanted to
16 make to the commission.

17 MS. GARZA: Mr. Gamble, which house
18 was it at again?

19 MR. GAMBLE: It's the house. That's
20 when they first set up the business.

21 MS. GARZA: Do you remember who was
22 there?

23 MR. GAMBLE: At that time was Stan
24 Johnson, Sr. One of the members also that was here
25 is Matthew Fred, Sr. There was Wally Frank, Sr.,
26 Charlie Jim, Sr., a strong proponent at that time
27 for Subsistence. The person that was writing was
28 Sterling Bulema. He sat and took the words of our
29 Elders, took it away from the meetings and done
30 research on it and actually came on -- came back --
31 he said I have a word that's never, ever going to
32 be -- that can never be satisfied with the State of
33 Alaska; and that word is "rural preference." They
34 will never be able to find a definition; they will
35 lose the right to regulate Native use, and that's --
36 that was a comment he brought back; and that's the
37 thing that made me smile; when that actually began
38 to happen, he was right.

39 MS. GARZA: We should have you
40 interviewed for that, because I don't know if that
41 history is written anywhere; and it should be.

42 MR. GAMBLE: But there are people,
43 and there is documentation; and some of it is on the
44 federal Register because from here there were people
45 that go down to Washington, D.C., like Dan Johnson,
46 Sr., and Charlie Jim, and Jenny Jim, Matthew Fred.
47 There was a strong lobbying effort at that time; and
48 we were -- we were told that we were crazy, that we
49 weren't doing the right thing because we were
50 accused of being in bed with environmentalists; but

1 we had a very strong concern. Actually came out
2 now, came to be benefit --

3 MR. THOMAS: Where were you?

(Laughter.)

4 MR. GAMBLE: In fact, I told Jack
5 Kesham, I told him with SERAC -- where all I see at
6 SERAC is guys. He made it a point later on that we
7 met some of the young ladies. I want that on
8 record.

9 MR. THOMAS: Now you've got to
10 satisfy our reporter's protocol. Spell your name.

11 MR. GAMBLE: My name is Edward J.
12 Gamble, Sr., E-d-w-a-r-d and J; Gamble is
13 G-a-m-b-l-e. I have that spelled all different
14 kinds of ways. I'm speaking on behalf of Angoon
15 Community Association, local tribe.

16 MR. ADAMS: May I make you aware of
17 something in regards to a statement to me about the
18 halibut issue at this time?

19 MR. THOMAS: Uh-huh.

20 MR. ADAMS: About three or four years
21 ago, the mayor of Yakutat and I attended the -- a
22 meeting up in Anchorage that was sponsored by the
23 Department of Community and Regional Affairs and one
24 of the boroughs up on the Aleutian Chain; and it
25 included communities along the Gulf of Alaska from
26 Yakutat all the way down to the end of the Aleutian
27 chain. They were concerned that Southeast Alaska
28 had a groundfish management plan; Bering Sea had
29 their SEQs; and, of course, we had our IFQs; but
30 they weren't working. A lot of people weren't
31 satisfied with those quotas. We spent three days --
32 these are people who came -- representatives who
33 came from those various communities, and we spent
34 three days hashing out how we could develop a
35 management plan for the Gulf of Alaska in regards to
36 groundfish that included halibut. The whole concept
37 was that the fish would be caught locally; it would
38 be processed locally; it would be marketed locally;
39 therefore, all of the funds would stay within the
40 community. The way that IFQs and CDQs, you know,
41 were fixed even today is that a lot of these outside
42 big boats could come in and pick those IFQs and CDQs
43 up in just a very short period of time. Another
44 part of that management plan proposal was that it
45 would stretch out over a period -- into the winter
46 months after the regular salmon season was over.
47 There's a lot of good things into it, and I've tried
48 to share it with some of the other people that I've
49 come in contact with and particularly some of my

1 friends in Southeast; and they looked at it, and
2 they said this should also apply to all of Alaska if
3 we can make it going. When I get back home, I'll
4 make sure that I can get a copy from the tribal
5 office; and I'll mail it to you. It has all of the
6 proposed points where -- there'd be bag limits, gear
7 types. There's a limit on the size of boats that
8 could come into the area. The one problem that
9 we've had over the past three years is that what
10 needed to be done is that it had to be submitted to
11 the State Legislature, because there was no funding
12 for this type of management for the Gulf of Alaska;
13 and it never, ever got that far as far as I know;
14 and I did -- I think I supplied a copy to your
15 representative, Al Kookeshan, to Jerry Macky. You
16 might want to ask them and see if it will be able to
17 jog their memory of me sending it down to them. I
18 think it's a good plan that needs to be reviewed and
19 looked at and needs to be done some modifications,
20 I'm sure, for local community rights. It's there.
21 And it's just gathering dust at this point.

MR. GAMBLE: I've got another closing
22 comment and observation; and the concerns that I've
23 heard in the past from Elders and those people are
24 gone, no longer. I'd like to make some comments on
25 their behalf. There is some things that concern the
26 communities of Subsistence. You heard where you
27 have the hand for the State of Alaska, it was
28 everybody's right to do those things. It's an
29 inherent right; I like that comment. That comes
30 back to the community. I went up to the AFN, and
31 there was a woman that was selling dry fish. I love
32 that dry fish up there; but I never, ever planned to
33 go up there and invade their inherent rights to go
34 and try to do it on my own. I had the ability to
35 pick up a couple of bags because she was selling
36 those there. Now, that is something that I should
37 do. I should respect their inherent rights but be
38 able to get some of them on my own. So, I think
39 that we shouldn't be opposed to the idea of limiting
40 the Subsistence. It's not limiting, but recognizing
41 the Subsistence used by a community; because a
42 community like Angoon has certain areas that it
43 looks at; and if those areas are historical, much
44 like others, those people that have the inherent
45 rights should have the ability to come back to the
46 community and do their preparation, if it's their
47 desire to do that. But we shouldn't have to reach
48 into somebody else's pocket for something that we
49 want. I think that's very important, and that's

1 respect from one community to another that Native
2 people always had for each other; and for the
3 comments, again, I'd like to say thank you.

MR. THOMAS: Thank you, Ed.

3 Okay. Five-minute break. Then we'll
4 come back to these blue papers. I only had about
5 three people in attendance.

(Break.)

5 MR. BREMNER: Mr. Chairman, my name
6 is Don Bremner. I was born and raised in Yakutat.
7 Even though I live in Juneau, I participate in the
8 Yakutat --

9 MR. THOMAS: She wants you to spell
10 your name.

11 MR. BREMNER: B-r-e-m-n-e-r.

12 I would like to comment about some of
13 the Subsistence management regulations. If you have
14 a book in front of you, it would be easier to follow
15 and understand my comments.

16 MR. ANDERSON: What page do you want
17 us to start?

18 MR. BREMNER: There's two areas of
19 the regulations that I'd like to comment on, and I
20 hope you can come to an agreement that they're worth
21 reviewing by the Council; but before I begin, I want
22 to say that it makes me feel good that I could
23 participate in something like this and speak to my
24 own people. I think of my Elders in Yakutat; they
25 always said, "This is for our grandkids; this is for
26 our grandkids." Here I'm hoping for my kids and my
27 grandkids. I think our Elders' words are coming
28 true when somebody like ourselves can speak before a
29 body like yourself there. So I'm real hopeful for
30 our future in the Subsistence management in Alaska.

31 The first area I'd like to comment
32 on, though, in the regulation book is on page 12.
33 If you go to the definitions section on page 12 of
34 public lands or Federal public lands, you'll see
35 that Federal public lands, what they apply to with
36 the exceptions of the land selections of the Native
37 Corporation made under ANCSA, and their other
38 selections. I want to point out where this
39 application of this isn't a good thing.

40 If you look at page 38 of this same
41 booklet now, you'll see that for Unit 5, the Yakutat
42 region, SeaAlaska Corporation has an overselection
43 of about 70,000 acres there. We've testified about
44 this before to Federal and State agencies, and we're
45 back again. So, the 70,000 acres in Yakutat that
46 does not -- these regulations do not apply to are

1 prime Subsistence areas for the community. They're
2 right on the road system. These are traditional and
3 customary areas, and what I believe is a solution
4 and you have within your own system here -- I think
5 it's on page 7, you have an alternative permitting
6 system that you can implement for overselection
7 lands by regional corporations or other Native
8 corporations.

9 I believe that this body could take
10 it and put together something that will make it
11 easier for the local residents there to have these
12 regulations apply. It shouldn't be us working it
13 out with SeaAlaska Corporation; we went to them, and
14 they won't do anything. They believe it's up to the
15 Feds. So I think that's one of the things that the
16 Council could look at assisting the villages and the
17 rural residents with.

18 And the solution, again, is working
19 under the alternative permitting system.

20 They should be able to subsist on
21 these lands while the land is still in overselection
22 status. The benefit of the use should be given to
23 the Subsistence users of that community until the
24 regional corporation selects it or they give up the
25 opportunity to select it. It's all backwards, in my
26 mind. The benefit should be given to the group and
27 not the corporation.

28 The second area I'd like to talk
29 about is the game management unit and boundaries.
30 And I'm questioning to take you to page 38 -- no,
31 page 37 and page 43. The game management units for
32 the Yakutat region are 5A and 5B for the main game
33 units. And if you look at our northern boundaries,
34 they have 6A, 6B, 6C; and my point on the game
35 management unit boundaries is this: I think the
36 Council has an opportunity to have a good look at
37 the existing boundaries. There's 267 game
38 management units. I think you're in a unique
39 position to look at the game -- the game management
40 unit boundaries as they are today.

41 Now, for Yakutat, now, our boundaries
42 go from Latuia Bay all the way up to Suckling. My
43 proposal would be on page 43, 6A should be either
44 part of 5B or made into 5C, under Yakutat, because
45 our borough boundaries extend that far north; and as
46 one of my friends mentioned in regards to this issue
47 is that the communities are geographic user groups.
48 So, if that's true, then 6A really should be either
49 part of Unit 5 or made 5C to show that this is a
50 unit used by the Yakutat people; and it is, and I

1 think that's how we proved to the State that our
2 borough boundaries go that far. We used a lot of
3 traditional -- traditional knowledge of the region
4 to establish those boundaries.

5 So, I believe that the Council should
6 have a look at the existing boundaries and look
7 forward because I think if the State is going to
8 require mandatory boroughs, I think in Southeast
9 Alaska, I think some of these smaller villages, like
10 Angoon, Hoonah, and the other smaller villages are
11 going to be forced into borough systems; and that's
12 going to -- like Yakutat, affect them as well. So I
13 think the Council should review the existing
14 boundaries and not just use a blanket approach in
15 adopting State game management units as they are. I
16 don't believe they're currently applicable, and
17 Yakutat is just one example.

18 The Council should look at and
19 consider the cross-boundaries of community
20 governments and agencies in Alaska. This is just
21 supporting my previous comment because our borough
22 boundaries go that far north; and if it's possible
23 to make those kind of recommended changes, I think
24 it should take place.

25 Like, for Yakutat, our fur, fish, and
game activities take place in that whole borough
boundary that we established. Now, for our
regions -- this is where it would become a little
bit complicated for some communities; their place
where they Subsistence fish might be a little
different from the game units, so I think this is an
opportunity to do some housecleaning with some
boundaries. I think these are some very important
issues that should be addressed early on in this new
system. And I really appreciate the time.

On the light side, Mr. Chairman, I
was looking at the definition that's applied in this
booklet; and I thought -- well, you know what, I was
looking between marmot and motorized vehicles; and I
was thinking, you know, why there's so much -- so
much of our people are jumping ship in these
intermarriages is because there's no marriage
ceremony definition there, Subsistence for marriage
ceremonies. If we put it in front of it -- we'll
implement it.

MR. THOMAS: Valid point you brought
up today.

MR. BREMNER: I said it for the
public record now.

MR. THOMAS: For your information,

1 Don, we have discussed those boundaries of those
2 areas with the community of Yakutat to some very
3 extensive degrees; and the particular area I think
4 is 5C -- is there a 5C on there? It's 5A and B,
5 right? There's an area there that's used by the
6 Southcentral region. So, there's a cooperation
7 between the two game management units to leave it
8 the way it is now, C. And Yakutat being in that
9 game management Unit 5, C; and in any case, if any
10 changes are going to be made, the only way we can
11 address those areas or any area as a council is
12 through the proposal format. So, if you could meet
13 with people in Yakutat and get your -- come to an
14 agreement on what you would like to see changed,
15 submit it because what we've already discussed --
16 not saying that that's the way it should be. That's
17 just what happened after the discussion up to now,
18 see? So, if you guys could address that in a
19 proposal form, John Vale is there. He can help you
20 with that, and submit it like that and then bring it
21 to the wisdom of -- look at these wise people up
22 here; and then we'll take those recommendations.
23 Generally, we support the wishes of the community.
24 So, we're not here to argue with anybody.

13 MR. THOMAS: Who are you pointing
14 at?

14 Hi, Dolly, go ahead.

15 MS. GARZA: Mr. Chairman, we did
16 certainly discuss it at our last meeting, and we did
17 take some direction on the minutes from our March
18 meeting on page 5. We had asked staff to write a
19 letter to SeaAlaska as well as BLM to see what was
20 happening, because it was nine townships that were
21 part of the overselection; and I'm not sure if that
22 has been done; but perhaps, if we can, as you said,
23 have staff and Yakutat get together and do some of
24 the basic work, then we may be able to pull it
25 together as a council resolution at our next
meeting.

21 MR. BREMNER: And when's your next
22 meeting?

22 MS. GARZA: March. Well, somewhere
23 in that area.

23 The general public has a deadline,
24 and then there's a separate deadline for council
25 proposals; so we can develop one there.

24 MR. THOMAS: Do you have those dates,
25 Fred?

25 MR. CLARK: I don't, but Bill may
have them off the top of his head. November 5th is

1 the deadline for the submission of public proposals,
2 but the Council has an opportunity to clarify
3 proposals. Bill can clarify a little more.

4 MR. KNAUER: I would like to -- first
5 off, the proposal deadline for everybody is November
6 5th; but I'd also like to address the issue of the
7 game management unit boundaries. They do not relate
8 to human use. They relate to game populations and
9 associations. Folks use resources sometimes far
10 distant from their community. There are some areas
11 in Alaska where folks use wildlife or fisheries
12 populations hundreds of miles from their community.
13 So, the game management unit does not relate to a
14 community's use. It relates to a similar population
15 or habitat that needs to be generally managed in a
16 similar manner. So --

17 MR. BREMNER: Mr. Chairman, let me
18 interject here on that interpretation -- with that
19 interpretation, you've just defeated the purpose of
20 rural with that definition; because if I'm able to
21 say, "Okay. I'm going to fly hundreds of miles away
22 from Yakutat into this other unit," it defeats the
23 definition of rural and resident in regards to these
24 regulations. So, there has to be something more
25 than that.

MR. THOMAS: No, it doesn't defeat
that because if you're a resident, you've got to
become rural just by going to a rural area.

MR. BREMNER: It's defeating it
because if you take that definition and apply it to
Angoon and you suddenly have a large influx of
people flying over here exercising these Subsistence
rights when it's written a little bit differently
here in the book, I think there would be a large
outcry from the community.

MR. THOMAS: Well, if the resource
can't handle that kind of an influx, then the
priority will be over.

MR. BREMNER: But I still believe
it's a conflict with your interpretation.

MR. KNAUER: Well, you know, this is
not my interpretation --

MR. THOMAS: Who are you agreeing
with, him or me?

(Laughter.)

MR. KNAUER: Oh, boy. I decline to
answer that on the grounds that I might incriminate
myself.

The game management units were
established by biologists with the Alaska Department

1 of Fish & Game through a lot of research on the
2 animal populations and the needs of those individual
3 populations within that area and the similar --
4 similarity of habitats, without regard to human use,
5 recognizing that humans, be they urban or rural, go
6 varying distances. In the interior we know folks
7 that travel 150 and 200 miles by snow machine or dog
8 sled to trap. They're certainly not trapping in the
9 game management unit that their community happens to
10 lie within. But they still are rural. They still
11 have the customary and traditional use of that
12 area. So, it does not relate to a community's use
13 area. It's strictly a tool by which you can examine
14 wildlife populations and can develop reasonable
15 management regulations for those populations for
16 conservation, for wise use, for protecting.

17 MR. THOMAS: But I think there's some
18 other proposals --

19 MR. KNAUER: The best way if they
20 were wishing to recommend a change in the game
21 management unit boundaries, since those are set by
22 the state of Alaska, would be to submit a proposal
23 to the Board of Game; because we have adopted the
24 game management unit boundaries as set by the Alaska
25 Department of Fish & Game.

MR. BREMNER: That was my testimony,
that the Council should represent the Subsistence
users and not just blanket adopt the State Game
Management regulations and boundaries. This is a
new system and new opportunities is all I'm saying,
and then he said it for the record here; that's what
has happened, when I don't believe that's in our
best interest. It's inconsistent. But I'll end my
comments so that we don't tie up time for other
folks. But is it possible that my testimony here
could be accepted as an oral proposal between now
and November 5th, or does it have to be in writing?

MR. THOMAS: It has to be in
writing. We can't do a lot of things with oral
testimony.

MS. GARZA: Mr. Chairman, I'm
confused, then, because on this it has different
dates.

MR. KNAUER: I think that's for
fisheries. I'll go into that when I get back.

Even though we have adopted the
boundaries, the Federal Subsistence Management
regulations don't have the same regulations as the
State. We've adopted the boundaries, and we started
off ten years ago with the regulations the State had

1 then. But since then, this Regional Council, as
2 well as all of the others, have recommended numerous
3 changes to what the State had on their regulations;
4 and most of those recommendations from this Council,
5 as well as the others, have been implemented into
6 what you see as this book; but they are different
7 from the State.

8 MS. LeCORNU: I just wanted to say,
9 just to clarify, Don, we did accept the State
10 regulation for our fisheries management. So, that
11 has happened.

12 MR. THOMAS: That's true; because
13 between three weeks ago and now, it didn't give us
14 enough time to write regulations for the whole
15 region; so that's why we have our proposal period to
16 make those changes. People have a chance to review
17 those existing regulations; and if you've got things
18 in there you want on change, by November 5th send
19 them in. That's how we start. We've got to have a
20 place to start.

21 Anyway, gun nux cheesh.
22 (Laughter.)

23 MS. GARZA: Mr. Chairman, our new
24 member, Mr. Adams, has agreed to take this on as
25 part of his job, since he's replacing Mr. Vale.

MR. ADAMS: Mr. Chairman --

MR. THOMAS: Mr. Adams?

MR. ADAMS: Just for the record, when
I get back home, I'll get together with John Vale;
and we'll see if we can get some public input and
come up with a proposal before November 5th.

MR. THOMAS: We'd like something to
come from Yakutat.

MR. ADAMS: Okay.

MR. THOMAS: I just got a phone call
on my hearing aid that dinner is at 6:00 o'clock to
night at Kootznoowoo. If you don't get there early
enough, you have to eat it cold. Tough cooks
tonight. You know that hospitality we had last
night, we're back to reality.

Walter Jack. Jack?

State your name for the record; spell
it for my record.

MR. JACK: My name is Walter Jack,
and I was here most of my life; and the two -- I'm
on the council as a -- IRA as a council member. I'd
like to come with some views of my own, and the
decisions happening now could affect the jobs; so I
want to come from the standpoint of the tribes.

Angoon lacks an economic base, and

1 the unemployment here is really high; and one of the
2 things that I always do is try to talk for programs
3 and funding coming to the community that could help
4 tribal members and the shareholders. One of the
5 things that I do know is the halibut fisheries has
6 always been a Subsistence thing for us as the
7 customary and traditional use; and the ruling was
8 that halibut was never used as Subsistence for -- by
9 Tlingits, by Natives of Alaska; but the Tlingits
10 have always had a halibut hook. I know it wasn't
11 used for flounder or bullheads. They used it for
12 halibuts; that's why they called it the halibut
13 hook. The State was telling us that we had no
14 record of the halibut hook is the one that testifies
15 for us, the Natives, and so what I'd like to do is
16 have a ruling, a proposal ruling to take halibut as
17 Subsistence for our customary and traditional use
18 for our Alaska Natives, and because -- because the
19 Federal waters are out in the middle of Toms Grace
20 we probably wouldn't want to dig halibut out in the
21 middle of Adams Creek. I do know that the IRA and
22 the tribal council did submit papers to the Federal
23 Government to have jurisdiction over part of Chatham
24 Straits and from Wilson Point all the way up to
25 Fishery Creek, and with the memorandum of
understanding with the government-to-government
relationship between the Federal Government and the
tribes in the state of Alaska, by the IRA/Angoon
Community Association having jurisdiction over those
bodies of water, like I say, what the Federal
Government is, the tribes in the state of Alaska can
become. So, through the memorandum of agreement
between the Federal Government and the tribes that
we would have jurisdiction over those bodies of
water to where it actually almost becomes Federal
lands because it has the tribe -- that we have
jurisdiction over those bodies of water; and it's
from -- like I say, from Wilson Point all the way up
to Fishery Point and half of Chatham Straits up
here; that's what we would like is to have that
jurisdiction -- it's in the making already to have
jurisdiction over those bodies of water so that the
halibut as a Subsistence for the Natives, I think,
would only be right that we have that in place for
Angoon and other Natives in Alaska, in any community
that does fish and use halibut as a customary and
traditional use. So, we'll put our proposal in,
hoping that we'll be able to submit one coming from
the tribal standpoint, from the community of Angoon
to include halibut as a Subsistence use because

1 we're always told to shake the halibut or we can't
2 really go out -- we have to buy a sport license
right now, and the reason --

3 MR. THOMAS: Does it tell you what to
do to shake them out?

4 MR. JACK: I do know that we have to
shake them, though.

5 The thing of it is, though, is the --
when the sport fisherman was allowed, it's okay, I
6 know, for them to take any size halibut; and
everyone knows that if you continue to take the
7 small stock, you're going to completely wipe out the
stock; and the Natives have always -- we've always
8 been brought up to -- and taught that we don't ever
abuse our natural resource; because if you don't
9 abuse it, it will always be there for us; and now we
see people from down south coming up here and taking
10 the small stock halibut, and that halibut stock is
depleting really fast out in our fishing realm. So,
11 we want to take control through the tribal
standpoint over that natural resource. And so if we
could work on a government-to government
12 relationship.

13 The other subject I want to talk
about is poor management for meeting from the tribal
14 standpoint, again, on a government-to-government
relationship with the Federal Government and the
15 IRA, that we want to be able to do the permitting;
because I as a local fisherman, Subsistence user,
16 and a commercial fisherman depend on the halibut
stock; and now we have to go further and further
away from the fishing grounds of Angoon; and with
17 the State and Federal regs that are in for
commercial fishermen, we're only allowed to fish in
18 certain areas. I cannot take my halibut fishing
permit and go fish outside. Because of what the
19 Federal and State has put in place, I can't do
that. I have to fish in these areas right here.
20 And so what we want is to maintain our -- on
co-management, to maintain our natural resources
21 here in the Chatham Straits area, and we had
Dungeness crab taken out of -- up inside the bay
22 here that Fish & Game brought in for Subsistence use
only; but for some reason, it was opened up; and one
23 guy was up there commercially fishing out of
Subsistence for Dungeness crab, and it was brought
24 to the tribe -- tribe's attention; and a letter was
written -- I'm talking too fast. A letter was
25 written to the guy; and he gracefully backed away,
which was good. But then our herring stock

1 depleted; and the ecosystem says that if you do away
2 with the small stock, you're going to do away with
3 the bigger stock; and that's exactly what happened
4 here in Angoon. Dungeness wasn't for commercial
5 catch; it was only for Subsistence use. The
6 herring, the king salmon, all that we need to
7 subsist of, with two sets of a sable coming in here
8 in the middle of the night, who allowed that? Was
9 that the Alaska Department of Fish & Game; who
10 allows that? We don't know, but the truth of the
11 matter is our herring stock is completely low right
12 now. Before it used to be like rain out here in the
13 water from Danger Point, way past Danger Point; now
14 there's a small patch of herring simply because of
15 the management. When the cohos are coming in, just
16 about the time the cohos start hitting for the
17 commercial fishermen trawlers, then seining opens up
18 here. Who is managing that? So, that cuts down the
19 chances -- like I said, the Angoon lacks an economic
20 base; and it's not helping this community by
21 allowing these commercial fishermen, seiners to come
22 back here and completely wipe out our stock; and we
23 end up with nothing here in the community. That's
24 why I'm talking for this community on the halibut,
25 the herring, the Dungeness. If we can go on a
federal -- government- to-government relationship,
we'd like to see that happen here in Angoon through
the IRA; and I believe the Angoon Council and the
IRA is the only organization that would be able to
work on a government-to-government relationship with
the Federal Government.

MR. THOMAS: That's true.

17 MR. JACK: That's my view, and I want
to thank you.

18 MR. THOMAS: Gun nux cheesh.
Peter McCluskey?

19 MS. McCLUSKEY: I'm Peter P.
McCluskey, Jr. That's M-c-C-l-u-s-k-e-y.

20 I think Angoon comes from a long
21 generation of fighting for our rights. My
22 grandparents, our grandfathers fought; and we're
23 still fighting. I'm one of the generations that's
24 living where we have to fight for our rights to
25 subsist. Regulations are put in place, and it only
affects us as community members that live here; and
other sport fishing can come in anytime and take out
what -- they probably take out a lot more than they
need. When we get things like -- anything like fish
is given to our Elders, whatever I get I send to my
uncle who can't go out anymore; and he don't live in

1 the community, so he doesn't have the privilege and
2 the honor to be able to go out when he wants to to
3 get any deer and seal, stuff he loves. I get those
4 and I send it to him on a plane. And he enjoys it.
5 He hardly gets around now. But our grandfathers
6 fought for all those. It started way back way
7 before my time with ANB. We have three founding
8 fathers from Angoon that formed when ANB started,
9 and they fought for a lot of rights for Alaska
10 Natives. I've had the privilege of attending the
11 first convention with ANB last year. It was a very
12 good experience to see things that -- that involves
13 the whole state, not just Angoon. I was on the
14 fisheries committee, and Mr. Martin was our
15 chairman. We went through a lot of proposals and
16 resolutions. There was one from Hydaburg on
17 crabbing, commercial crabbing. They're taking a lot
18 of their resources out of there for commercial use,
19 and that was taking a lot from the community. Like
20 Walter Jack said earlier, that he does it from our
21 halibut has gone down. I know they talk about
22 halibut hooks, and I'm glad about the Federal
23 takeover; and I know we can work with the Federal
24 Government a lot easier. I've sat in on
25 teleconferences to testify for our rights on
Subsistence; and it seemed like we were -- we were
just blowing wind, you know. They weren't
listening; and to get moving ahead in a canoe,
everybody's got to work together.

MR. THOMAS: We apologize for that
rude interruption.

MR. McCLUSKEY: Thank you,
Mr. Chairman --

MR. THOMAS: I'm wondering what was
in that bag.

MR. McCLUSKEY: This is mine that was
talked about a number of times by some of the
members. This is what our grandfathers used to put
food on their tables, to feed their families
(indicating).

MR. THOMAS: Can you explain to the
audience who might not know what those are?

MR. McCLUSKEY: These are halibut
hooks that our grandfathers used. We didn't have
the hooks that are used today, what you call circle
hooks. Our grandfathers used these. This is what
kept our people going.

You guys hear the story about the
bombardment. It took them five years to get back on
their feet.

1 One of my grandfathers -- when our
2 grandfathers fought for rights, they fought not just
3 for today. They fought not just for today; they
4 fought for their children. My grandfather was a
5 witness to the bombardment. I never got to hear his
6 story personally. I was -- I was only seven when he
7 died. But I think I have never seen how these hooks
8 were used, but I'm sure there's nobody here that
9 knows how to use them; and they made them -- there
10 was -- everything was used. We talked about using
11 woods to put them together.

 As far as regulations, I'm not very
12 familiar myself with regulations. I've been going
13 out getting food. I don't pay attention to
14 regulations. I'm feeding my family. I try to feed
15 my uncle; he lives in Sitka. I have an aunt here
16 who's -- I try to give her what I can; but that's
17 the only -- seaweed, clams. This -- these are --
18 these are things our grandparents fought for, and
19 we're still fighting for it; and I appreciate the
20 Council coming to Angoon. I'd never heard of the
21 Federal Subsistence Council when I first heard of
22 it, and I was asked why don't you do an invitation
23 to the Federal Subsistence Council? So, from the
24 ANB, we got a letter out; and I appreciate your
25 response and accepting the invitation, and I hope we
26 can -- I know we can work together on a
27 government-to-government relationship. We couldn't
28 do it with the State, and you can see where it got
29 us today. Now, we're dealing with the Government.
30 I also sit on the tribal council. I'm on my second
31 term, and I've been involved with ANB. I used to
32 get letters from my Uncle Paul James, who sat on the
33 Council also, ANB. He wrote to me when I was in the
34 Service about issues that they were fighting all the
35 time. Subsistence was one of them; but for
36 generations, that's years of generations of fighting
37 to keep food on our table; and I'd like to thank you
38 again, gun nux cheesh.

 MR. THOMAS: Gun nux cheesh.

21 For information from people from
22 Angoon, we've got expert proposal writers here; and
23 they're always willing to help, sacrificing their
24 dinner time and all that. Dolly and Fred. But if
25 you feel like you could use their expertise in
26 developing proposals, don't be afraid to approach
27 them.

 Dolly, Fred conspire together; so we
28 just kind of follow them around.

 MS. GARZA: We work for cockles.

1 MR. THOMAS: My sign is just a
2 cover-up. Good thing I got "the honorable" in front
3 of me. We're getting some super testimonies here.
4 I'm glad we get to show them on the transcript
5 here. When we get through, the transcript will be
6 that thick; and you guys get to review them when we
7 get through.

8 Raymond S. Nielson, you're the
9 grand-prize winner. Did we lose him? Oh, drum
10 roll.

11 MR. NIELSON: Thank you,
12 Mr. Chairman, council people, agency.

13 MR. THOMAS: Spell your name.

14 MR. NIELSON: My name is Akahshak,
15 A-k-a-h-s-h-a-k. I'm also known as Raymond Nielson
16 Jr., N-i-e-l-s-o-n. I'm here with a couple of
17 hats. First as the ANB, Subsistence, we've been
18 addressing some issues. First of all, on deer,
19 Subsistence season is in January. If you haven't
20 had a deer, I guess that's okay; but if you're a
21 cook, provider, we prefer to move the season back
22 when you're in better shape. Sure in January,
23 they're more accessible, with El Nino and La Nina,
24 that makes it possible because of deep snow.

25 And also we're concerned about our
right to harvest seagull eggs. At this point we
don't know where we're at because the Glacier Bay
being opened up for gathering seagull eggs, we see
that as a precedent. Now with Nasapak people, we
want to know if we're going to be able to gather
eggs, not only eggs, but puffin bills.
Photographers are allowed; we aren't. We want to
gather food.

We want to find out the participation
on management, co-management, through you and to
address to Federal people where we stand in the
overall picture.

Walter was speaking on the halibut.
I'm proud to say that several years ago we started a
Sitka Sound halibut task force plan, and it will be
implemented October 29th of this year. For the
record, it went through all various stages; and for
all intents and purposes, our plan has come to be
viewed as something very historic, first one in the
nation because all user groups came together in
consensus to identify your problem. What we're
looking at was having stock available for the
locals, Natives and non-Natives. There was a
charter, commercial, sport, Subsistence; and I had a
copy on the caravan, but it comes up lost.

1 And, also, I would like to say that
2 during the testimony for the special sessions, I
3 can't vow that the AIO outfits had a better
4 opportunity to testify a couple of times for the
5 House, Senate, and by teleconference and also by
6 fax. And there's something I rather enjoy because
7 we're always looking to battle with the State
8 Government. But through the terminology, the
9 language and bills, first one day Mark got to speak,
10 then my Uncle John, then myself. We spoke on behalf
11 of the Sitka Native Community or Sitka Sound people,
12 and the next day the language and the terminology
13 and the committee's substitute bill had changed
14 drastically.

15 What we did was we knew everything
16 was set in place. Everything was a done deal. What
17 we're doing is ensuring that the other people would
18 not vote the other way, and we did well. And we're
19 looking for a management program done by the locals,
20 and that's what we're doing here. And what happened
21 last night is what we do too, so we're looking at
22 our customary and traditional way of life and our
23 rights to trade and barter and sell.

24 And I wanted to speak on proposals,
25 but we're not there; we're looking at the Federal
and government-to-government agencies and being a
rural status. We're fighting for our rights, which
also included corporation land. And we're concerned
about invisible enforcements. That's with the
State. We look at something better from the Federal
Government in contracting with the tribes; and the
waste by the gill netters, we do not like that.

 And when we speak on not just fish,
this renewable resource, all of this is important to
our people, Sitka tribe, ANB, also the people,
members of Tlingit and Haida. We're here speaking,
and Jack can speak a little more on our work on the
Sitka tribe. I'm just a worker; he's the staff.

 Thank you.

MR. THOMAS: Thank you. Okay. That
concludes all my blue papers. We're going by the
colors today.

MS. WILSON: Mr. Chairman, I have a
quick question. Since most of our people have been
talking tribal, I was wondering if any of our local
tribal governments, IRAs, had a copy of our Title
VIII.

MR. THOMAS: I'm sure they all do.
If they didn't have, they wouldn't be talking
co-management.

1 MS. WILSON: Well, how many of them
here have it?

2 MR. THOMAS: Do you guys have it in
Angoon? Who is your chairman --

3 MR. NIELSON: She's the executive
director.

4 MR. THOMAS: Who is your director?

5 MS. ZUBOFF: Marlene Zuboff.

6 MR. THOMAS: Do you folks have a copy
of Title VIII?

7 MS. ZUBOFF: Not readily handy.

8 MR. THOMAS: You do have one?

9 MS. ZUBOFF: Yes.

10 MR. THOMAS: It talks specifically
about management, Subsistence; and that's where the
co-management concept came from.

11 Okay. Since I'm not going to allow
no more questions, it's 4:00 o'clock, I think before
we get back into the mood, it looks like we need a
little quasi-break. One minute. One minute for the
quasi. Then we'll come back

12 (Break.)

13 MR. THOMAS: Okay. Let's go.

14 MR. KNAUER: Thank you,
Mr. Chairman. I'd like to talk a little bit about
cooperative management with Native organizations
regarding the fisheries implementation effort.

15 During the planning effort, we kept
in front of us the need to work closely with the
Native communities to support local involvement in
the management of Subsistence fisheries. During
last summer, this past summer, we completed an
inventory of fisheries projects conducted by Native
organizations. We learned that a large number of
field projects are already ongoing. We want to
build on that capability as we implement the
fisheries program. Naturally, it will take several
months to identify, design, and initiate field
projects for cooperative involvement, but our goal
is to start several projects during the first
fishing season in the summer of 2050 and then build
the program -- 2000. In future years, the selection
of field projects will be based on field -- field
projects. The types of projects we're considering
include, but not are not limited to conducting
village harvest surveys, monitoring fish monitoring
stations to ensure adequate escapement for spawning,
such as fish wiers, spawning, and nets for
cooperative planning. Both of these cooperative
efforts and contracts will be handled through the

1 individual agencies in those areas. In other words,
2 the moneys that are received will be handled by the
3 individual agencies.

4 So, the organizations will not make
5 contract -- be contracting through the Federal
6 Subsistence Board but through the Federal agencies
7 in that area.

8 MS. WILSON: Could you be specific?
9 What agency?

10 MR. KNAUER: Well, probably in
11 Southeast most of the moneys would be coming through
12 the Forest Service. Now, there might be a few,
13 depending upon the individual area, from the Parks
14 Service; but most of it would be through the Forest
15 Service.

16 MR. CLARK: That means you have to be
17 nice to me.

(Laughter.)

18 MR. KNAUER: Out on the Yukon Delta
19 area, the moneys and the contracts would be coming
20 from the Fish & Wildlife Services. Probably in the
21 Copper River area, most of the contracts will be
22 administered by the National Parks Service. So,
23 that's what we mean by that.

24 MS. GARZA: Mr. Chairman?

25 MR. THOMAS: Dolly?

MS. GARZA: In regards to that, Bill,
has there been -- I've looked at some of the issue
papers, but not all of them. But in terms of the
different agencies being able to, one, contract with
Native corporations; but, two, also do something
besides the typical Federal employment process since
we find that a lot of local people don't jump
through those hoops; or they start at such a low GS
rate that they wouldn't apply to begin with.

MR. KNAUER: What we're looking at
are contact -- contracts and cooperative agreements
whereby we identify a resource need. For example,
we need to know how many -- or what the escapement
is up River X; and then maybe we'll see what the
Angoon Native Association says. Well, you know,
we've had a counting tower or a fish wier over here
on River Y. If we've got a contract, we could
expand that to River X. So, it's not a situation
where the individuals are being employed by the
Federal Government. It's a situation where the
Forest Service would be contracting or entering into
a cooperative agreement with Angoon Native
Association to expand their operation.

MS. GARZA: Can I continue?

1 MR. THOMAS: Sure.

2 MS. GARZA: Have all of the five
3 Federal agencies sat down and said, "Yes, we will do
4 this"?

5 MR. KNAUER: They have sat down.
6 They have developed a broad agreement that says,
7 "yes," they will do that. We are in the process
8 now of trying to lay out what is the process that we
9 will use to identify which projects we would look to
10 fund. It has to be based on the resource needs, the
11 data needs, the human needs. In other words, where
12 there are conflicts, we don't want to be funding a
13 project out in Hope-Deump where there is no resource
14 concern, there is no resource conflict, and very
15 little use. That would be esoteric data, but it
16 wouldn't do this program any good.

17 MS. GARZA: So, in terms of
18 determining those priorities, will you take the
19 comments that go before this Council; or will the
20 Council be able to comment on where we think that
21 priority should be; or will you, in fact, contact
22 the tribes, such as Angoon Community Bay social or
23 Sitka tribe, and say, "What are the needs in your
24 area?" Because I certainly can come up with some
25 ideas for Sitka, but what I come up with may be
different than STA might hit as their priority
list.

MR. KNAUER: Right now, I do not know
the exact process that will be involved. I do know
that there will be -- maybe not the very first year
because this Council won't be meeting between now
and --

17 MR. THOMAS: January.

18 MR. KNAUER: -- and January. But
19 it's only in January the councils may be presented
20 with some concerns or ask for any issues that
21 they're aware of. But, we definitely will be
22 working through the agencies to contact Native
23 organizations and identify projects in their areas.
24 Now, how those projects are initially identified, I
25 don't know yet.

MS. GARZA: So, for the remainder of
this meeting, it might be helpful for those who are
going to testify to also suggest possible research;
or their concerns that may end up being possible for
such projects?

24 MR. KNAUER: Certainly. Bearing in
25 mind that even under the expansion of the Federal
jurisdiction, the program in Southeast does not
include existence of fisheries such as herring nor

1 halibut; and recommendations like that, although we
2 recognize that they are concerned, this is not the
3 appropriate venue to pursue those. Those need to be
4 pursued through the Board of Fish, the Alaska
5 Department of Fish & Game.

6 MS. GARZA: As an example, we have
7 one stream where charter boats are sending the
8 charterees up and casting for coho. To me that's
9 clearly a Federal issue, and that's nothing that
10 ADF&G will do nothing about; but it's competing with
11 Fed Subsistence. Saying that would be likely to be
12 considered for funding.

13 MR. KNAUER: That might be a good
14 example of what might be. I can't say for sure.
15 But that would be a situation where it would be
16 within the Federal waters.

17 MS. GARZA: Thank you, Mr. Chair.

18 MR. THOMAS: When you first started
19 on this issue No. 2 and the descriptive policies in
20 place, you placed an emphasis on the term broad;
21 what does that imply? His use of broad and my use
22 of broad aren't the same.

23 MR. KNAUER: That's because I'm
24 younger.

25 MS. GARZA: You've been around us too
long, Bill; you're getting feisty.

MR. THOMAS: Have you ever seen a
broad jump?

A SPEAKER: Watch it.

MR. KNAUER: Mr. Chairman, I don't
know that there is a specific definition other than
the fact that the secretary, the board, the
secretary's special assistant have all committed to
a very large effort, both in number of projects and
in dollars that would be dedicated to resource
monitoring, a significant portion of which would go
to Native organizations.

MR. THOMAS: So "broad" would reflect
activities and involvement rather than regs?

MR. KNAUER: Yes.

MR. THOMAS: Okay. That helps me in
my thinking.

MS. GARZA: I have one more question,
Bill. I've been involved with Fish & Wildlife
Services on co-management activities with sea otters
and sea lion. Initially, one of the biggest
stumbling blocks that we ran across is that who they
would recognize as a tribe -- and sometimes I would
say they played games with us, but in the end it
seemed that whatever the organization was had to sit

1 down with a resolution stating that they were, in
2 fact, the tribal organization for the community.
3 Will that be the same process for this; or can just
4 organizations like Southeast Seiners' Association
5 say, "Yes, we would like to do monitoring of this
6 particular project"?

7 MR. KNAUER: The monitoring efforts
8 and the contracts, compacts, and cooperative
9 agreements will be entered into with any
10 organization or entity that can feasibly accomplish
11 the goals of resource monitoring, data collection in
12 a quality manner. Whether that is a group of, you
13 know, half a dozen individuals that have formed
14 their own little company in Angoon or whether that's
15 the University of Alaska-Fairbanks, or the Marine
16 Resource Program, the Southeast Seiners, you know,
17 whatever.

18 Currently, you know, we have made a
19 real effort to try and identify where there are
20 ongoing projects by various tribal organizations,
21 whether it's the recognized tribe, whether it's a
22 regional corporation or whatever. The label that is
23 put on those is not of concern to us. It is whether
24 the entity can produce a quality product.

25 MR. THOMAS: Dave, did you have your
hand up?

MR. JOHNSON: Just a response to
Dolly's question and also for Bill's clarification.
The question about what would be the kinds of places
or priorities for considerations for those places,
that would be the first place to look at. Two
things -- one, about a year ago or two years ago in
Southeast there was a comprehensive effort to look
at sockeye systems across Southeast. That was a
cooperative effort between the State and the Feds to
kind of ask the question of what's the status of
sockeye stocks in Southeast. A whole list of
streams were identified with a different ranking
system, as to okay, not sure, definitely not okay
kind of category.

The second characterization of where
folks might look is most recently the Board of Fish
has received proposals, about 50 proposals for
concerns and issues in Southeast; and of those
50-plus proposals, about half relate to streams on
Prince of Wales; and of those, a number of those are
sockeye systems. Whether or not we would have
jurisdiction in terms of the Feds or not is another
whole question. But in terms of those systems and
the importance of them to rural residents, I think

1 it's pretty clear that that would be another place
2 where folks would look to to begin asking the
3 question, "What data do we need to have about Stream
4 X for the Council to consider?"

5 MR. THOMAS: Thank you.

6 MS. PHILLIPS: Mr. Knauer, you're
7 saying that funding allocations, there will be a
8 significant amount for monitoring?

9 MR. KNAUER: Yes.

10 MS. PHILLIPS: How are you going to
11 determine what that significant amount is? Is there
12 going to be a certain percentage of the total
13 funding?

14 MR. KNAUER: We don't have an exact
15 dollar amount, but we anticipate it to be somewhere
16 in the neighborhood of 6 to \$7 million statewide
17 that will go to resource monitoring efforts. Now,
18 not all of that will go to contracts or compacts
19 with Native organizations. Part of that will also
20 go to cooperative agreements with the State, but
21 that is the ballpark that we're looking at out of
22 the first 11 million or \$10 million.

23 MS. PHILLIPS: Do you think that will
24 be an annual amount?

25 MR. KNAUER: I have no idea. That's
like trying to guess what Congress will do.

MR. CLARK: Yes, guessing what
Congress will do.

MR. KNAUER: We have requested
funding increases over the first five-year gradual
increases; so, we recognize that the management of
Subsistence fisheries will take quite a bit of
dollars and that most of it will be dedicated to the
acquisition of information upon which to base good
decisions.

MR. THOMAS: Okay.

MS. WILSON: Mr. Chairman?

MR. THOMAS: Okay.

MS. WILSON: Since we're talking
about money from the Legislature, I know when we
were under the State system they didn't always give
the amount that they were supposed to. So, I think
that might happen under this Federal system too.
So, that's got to be thought of. The Legislature
does not always give the full amount, depending
who's in there voting.

MR. KNAUER: That's correct. In
fact, Secretary Babbitt and -- what is? -- Deputy
Forester Jim Caplan were testifying before Senator
Murkowski's committee yesterday.

1 MS. WILSON: I wanted to also ask
2 another question. What's the percentage that would
3 be given to the State of Alaska as a contract or a
4 compact or cooperative agreement money or to the
5 tribal entities?

6 MR. THOMAS: You didn't have a
7 schedule for that one, did you?

8 MR. KNAUER: Well, if you figure that
9 we're talking that first allocation is \$10 million
10 and we're talking somewhere between 6 million and 7
11 million, you're talking roughly 60 to 70 percent of
12 the initial funding. Now, how it breaks out, I
13 don't know; but 60 to 70 percent we anticipate going
14 towards resource monitoring.

15 MR. THOMAS: We should be able to buy
16 Alaska back for that.

17 (Laughter.)

18 MR. THOMAS: Thank you.

19 Does that take us down to issue
20 No. 3?

21 MR. KNAUER: The next issue that I'd
22 like to talk about is Federal/State cooperative
23 management. Just as with managing wildlife, an
24 effective fisheries Subsistence program will require
25 close relationships with the Department of Fish &
Game. This is necessary because the State will
continue to have management authority with fisheries
throughout the state, particularly in the area of
sport fish, commercial fish, personal use fish, most
marine fisheries, and Subsistence fisheries that are
not on the Federal lands and waters.

With mixed State/Federal jurisdiction
on many areas, close cooperation and coordination of
management activities between State and Federal
managers is extremely important. Thus far, three
meetings have taken place since September of 1998
between the chairs of the Alaska Board of Game &
Fish, the Commissioner and deputy commissioner of
the Alaska Department of Fish & Game, and the
Federal Subsistence Board. In the most recent
meeting on June 28th, Regional Advisory Council
chairs Dan O'Hara and Willie Goodwin were also
present. These meetings resulted in a mutual
understanding of similarities and differences in our
positions. For example, both State and Federal
managers placed conservation of the resource as the
first priority. Among other users, both State and
Federal managers see Subsistence needs as having
priority over other uses of the resources.

However, separating rural from

1 nonrural users is where we cannot find resolution
2 with the State. And the State cannot differentiate
3 among their residents. Moreover, the Board and
4 councils want to maintain their existing
5 relationships; whereas, the State must continue to
6 work with advisory committees who represent a
7 broader constituency. Thus, we will continue to
8 have separate regulatory processes for both wildlife
9 and fisheries for the State.

10 Nevertheless, even though there will
11 be a separate process, we must have a high level of
12 coordination and cooperation between the State and
13 Federal for the fisheries programs to be
14 successful.

15 We have recently established a work
16 group made up of State and Federal staff to begin
17 defining how the two programs will coordinate. The
18 topics that they are currently looking at include
19 how information will be shared and managed; how
20 fisheries management planning will be coordinated;
21 how we will coordinate pre-season, in-season, and
22 post-season activities; how to coordinate our
23 respective regulatory processes; and how to
24 strengthen the interaction of the Regional Advisory
25 Councils and the local advisory committees.

Our immediate objective is to have a
draft agreement ready for the Regional Council
review and comment both at the January orientation
session of the Regional Councils, which was
originally scheduled for November, and the winter
Regional Council meetings. Our goal is to have an
agreement with the State in place during the first
year of the fisheries program.

Are there any questions on that
aspect?

MS. GARZA: Vicki?

MS. LeCORNU: I read in our book
under "desired outcomes," the first one is
development of cooperative which you've just
explained; but I see that it goes on to say: And
management objectives of the respective programs
with minimal interagency conflict and disruption of
established fisheries.

Now, to me, that says that that
doesn't have the desired outcome of Subsistence but
to protect the status quo. I don't understand.

MR. KNAUER: We recognize that there
are numerous fisheries occurring out there right
now. We don't want to go in with our lack of
knowledge and disrupt everything when there are

1 certain aspects of it that may not be broken or
2 certain areas where there is full concurrence by all
3 users. Right now, we don't know enough in that
4 regard. We're not saying the existing Subsistence
5 regulations the State has are good or bad. We just
6 recognize that they are, and that's essentially what
7 happened when we started with wildlife. For the
8 first year, we adopted the existing State
9 Subsistence wildlife regulations; and then we let
10 the Subsistence users come to us, come to the
11 Regional Councils and say: We disagree with this
12 particular regulation. We think it should be
13 different. And these Regional Councils listened to
14 their constituents and made proposals themselves,
15 and the board made numerous changes. We anticipate
16 the fisheries situation working the same way.

9 MS. LeCORNU: Well, I have to comment
10 that from hearing all the testimony today that I was
11 really happy to hear people of Angoon stand up and
12 say that they don't believe and approve of our
13 regulations as such because they have no concept of
14 the need or the uses; and that, to me, is where we
15 should be. That should be the desired outcome, not
16 to manage for disruption of somebody else's
17 fishery. I heard the suggestion this morning that
18 we should be regulating those people and not
19 ourselves; because, as such, we're regulating
20 ourselves out of any fisheries. So, to me, if
21 there's somebody out there that's Subsistence
22 fishing and getting put in jail, they're the ones
23 that are getting disrupted.

Thank you.

17 MS. GARZA: I guess one of the
18 concerns is -- in reading these documents is that
19 we're still doing the same thing of assuming that
20 the State is going to, like, turn on the light bulb
21 and figure out that they screwed up; and after six
22 sessions they're finally going to fix it, and we're
23 basically holding their hand until that point.
24 That's what I still read in this document. Even
25 though we've made it through Katie John is that
we're being far too accommodating; and by doing
that, by going into this being accommodating, the
State legislators will be less likely to say,
"Okay. I really got to get my ass in gear and get
something changed here"; because it's going to look
too easy. Although we have heard resounding at this
Council that they like Federal management, that is
not the case statewide; there are many regions that
would like to see State management back in place;

1 but by accommodating them, but being almost afraid
2 of them, we're not giving them any impetus to
3 change. That's what I see in here; that's what I
4 see as a concern. They've already said they're not
5 going to do anything on the Area M. They're not
6 going to do anything on the Yukon. Why does the
7 State have to do anything? They're not giving them,
8 "You got to fix this, or you're going to lose it."
9 That's what I see as a concern when I read this
10 document this morning.

11 I'll give it back to you, Bill.
12 MR. THOMAS: I'm going to take it
13 back. Council members coming out of the chairs.

14 MR. KNAUER: One thing I did not
15 address here is a question that Dolly asked earlier
16 and that related to funding back to the State. Any
17 funding that goes to the State will be associated
18 with a cooperative agreement or a contract that
19 specifically identifies performance and projects.
20 It would not be blanket funding. There are certain
21 cases where some of that funding might go to provide
22 for increased local advisory committee activity and
23 relations with the Regional Council. That was part
24 of a cooperative agreement we had with the State
25 last year where in two areas the local advisory
committees were funded for additional days or
additional meetings, and then their chairs were
funded for travel to the Regional Council meetings
so they could specifically address Federal
Subsistence proposals. We wanted to see how that
worked; and so -- but, here again, that was
specifically identified in the cooperative agreement
that this was a specified, desired result. It was
not an, "Okay. Here's a blank check. Use it
however you want."

MR. THOMAS: Where is that, the blank
check?

Okay. Does that bring us down, then,
to Issue 5?

MR. KNAUER: Issue 5.

MR. KNAUER: Yes, Regional Advisory
Council structures.

We're not going to necessarily talk
about every single one.

A couple of years ago we surveyed the
Councils on the -- their perceived need to
restructure the Council system in response to the
common fishery issues. At that time, it was only
the Councils along the Yukon and Kuskokwim Rivers
that indicated the need for further discussion. The

1 boundaries of the Regional Advisory Councils overlay
2 a common river drainage, that of the Yukon. The
3 eastern, western and Yukon/Kuskokwim regions overlay
4 the Yukon River; and the western, interior, and
5 interior Kuskokwim Rivers overlay the Kuskokwim
6 drainage. We're working with those Councils to
7 conduct coordination between the Councils. We asked
8 them specifically for their recommendations on how
9 they would like to work to achieve the best
10 communications and the -- the best cooperation.
11 These are separate topics in those respective
12 meetings, and this -- this is just provided for your
13 information to know that we have gone out to those
14 councils and asked them how they would like to
15 operate.

MR. THOMAS: Have they responded?

MR. KNAUER: They have. I am not
sure exactly what. I do know that the
recommendations are not consistent among all of the
Councils; but we think that they're -- you know,
that they will be very close in what they want. I
think initially they're going to designate a couple
of people from each council to sort of work together
on particular issues.

MR. THOMAS: I appreciate that
information.

MS. GARZA: This issue will impact or
can impact Yakutat/Cordova just because of Area 5A
or 5C. So it might be something that we keep
abreast of.

MR. KNAUER: Extraterritorial
jurisdiction.

Since 1995, the regulations have been
acknowledging the secretary's authority to extend
jurisdiction beyond Federal lands and waters. If
necessary, to protect Subsistence fishing and
hunting that occurs within Federal jurisdiction.
That's very important, within Federal jurisdiction.
We recognize that the management of migratory
species such as salmon may require adjustments in
allocation downstream beyond the Federal
jurisdiction to protect Subsistence uses. This
authority, however, has not been delegated to the
Federal Subsistence Board. We further recognize
that the public needs to know how this will work.
Recently we've prepared draft procedures for
handling petitions requesting some extensions of
jurisdiction for the secretary's review. It's
important to note that these powers of
extraterritorial jurisdiction have seldom been

1 applied by the secretaries. If there are extreme
2 circumstances in which a fisheries resource is being
3 depleted outside a Federal area to such an extent as
4 to cause a failure in Subsistence harvest within a
5 Federal area, the secretaries can extend
6 jurisdiction to provide a remedy. This process will
7 not follow the annual -- the normal annual
8 regulatory process. Serious petitions for extension
9 of Federal jurisdiction will involve consultations
10 with the State of Alaska and/or other fisheries
11 authorities, such as the National Marine Fisheries
12 Service, as well as analysis of the best available
13 scientific information. We will advise the Regional
14 Councils when these procedures become final and
15 available. Each of you currently have been provided
16 a copy of the proposed procedures.

17 MS. GARZA: Where are they?

18 MR. KNAUER: I think they were part
19 of the packet that was sent to you, and they may be
20 on the table back there.

21 MS. LeCORNU: So, who did you say it
22 was with? I'm sorry. The -- consultation with the
23 State of Alaska --

24 MR. KNAUER: National Marine
25 Fisheries Service, among others. That's just some
examples.

We do not anticipate this to be a
fast process; and in all of the other situations
where it's occurred, it has involved litigation that
has normally gone all the way to the Supreme Court.

MS. LeCORNU: Is that Katie John?

MR. KNAUER: No, no -- the two most
common examples that I'm familiar with are one
called Kleppe, K-l-e-p-p-e, v. New Mexico, and in
that particular case the Bureau of Land Management
observed authority off of Federal land to protect
burros and horses; and that went all the way to the
Supreme Court.

MR. THOMAS: What's the difference?

MR. CLARK: Between burros and
horses?

MR. KNAUER: The other one was one --
and I don't remember the exact citation -- but it
was in the boundary waters canoe area; and, again,
it went all the way to the Supreme Court; but there
have only been about half a dozen times that this
has occurred over the last century. So, it was a
very high threshold. It is a very significant
decision that the secretary has to make.

MS. LeCORNU: The secretary's never

1 had a situation like this either, such a major issue
2 for so many people. It's not burros and horses
3 anymore.

4 MS. GARZA: I guess the warning would
5 be that there are many communities who are looking
6 at this and feel that -- I mean, we've talked about
7 this before. I mean, fisheries is 95 percent of
8 Subsistence in most of Alaska; and even though we've
9 moved on to Katie John, we're still hardly touching
10 fisheries with Federal management; and there are
11 communities that are very concerned that this State
12 is not doing what they need to do; so, there will be
13 a flood of petitions; and even if it is a slow
14 process, we've been talking about Subsistence since
15 1971.

16 MR. KNAUER: We must remember, in
17 this case the secretary would not extend his
18 authority to allow Subsistence harvest on those
19 other waters. It would be to protect a Subsistence
20 activity that has failed on waters that are already
21 within the Federal jurisdiction.

22 MS. LeCORNU: Such as the Yukon?

23 MR. KNAUER: I don't know.

24 MR. THOMAS: Parts of the Yukon?

25 MR. KNAUER: Possibly.

MS. LAUBENSTEIN: The
14 extraterritorial paper isn't in the book. You need
15 to pick it up in the back. It's not that one. It
16 says "draft" across the top.

17 MR. THOMAS: That's too
18 controversial, you all. Let's move on --

19 MR. KNAUER: To customary trade.

20 MR. THOMAS: Customary trade.

21 MR. KNAUER: The definition of
22 Subsistence uses in Title VIII includes customary
23 trade as a legitimate Subsistence practice. In
24 regulation, customary trade includes the sale of
25 Subsistence-taken fish as long as it does not
26 constitute a significant commercial enterprise.

27 This permissive customary trade
28 regulation is designed to permit the practice of
29 selling small quantities of fish and their parts but
30 to keep the practice separate from commercial
31 sales. We recognize that there may be a need to
32 have additional regulations to further define
33 customary trade practices on a regional basis to
34 ensure this separation and prevent abuse of the
35 regulation. This fall we are initiating a process
36 to identify those customary trade practices in each
37 region in consultation with the councils. This is

1 the subject of what would be another agenda item for
2 this meeting. And we -- at that time I'm going into
3 some of the further information that we've developed
4 and what we hope to ask of the Regional Councils.

5 MR. THOMAS: How could you -- how
6 could you -- what is your question, not to do
7 something with the regulation, not to -- could you
8 read that part again?

9 MR. KNAUER: We recognize that there
10 may be need --

11 MR. THOMAS: Without abusing the
12 regulation? How can they abuse the regulation
13 without violating it?

14 MR. KNAUER: If the regulations are
15 very confusing, not very clear, very nebulous,
16 individuals could come in and say, "Well, it's my
17 Subsistence practice to take everything in this area
18 and sell it"; and if there is not a mechanism to
19 prohibit that, then the resource and the Subsistence
20 users will suffer. To us that would be an abuse of
21 the system.

22 MR. THOMAS: Then I think instead of
23 having the Council define C & Ts, we should have
24 them refine the language in such regulations.

25 MR. KNAUER: That's what we're --
26 we're hoping to do is to have the Councils tell us
27 what is customary trade in their region, whether
28 it's a practice, whether it's a level of harvest,
29 whether it's a dollar amount. We want the Regional
30 Councils --

31 MR. THOMAS: What's the difference
32 between practice and level of harvest?

33 MR. KNAUER: Some councils have told
34 us thus far that there are certain activities that
35 are very customary that just by their nature and
36 manner don't or can't accommodate a large volume or
37 a large dollar amount. There are other things that
38 maybe would be better defined -- a council might
39 prefer to define it by a poundage or numbers that
40 could be taken or the dollar value that could be
41 placed on it. We're going to let the Councils make
42 the recommendation for the region.

43 MR. THOMAS: That's probably where
44 we'll come up with some differences in regions.

45 MS. LeCORNU: I have some comments on
46 that. I think they're going to have some
47 differences in towns because the word "significant"
48 applies to that person. It's significant to me that
49 I can make a living off of it; it might not be
50 significant to you that I might be able to make a

1 livelihood. So, that is a term of art. You know,
2 it becomes very personal; and for you to speak about
3 abuse when we consider that significant, to be our
4 livelihood. To whom is it significant? That has
5 everything to do with it. That's going to be a
6 question.

7 MR. THOMAS: Anybody else or a
8 significant other?

9 Dolly?

10 MS. GARZA: Just as an example, Sitka
11 ANB did struggle with that with herring spawn on
12 kelp and did make a recommendation to the board on
13 fish. I think for some reason it was not able to be
14 adopted. I can't remember the legalese of it, but
15 it was something that they were willing to do; and
16 that was done at Herman Kitka's house. We met for
17 two months to come up with what is -- what can
18 someone trade for cash, and the concern was because
19 it was a northern limit of macrocystics we wanted to
20 make sure that other members of the community had
21 ability to harvest herring spawn on kelp for their
22 uses and that it didn't all go out with customary
23 trade and barter. Those are the things we have to
24 wrestle with, but I think it could be done.

25 MR. THOMAS: Okay. 8?

MR. KNAUER: The fisheries regulatory
process. The current fisheries regulations that we
have in place will cover the year 2000 fishing
season. We will be starting a new fisheries
regulatory process for the year 2001 fishing season
later this winter. This process will be similar to
the wildlife process. However, the fisheries
process will begin with the winter Council meetings
in February and March. At that time, we'll be
requesting changes in the regulations for the year
2001. In other words, that will be the proposal
period for the year 2001. Proposals for those
regulatory changes will be evaluated by staff and
presented for -- to the councils for review and
their recommendations during the fall meetings next
year.

In other words, you'll be doing in
the fall for fish what you normally do in the winter
for wildlife. You'll be looking at the proposals,
hearing the staff analyses, public recommendations,
and deliberating on those.

We anticipate that the Board will
deliberate and make decisions, then, on each of
those proposals in December, 2001, with the changes
becoming effective March, 2001 for the 2001 fishing

1 season.

2 There is a handout displaying the new
3 schedule at the table. It's a yellow handout.
4 We'll possibly be working with this schedule for the
5 next two years, and then we'll ask the Councils if
6 they see any need for modification in that
7 schedule.

8 As I previously mentioned,
9 coordinating the Federal and State regulatory
10 processes is also a subject for the State/Federal
11 work group. This might result in our consideration
12 of some modifications also. I understand the State
13 currently opens its proposals for fisheries in early
14 January and closes them in -- in early January and
15 closes in April. There is some similarities in
16 opening in January and closing in March. So there
17 may be some adjustment there.

18 Are there any questions on that
19 topic?

20 MS. LeCORNU: Can we see these maps
21 and things? I mean, do you have them on hand? The
22 map? Federal water.

23 MR. KNAUER: I don't have any with
24 me. That's the --

25 MR. CLARK: We have a copy of the big
map, I believe.

MR. KNAUER: I think we've got a copy
of the big map. Those are the placemat-size maps
that we've passed out before.

MS. LAUBENSTEIN: They have them --

MR. KNAUER: No. It's the fisheries
map. We'll put up --

MS. LAUBENSTEIN: Those were out on
the table too.

MR. KNAUER: Yeah, those maps.

MR. THOMAS: Okay. I think we're
down to Issue 9.

MR. KNAUER: Fisheries regulations.
I guess the main question is after October 1 what
change will we see in each region, and how will the
Federal regulations be different from existing State
Subsistence fishing regulations for this first
year?

In Southeast the two major changes in
Southeast are for Subsistence harvest on Federal
waters; rod and reel is a bona fide method. That's
a major change from the State regulation.

The second one is a recommendation
directly coming from this Council, and that was a
change in the particular fin that was to be removed

1 for identification of Subsistence-taken salmon; and
2 this Council recommended that because of the drying
3 practices, the removal of the fin that the State had
4 identified caused problems in drying.

5 MR. THOMAS: The caudal fin. I
6 couldn't find it for one thing.

7 MS. GARZA: The dorsal fin. We don't
8 want the dorsal off. When they do it newspaper
9 style, it keeps the fish in place.

10 MR. KNAUER: So, those are the
11 major --

12 MS. GARZA: We want tails too.

13 MR. THOMAS: The caudal fin is the
14 tail. That's how we carry them, hang them.

15 MR. KNAUER: Those were the changes
16 from the existing State Subsistence regulations in
17 Southeast.

18 MS. BRASE: What fin is being cut off
19 now?

20 MS. GARZA: None. We'll give up the
21 pectorals.

22 The issue was we use the back fin
23 when cutting fish.

24 MR. KNAUER: Now the regulations say
25 you shall immediately remove the pelvic fins of all
salmon.

MS. GARZA: That's okay. We can live
with that.

MR. THOMAS: The hips?
(Laughter.)

MS. GARZA: The hip fins for Bill.

MR. KNAUER: Mr. Chairman, that is
the extent of the briefing that I have right now.
We will be talking about recognizing customary trade
practices somewhere else on your agenda.

MR. THOMAS: Good. Is that enough
time on the hot seat for Bill now?

Dolly?

MS. GARZA: One of the changes I
didn't see that I'm really, really disappointed in
and I had hoped for change is just the licensing
process, you know; because Subsistence people are so
tired of being counted in with recreational. Every
time they get up and say, "We have 40,000
recreational fishermen in the State, and they all
support State management," if there's any way that
we can change that pink form that there's another
punch that says Subsistence, it would make a world
of difference. I guess what I see, Bill, is that
this is -- this is being addressed as an interim

1 measure. Basically, the Federal Government is still
2 changing it as little as possible; so when we give
3 it back to the State it won't be too difficult for
4 them to pick it back up. What I would like to see
5 as a Native person and as a Subsistence user is that
6 we fix a couple of the things that are broken along
7 the way, and one of them is that license.

8 MR. KNAUER: Well, as far as fishing
9 goes, there is no license required to take fish or
10 shellfish.

11 MS. STEVENS: What?

12 MS. GARZA: So, when we dip net for
13 sockeye -- if we follow State regs, I can only go
14 out and get ten sockeye a day.

15 MR. KNAUER: There may be some
16 harvest-level permits required. You do not have to
17 purchase the State sport fishing license to
18 participate in the Federal Subsistence fishing,
19 shell fishing program. To hunt or trap you do need
20 a State resident hunting license or a resident
21 trapping license.

22 MR. SORUM: Who wants to go first?

23 MS. GARZA: I'm still thinking. You
24 go, Alan.

25 MR. KNAUER: Of course, Alan, you
26 must be a rural resident.

27 MR. SORUM: I just want to see who
28 wants to get the first tick at ADF&G.

29 MR. THOMAS: You guys are being just
30 too harsh.

31 MS. WILSON: Mr. Chairman?

32 MR. THOMAS: Marilyn?

33 MS. WILSON: I wanted to ask, once we
34 get the permit, does it have to go through the
35 State -- State Fish & Game like how many fish that a
36 person gets?

37 MS. WILSON: Where do the tribal
38 entities come in?

39 MS. WILSON: How do we get involved
40 as tribes in this system?

41 MR. KNAUER: Well, there are numerous
42 cases where there is no reporting for particular
43 activities; and/or the reporting to the State on
44 existing permits may be very low, and there may be
45 situations like that where the tribe gets involved
46 to help collect the information.

47 MS. GARZA: Or even to issue the
48 permits. I mean, as an example, we have someone
49 from Juneau coming over to give Angoon permits; and
50 all of the Prince of Wales people have to figure out

1 how to get ahold of people in Ketchikan. In Sitka
2 we have to get permits on herring spawning on kelp
3 and sockeye; and sockeye start running Friday
4 afternoon at 5:00, where Fish & Game closes 4:30 on
5 Friday. I can contact a tribal person to go give me
6 a permit, but I can't do that --

7 MR. KNAUER: I knew deer and moose
8 could read the clock, but I didn't know that fish
9 did.

10 MS. GARZA: That would be a real
11 positive change. If we could allow -- those permits
12 are basically reporting system permits. I mean,
13 they don't require money exchanges; they don't
14 require any significant capability on the person who
15 issues the permit -- no insult meant to you.

16 MS. BRASE: None taken.

17 MS. GARZA: But they should be issued
18 on a broader basis; and if the IRAs are the most
19 logical because there's one in every village, then
20 that would be the logical place to go.

21 MR. KNAUER: That might very well be
22 an opportunity.

23 MS. LeCORNU: We in Hydaburg don't
24 have the opportunity to apply in Hydaburg either.
25 We have to go to Craig. We don't want to have to do
that.

MS. BRASE: Just to comment, we are
looking at putting the permits on line. I don't
know if that's going to make a difference.

MS. LeCORNU: No, who has Internet
access?

MS. BRASE: The libraries.

MS. GARZA: The libraries are open
four hours a week.

MS. BRASE: It's just an idea that
we're knocking around.

MS. PHILLIPS: Mr. Knauer, could we
get a copy of your summary? I know it will be in
the transcripts, but it's going to be a whole bunch
of different places in the transcript.

MR. KNAUER: I can arrange for that.

MS. GARZA: That would be great.

MR. THOMAS: You're too easy.

MR. KNAUER: Mr. Chairman, you've
mentioned you have unique fish down here. Do you
know how you catch unique fish?

You "neek" up on it.

(Laughter.)

MS. LAUBENSTEIN: This planning
document -- it was up here -- that basically

1 outlines Bill's presentation, it summarizes
2 everything for each of those issues, what he went
over.

MR. THOMAS: So there.

3 MS. PHILLIPS: I want both.

MR. THOMAS: You "neek" up on them.

4 (Laughter.)

MR. KNAUER: You know how you catch a
5 tame fish?

Tame way.

6 (Laughter.)

MR. THOMAS: Okay. Action,
7 recommendation needed. Who's got a question?

Cal.

8 MR. CASIPIT: I have a question.

When we were going through the issues, somehow issue
9 No. 8, training/education needs, got missed. I
just -- maybe it's because I'm on the committee
10 that's putting on all this; but there is a draft
agenda back on the table that we would love to have
11 the Council's input on, whether we're hitting it
right and meeting your needs for providing the
12 training that we're providing for -- we have Vanna
White over here.

13 MS. LAUBENSTEIN: I gave one to
everybody on the table, so it's up here. Everyone
14 else, it's on the back table, the pink one.

MR. THOMAS: Now we're catching the
15 same fish.

MS. LAUBENSTEIN: I've got more if we
16 get low out there.

MR. THOMAS: Okay. Order in the
17 court. Order in the court.

Are we ready to deal with -- with
18 other regions? That's just for information; 5, we
don't touch that.

19 7, customary trade, identify
specific -- past practices, that doesn't need to be
20 done tonight, does it?

MR. KNAUER: I knew I shouldn't have
21 given you those jokes until I was done for good.

MR. THOMAS: You might be.

22 (Laughter.)

MR. KNAUER: Mr. Chairman, the issue
23 of customary trade, what we would like to do at this
meeting is open the discussion of customary trade
24 both at this meeting and for you to go back as
individual Council members and talk with your
25 constituents and acquaintances throughout the region
as to what they and you as a Council believe would

1 be the appropriate definition of customary trade for
2 this region. The Federal Subsistence Board is ready
3 to put in place recommendations that are different
4 for different regions, and they recognize that there
5 could be significant differences between regions.
6 They also -- the Federal regulations recognize the
7 importance of customary trade and barter to rural
8 Alaskan Subsistence economies. Right now, these
9 regulations are permissive with regard to customary
10 trade, defining it as the cash sale of fish and
11 wildlife resources regulated in this part, not
12 otherwise prohibited by Federal law or regulation to
13 support personal and family needs, and does not
14 include trade which constitutes a significant
15 commercial enterprise.

16 However, neither the legislative
17 history of ANILCA nor the regulations themselves
18 define significant commercial enterprise or an
19 allowable level of customary trade. Additionally,
20 those individuals that have been working on the plan
21 realize the potential for regional differences in
22 the meeting of terms used and associated with this
23 issue.

24 So, the goal is for the -- to
25 have the Regional Councils themselves make
26 recommendations at the winter meeting. We're not
27 expecting you to make a recommendation now, but to
28 make a recommendation at the winter meeting either
29 to define the customary trade practices or levels
30 for your region or identify a process that could be
31 used in your region to identify them.

32 Beginning with these series of
33 meetings, we're gathering information from the
34 Councils and from residents for any areas of
35 concern; and following this round the historic and
36 contemporary information on the exchange of
37 Subsistence-caught fish and shellfish will be sought
38 through contacts of the Subsistence division of the
39 Alaska Department of Fish & Game and other
40 organizations around the state. Then at the winter
41 2000 Council meetings, a progress report from our
42 staff to you will be made; and your advice will be
43 sought on the need for further field interviewing.
44 By the fall 2000 Council meetings, Council -- we
45 will provide your Council with a draft report
46 describing what we have found out based on the
47 information we've collected and the recommendations
48 from you folks as to what the Regional Council --
49 what the regional customary trade practices for
50 review should be.

1 At that time, further suggestions
2 will be asked for how should we address concerns
3 that protect customary trade practices and prevent
4 abuse.

5 The Board wants the Council?
6 Recommendations on what the policies should be, what
7 regulations should be developed, or whether
8 customary trade practices need to be recognized with
9 region-specific regulations. So, specifically right
10 now we are -- we need you as Council members to keep
11 in mind a need that we have to be able to recognize
12 the customary trade practices amongst Subsistence
13 users as well as to protect the resource and avoid
14 abuse.

15 The group that was working on this
16 identified some terms which may or may not be right
17 or appropriate. Your recommendation on those is
18 requested also. They identify the terms barter,
19 barter trade, tradesman, customary trade, and
20 commercial fishing.

21 MR. THOMAS: Did they define them in
22 your publication?

23 MR. KNAUER: There is a definition.
24 It's the last page before Tab E; and right now, what
25 we will also do, you know, we're asking you: Are
these terms necessary, all of them necessary?

26 MR. THOMAS: Before we answer that,
27 Vicki's got a question.

28 MS. LeCORNU: Yeah, I have a
29 question. You know, you keep saying we're going to
30 define it for the region. I expressed my concerns
31 earlier that, even within the region, we might not
32 all agree. We can't use that to undermine any
33 community; and so I would change that to say not
34 defining, but interpreting what those customary uses
35 and practices were. That's how I'd do it.

36 MR. KNAUER: Okay. That's
37 reasonable.

38 MR. THOMAS: One thing I offered on a
39 couple of occasions is for those teams that are on
40 these different assignments, don't adopt language
41 that can't be used universally. If it means one
42 thing in Bering Straits, it should mean the same
43 thing down here; and, you know, we've got a long
44 history of problems with that. We're almost in the
45 year 2000. We need to show some -- some progress.
46 We need to show some -- some technical advances in
47 how we do things, you know. We've got to start
48 seeing if practical approaches will work one time.
49 See? And we always stumble over language. We need

1 to stop doing that. If we're going to stumble over
2 language, let's use traditional language in each
3 year. We use Tlingit up there. We use Yup'ik up
4 north, Aleut on the Chain. You know, it wouldn't be
5 more cumbersome. I wish you would take that back.
6 I have submitted it a couple of times to the staff
7 committee; and, apparently, they're not paying any
8 attention to it.

9 MR. KNAUER: Somewhat along that
10 line, Mr. Chairman, I can report that a number of
11 Councils have indicated that they believe that the
12 terms barter, customary trade, and commercial
13 fishing would be the only ones of this list that
14 would be appropriate, that the term barter, trade,
15 and tradesman are artifacts that are unnecessary.

16 MR. THOMAS: We'll have time to
17 deliberate that --

18 MS. GARZA: Say that again, customary
19 trade, commercial trade, and barter?

20 MR. KNAUER: Are the only ones in
21 this list that are appropriate, that some of the
22 Regional Councils have felt that the other two were
23 merely artifacts of bureaucracy.

24 MS. LeCORNU: This looks like to me
25 bureaucracy. My definition is according -- or
depending on custom, usual, or habitual for
established custom by law. Law defined by law,
established continued practices. That's different
from this. That's from the dictionary.

MR. THOMAS: Holy moly. Thank you.

MR. NIELSON: The language we talked
about, customary, traditional trade, barter itself,
will the agencies or the Regional Councils
recognizing our significant -- that we have one?

MR. THOMAS: We'll recognize anything
you submit us, and we'll get anybody else to
recognize it; because we're not the last word in the
process.

MR. NIELSON: If we ever got busted,
we could introduce our stacks of documents from our
previous court victories with seal as evidence --
seal as evidence.

MR. THOMAS: If there is 15
victories, I want to say --

MR. NIELSON: Jackson v. U.S.
Government, hearing aids, the terminology was
changed from hearing aids to Subsistence foods.

MR. THOMAS: Don't get busted just to
give us something to do.

MS. GARZA: Two points before the end

1 of the day. I've got a get-well card for Herman
2 Kitka; so if you would care to sign it, then we will
3 send it back to Ray -- through Ray, or actually
4 through Nels; and we're also working through a
5 resolution for Herman. Fred, could I have you read
6 that now?

MR. CLARK: Sure.

Whereas Herman Kitka has served --
I'm not at the top of the document.

MS. GARZA: I told him to make it
long.

MR. CLARK: Whereas Herman Kitka has
served on the Southeast Alaska Federal Subsistence
Regional Advisory Council since the Council's
beginning in 1990; and whereas Herman Kitka has
served as the Council's backbone and conscience; and
whereas Herman Kitka through his local knowledge has
helped to protect customary and traditional uses by
many Southeast Alaska communities; and whereas
Herman Kitka championed the Sitka rural protection;
and whereas Herman Kitka sued to protect Subsistence
rights for king and coho salmon; and whereas Herman
Kitka has served as a great leader for all peoples
by his actions; and whereas Herman Kitka is
appreciated by everyone for his work in preserving
Alaska Native cultures and Subsistence lifestyle;
and whereas Herman Kitka serves as a traditional
clan leader; and whereas, Herman Kitka, a hunter and
fisherman, actively harvests fish and game resources
for the benefit of family and community; therefore,
be it resolved that the Southeast Alaska Federal
Subsistence Regional Advisory Council honors Herman
for his untiring commitment to protect our customary
and traditional uses; be it further resolved that
Herman Kitka be recognized as a lifetime honorary
member of the Southeast Alaska Federal Subsistence
Regional Advisory Council.

MR. THOMAS: Member emeritus.

MR. CLARK: Member in absentia. Or
it could be as honorary advisor to the council.

MR. THOMAS: Have a memorial, cover
everything.

That's a good resolution.

MR. CLARK: It's available --

MS. GARZA: Mr. Chairman, I would
move that we adopt the resolution as to be
amended -- as to be cleaned up.

MR. CLARK: In concept.

MS. LeCORNU: I'll second it. I'll
second it.

1 MR. THOMAS: I'm -- got to rule it in
order first.

2 MR. THOMAS: State your motion
again.

3 MS. GARZA: I would move that we
adopt Resolution 9901.

4 MR. THOMAS: We can adopt it now, and
we can amend it later. Moved and seconded. The
5 motion and the second. Any further discussion?

MS. WILSON: Question.

6 MR. THOMAS: Question has been
called. All those in favor, say "aye."

7 COUNCIL MEMBERS: Aye.

MR. THOMAS: Opposed say "nay."

8 Okay. We all realize that's not in
its final form, and we'll bring it up again another
9 time in our meeting to fine-tune it.

MS. GARZA: As long as it's
10 tomorrow.

MR. THOMAS: I've got to get Dolly's
11 nod here.

We've passed Tab D. It looks like
12 you were just coming up on Tab D. We'll go to
dinner. It's a -- mention your name and spell it
13 for the reporter.

MS. OWEN: My name is Dorothy,
14 D-o-r-o-t-h-y, O-w-e-n. I'm a representative from
Douglas Indian Association; and all I have is just a
15 few comments, questions, in Tab D.

Page 16, Task 2: Customary -- page
16 4, Task 2, Federal organization, staff, structure
staffing and budget. We would like to have notice
17 of local hiring opportunities.

Page 6, Task 1: Management with
18 travel in Native organizations. Question: Are
these efforts identified now?

19 Task 3: We have a study on the Taku
River; and if this has any interest to -- is this of
20 interest for the team to identify?

Page 9, Task 2B: Federal/State
21 cooperative management strategy, we would like to
see the listed information gaps.

22 Task 2D: We would like to see the
priority area selected for the year.

23 Task 3: We would like to see any
workshop recommendations that have been made.

24 Task 5: We would like the approved
process explained here and would like to know how to
25 make recommendations.

Page 16, Task 2: Customary trade,

1 the Douglas Indian Association would like to have
2 transboundary rivers in the potential areas of
concern for customary and trade.

3 Page 17, Task 2: Training, education
needs and options, we would like to have
4 notification of any workshops on fisheries
management.

5 Page 18, Task 5: If this overview
goes beyond the present meeting, we would like to be
notified.

6 Page 21, Task 5: Data management, we
would like to suggest that the data considerations
7 discussed by the Forest Service in the December,
1998 workshop in Juneau be included when developing
8 standards and protocol for information collection
and storage.

9 Page 23, Task 4: Public outreach; we
would like the list of communications products that
10 are available; and we would like to examine some
of -- some for the use in our annual general meeting
11 of the Douglas Indian Association November 9th,
1999.

12 Thank you.

13 MR. THOMAS: What is the last one
again?

14 MS. OWEN: We just wanted to -- the
list of the communication products that are
available.

15 Douglas Association is having a
meeting on the 9th, and we would like you to
16 communicate this information to us.

17 MR. THOMAS: We'll see if we can
comply with that.

18 MS. GARZA: Dorothy, can you make a
couple of copies of that? I think there's some
agency people that could probably address those
19 specifically; and if you'd hand that -- those
questions to them, I think that they could get to it
20 a lot quicker than going through our process.

21 MS. OWEN: Okay.

22 MR. THOMAS: I have a question for
the two people that volunteered to help with the
proposals and explaining proposal development.

23 MS. GARZA: I haven't seen any
cockles yet.

24 MR. THOMAS: Dolly and Fred.

MR. CLARK: We want to see cockles
first.

25 MS. PHILLIPS: In the dark, smoked.

MR. THOMAS: Fred and Dolly, then.

1 I think the community of Angoon would
2 really appreciate it if you took time and worked
3 through one or maybe a couple of proposals with
4 them. They're not that cumbersome, and I think
5 they've pretty much got their wishes in place; and
6 for them to be able to see it in the proposal form
7 and explain to them how the proposal will go through
8 the system, I think it goes a long ways for us to
9 deserve the hospitality we had yesterday.

10 MR. CLARK: You are citing a proposal
11 subcommittee to work with the community.

12 MR. THOMAS: It doesn't have to be
13 tonight; it could be 4:00 in the morning. You could
14 spend ten minutes on it. I think that would be
15 great.

16 We're recessing until 9:00 o'clock
17 tomorrow.

18 (Recess at 5:05 p.m.)

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1 I, Sandra M. Mierop, Court Reporter, hereby
2 certify that the foregoing pages comprise a true,
3 complete, and correct transcript of the proceedings
4 had.

5
6 WITNESS MY HAND this the 4th day of
7 November, 1999.

8

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10 Sandra M. Mierop
11 Court Reporter

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