

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6 VOLUME III

7  
8 Sitka, Alaska  
9 February 28, 2008  
10 8:30 clock a.m.

11  
12  
13 COUNCIL MEMBERS PRESENT:

14  
15 Bertrand Adams, Chairman  
16 Michael Bangs  
17 Nick Davis  
18 Michael Douville  
19 Merle Hawkins  
20 Donald Hernandez  
21 Harvey Kitka  
22 Floyd Kookesh  
23 Richard Stokes  
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26  
27 Regional Council Coordinator, Robert Larson

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P R O C E E D I N G S

(Sitka, Alaska - 02/28/2008)

(On record)

CHAIRMAN ADAMS: Good morning everyone. I just got information the other day, I have some relatives in Metlakatla and there was one of my cousin's sons who left Juneau eight days ago and kind of disappeared and yesterday they found a door off of the north end of Kupreanof Island, so I'd like to have everyone rise and I'll offer a prayer for him and his family, please.

(Prayer)

CHAIRMAN ADAMS: Okay. Yesterday we got off of -- well, we're still -- we got a good report on the sea otter situation so we'll still carry that forward. I just wondered though, I was approached by Mr. Douville about bringing up Proposal 08-07 for reconsideration, would you like to -- are you prepared to take care of that now Mike, we could get that out of the way first thing.

MR. DOUVILLE: Yes.

CHAIRMAN ADAMS: So we would need to have a motion to bring that forth again, so that's in order at this point. Mike.

MR. BANGS: Thank you, Mr. Chairman. I move to reconsider Proposal WP08-07.

CHAIRMAN ADAMS: It's been moved by Mr. Bangs, second.

MR. DOUVILLE: Second.

CHAIRMAN ADAMS: Okay, seconded by Mr. Douville. Mr. Douville, would you like to explain here what you would like to see happen.

MR. DOUVILLE: Thank you, Mr. Chairman. I would like to amend the motion by adding the following language. December 1, December 30, the season extension may be open by announcement of the Petersburg District Ranger in consultation with the ADF&G and the Chair of the Southeast Alaska Subsistence

1 Regional Advisory Council.

2

3 CHAIRMAN ADAMS: Okay, thank you. Mr.  
4 Larson, maybe I need some procedures here, do we need  
5 to go through the whole hearing process again or what?

6

7 MR. LARSON: Yes, Mr. Chairman, that's  
8 my advice, is that we take this up as a new proposal  
9 and have a discussion on the record why this would be  
10 an appropriate action to take and how it satisfies the  
11 four criteria.

12

13 CHAIRMAN ADAMS: Okay, the issue is now  
14 before us again and I think we'll go ahead and take the  
15 testimonies from the various departments and go from  
16 there.

17

18 Mr. Douville, you have something.

19

20 MR. DOUVILLE: Mr. Chairman. I'm not  
21 sure if I said amend the motion and if I did say that I  
22 meant to amend the proposal and add that following  
23 language.

24

25 CHAIRMAN ADAMS: I see. So it's  
26 essentially the same proposal but you're adding an  
27 amendment to it; is that my understanding?

28

29 MR. DOUVILLE: That's correct.

30

31 CHAIRMAN ADAMS: Oh, okay. So I think  
32 what we can do then is just proceed from there, is we  
33 can talk about the amendment and discuss it and then,  
34 you know, accept it if that's the case. So we're up  
35 for discussion on the amendment of this particular  
36 issue at this time so Council members please feel free  
37 to talk about it.

38

39 MR. LARSON: Mr. Chairman.

40

41 CHAIRMAN ADAMS: Mr. Larson.

42

43 MR. LARSON: I would like Mr. Bangs or  
44 Mr. Douville to make it clear that, in fact, this is an  
45 amendment to the proposal dealing specifically with  
46 Unit 3.

47

48 MR. DOUVILLE: That is correct.

49

50 CHAIRMAN ADAMS: So noted in the

1 minutes. Got that Tina.

2

3 REPORTER: (Nods affirmatively)

4

5 CHAIRMAN ADAMS: Who wants to start,  
6 give us your rationale if you would. Mr. Douville, go  
7 ahead.

8

9 MR. DOUVILLE: Thank you, Mr. Chairman.  
10 We've gone through the criteria for this and in my  
11 opinion this does not take anything away from the  
12 criteria.

13

14 It's supported by substantial  
15 information.

16

17 It will not result in a conservation  
18 issue, in fact, it will protect the resource.

19

20 It could have a positive effect on  
21 subsistence users.

22

23 And as far as I could see there would  
24 be no effects on any other uses.

25

26 CHAIRMAN ADAMS: Thank you, Mr.  
27 Douville. Any other comments by Council members. Don.

28

29 MR. HERNANDEZ: Thank you, Mr.  
30 Chairman. I think I'd just maybe like to clarify a  
31 little bit what the wording of the new proposal would  
32 be and the way I understand it, if we look at Page 96  
33 in the analysis, I think we're going back to what the  
34 existing regulation is and we're talking about the --  
35 specifically in the existing regulation where it now  
36 reads, Unit 3 remainder, it's two antlered deer from  
37 August 1st to November 30th, and my understanding is  
38 that the new regulation would read:

39

40 Unit 3 remainder, two antlered deer,  
41 August 1st to November 30th, with the  
42 added language that December 1st  
43 through December 30th season extension  
44 may be open by announcement of the  
45 Petersburg Ranger District in  
46 consultation with ADF&G and Chair of  
47 the Southeast Regional Advisory  
48 Council.

49

50 Am I correct that that's how the new

1 regulation would be worded?

2

3 CHAIRMAN ADAMS: That's the way I  
4 understood it, Mr. Hernandez. Yes, I think that was  
5 the intent of Mr. Douville's motion.

6

7 MR. KOOKESH: Mr. Chair.

8

9 CHAIRMAN ADAMS: Mr. Kookesh.

10

11 MR. KOOKESH: Mr. Adams, that the in-  
12 season regulatory authority manager has the authority  
13 to extend the season to December 31st.

14

15 CHAIRMAN ADAMS: Uh-huh.

16

17 MR. KOOKESH: Correct?

18

19 CHAIRMAN ADAMS: That's correct. Any  
20 other comments. Mr. Larson.

21

22 MR. LARSON: Yes, just one point of  
23 clarification that the season date would actually be  
24 December 31st and not December 30th; is that correct?

25

26 MR. DOUVILLE: That's correct.

27

28 MR. LARSON: You said December 30th,  
29 but I'm assuming you meant December 31st.

30

31 CHAIRMAN ADAMS: Yeah, there's 31 days  
32 in December so that's what when you want it to end,  
33 okay.

34

35 MR. KOOKESH: Oh, yeah.

36

37 CHAIRMAN ADAMS: Pardon?

38

39 MR. KOOKESH: Oh, yeah.

40

41 CHAIRMAN ADAMS: Yeah, yeah, yeah.  
42 He's back to his old tricks again, so any other  
43 comments from the Council.

44

45 (No comments)

46

47 MR. DOUVILLE: I call for the question.

48

49 CHAIRMAN ADAMS: Question's been called  
50 for, okay, I'll ask Mr. Harvey Kitka to do a roll call.

1 MR. KITKA: Mike Bangs.  
2  
3 MR. BANGS: Yes.  
4  
5 MR. KITKA: Merle Hawkins.  
6  
7 MS. HAWKINS: Yes.  
8  
9 MR. KITKA: Nick Davis.  
10  
11 MR. DAVIS: Yes.  
12  
13 MR. KITKA: Donald Hernandez.  
14  
15 MR. HERNANDEZ: Yes.  
16  
17 MR. KITKA: Floyd Kookesh.  
18  
19 MR. KOOKESH: Yes.  
20  
21 MR. KITKA: Bert Adams.  
22  
23 CHAIRMAN ADAMS: Yes.  
24  
25 MR. KITKA: Harvey Kitka votes yes.  
26 Mike Douville.  
27  
28 MR. DOUVILLE: Yes.  
29  
30 MR. KITKA: Richard Stokes.  
31  
32 MR. STOKES: Yes.  
33  
34 MR. KITKA: Mr. Chair. It's nine in  
35 favor and zero -- nine to zero.  
36  
37 CHAIRMAN ADAMS: Thank you, Mr, Kitka,  
38 the motion passes. So congratulations, Dick, your  
39 issue is taken care of.  
40  
41 MR. STOKES: May I say something.  
42  
43 CHAIRMAN ADAMS: You bet.  
44  
45 MR. STOKES: Thank you fellows and  
46 lady. I wasn't surprised that the group that sent a  
47 letter opposing it, they were the same group that  
48 opposed the subsistence crab season that we wanted in  
49 front of town. They also opposed the opening of the  
50 subsistence on the Stikine, but we kept pushing for

1 that for six years. And they also opposed the horn  
2 restriction when that first came out, this same group.  
3 So wherever my name is attached they seem to do it.

4

5 Thank you.

6

7 CHAIRMAN ADAMS: Okay, thank you, Dick.  
8 Okay, the next thing -- you know I'm not going to  
9 bother about the nomination of the TransBoundary  
10 Commission Panel. Have you all had a chance to think  
11 about it and consider who you'd like to be on there.

12

13 Mr. Bangs.

14

15 MR. BANGS: Thank you, Mr. Chairman.  
16 We've addressed this a few times in the past and I was  
17 under the impression that they weren't going to allow  
18 us to have a representative on that panel, have things  
19 changed, I'm not exactly sure where we're going.

20

21 CHAIRMAN ADAMS: I'm not sure about  
22 that either. Mr. Larson, would you be able to --  
23 Floyd, do you have a comment.

24

25 MR. KOOKESH: Yeah, my comment is -- is  
26 if there's a -- if we have an opportunity we should  
27 just go ahead and exercise it.

28

29 CHAIRMAN ADAMS: Mr. Larson.

30

31 MR. LARSON: Yeah, Mr. Chairman. Yes,  
32 I've been in contact with the Transboundary River Panel  
33 and the representatives on the Pacific Salmon  
34 Commission, and there is nothing to prevent us from  
35 nominating a representative to serve on the  
36 Transboundary River Panel or the Northern Panel if that  
37 is your desire. There is a protocol that we would need  
38 to follow, the same as any other group or organization  
39 to submit a nomination. But there's nothing to prevent  
40 us from doing that, from moving forward.

41

42 CHAIRMAN ADAMS: So we can do it but it  
43 doesn't mean they will accept our nomination on the  
44 panel, am I right on that?

45

46 MR. LARSON: Yes, that is true. We  
47 would be in the same category as any other organization  
48 that wanted to move a person forward.

49

50 CHAIRMAN ADAMS: Well, you know, you

1 want to think about it a little bit and see who you'd  
2 like to have represent this body on this Council.

3

4 MR. KOOKESH: Well, isn't it like a no-  
5 brainer.

6

7 CHAIRMAN ADAMS: Yeah, it is but who  
8 would it be -- who would be the no-brainer.

9

10 MR. KOOKESH: Not the issue -- the  
11 selection is a no-brainer.

12

13 CHAIRMAN ADAMS: Mr. Douville.

14

15 MR. DOUVILLE: Well, I'd like to  
16 nominate Mr. Hernandez to that position.

17

18 CHAIRMAN ADAMS: Alrighty, any other  
19 nominations. Any others.

20

21 (No comments)

22

23 CHAIRMAN ADAMS: Hearing none, Mr.  
24 Hernandez, you got it, congratulations.

25

26 MR. HERNANDEZ: (Nods affirmatively)

27

28 CHAIRMAN ADAMS: Okay. Mr. Larson will  
29 get a letter off and let them know so that the door is  
30 open for you. Congratulations.

31

32 MR. HERNANDEZ: (Nods affirmatively)

33

34 CHAIRMAN ADAMS: So do we have all the  
35 information on that sea otter management thing, I do.

36

37 MR. LARSON: Mr. Chairman. Mike Miller  
38 asked to present a report on the efforts of the Sitka  
39 Tribe, both regarding an establishment of a tannery  
40 here, specifically for dealing with sea otter hides and  
41 the efforts of the Sitka Tribe to engage in active  
42 management of sea otters but I don't see him here this  
43 morning.

44

45 The other item that was on our agenda  
46 regarding the informational item from the Sea Otter  
47 Commission, that consists of some handouts that are at  
48 the upper table.

49

50 CHAIRMAN ADAMS: Okay. So I think

1 we'll wait until he comes in and give him an  
2 opportunity to present. I'm interested in seeing how  
3 the Sitka Tribe has its management plan, how they  
4 developed it and it could be used for a model for other  
5 communities, you know, to follow suit. So we'll leave  
6 the door open for him to make that presentation  
7 whenever he arrives.

8

9                   Anyone from Greenpeace here.

10

11                   MR. LARSON: Yes, Larry Edwards, I mean  
12 he was here three seconds ago.

13

14                   CHAIRMAN ADAMS: Mr. Edwards, where did  
15 he disappear to.

16

17                   (No comments)

18

19                   CHAIRMAN ADAMS: Okay, well, we can  
20 move on here, Office of Subsistence Management  
21 rural/non-rural requests for reconsideration, that's  
22 information. And then customary and traditional use  
23 policy, Mr. Buklis, please.

24

25                   MR. BUKLIS: Thank you, Mr. Chairman.  
26 Good morning. My name is Larry Buklis with the Office  
27 of Subsistence Management. Mr. Chairman, the briefing  
28 on the C&T determinations is on Page 121 of your  
29 Council books. I have a few comments that highlight  
30 some key points and I would start by saying that this  
31 is not an action item for the Council at this time,  
32 it's an informational briefing.

33

34                   Last fall a draft policy on customary  
35 and traditional use determinations was presented to  
36 each of the Regional Advisory Councils for your review  
37 and comment. The draft policy was developed in  
38 response to a request from the Deputy Secretary of the  
39 Interior. The draft policy laid out the existing Board  
40 process for addressing customary and traditional use  
41 determinations which has been used since the beginning  
42 of the program.

43

44                   Part of this process, as we have  
45 discussed this week, is to consider eight factors in a  
46 general holistic way rather than in a rigid checklist  
47 sort of manner. The policy does not represent a change  
48 from the way customary and traditional use  
49 determinations have been made in the past. It simply  
50 clarifies the approach taken by the Board as requested

1 by the Secretary.

2

3 Just to remind you a three month public  
4 comment period had been provided for public review and  
5 input including from the State and the Councils.

6

7 Thirteen comments were received on the  
8 draft policy. Those comments on the policy spanned a  
9 broad range of perspectives including supporting the  
10 status quo, supporting continuation of the way we're  
11 doing it or making minor modifications or requests for  
12 rulemaking to accommodate clear administrative  
13 procedures or finally suggestions that the Board pursue  
14 formal rulemaking to eliminate continuation of making  
15 C&T determinations altogether. So it's quite a broad  
16 range of views on what the Board should do, and the  
17 Secretary ultimately. The Board will be considering  
18 all these comments received and will be attempting to  
19 prepare a draft for Secretarial review this spring.

20

21 Mr. Chairman, I have a few copies with  
22 me of the draft policy, which you'd already seen but I  
23 have additional copies, and also I have copies of the  
24 comments that had been received if any Council members  
25 want those documents.

26

27 And that concludes my overview.

28

29 CHAIRMAN ADAMS: Thank you, Larry.  
30 Does anyone have a question for Mr. Buklis.

31

32 (No comments)

33

34 CHAIRMAN ADAMS: None, thank you,  
35 Larry.

36

37 MR. BUKLIS: Thank you, Mr. Chairman.  
38 If any Council members do want copies of the draft  
39 policy from the fall or comments received during the  
40 comment period, you can ask me now or later, I'll be  
41 here until about 5:00 p.m., today.

42

43 MR. KOOKESH: Question.

44

45 CHAIRMAN ADAMS: Mr. Bangs.

46

47 MR. BANGS: Thank you, Mr. Chairman. I  
48 have one question. I was wondering you advertised for  
49 public comment. I see there's only 13, and this is a  
50 statewide thing and it seems like there should have

1 been a lot more input.

2

3 MR. BUKLIS: Mr. Chairman. Mr. Bangs.  
4 Yes, that is a relatively small number of comments, I  
5 agree. We had a public news release. It was in all  
6 the Council meeting agendas and meeting coverage last  
7 fall. And we even had some feedback late in the  
8 comment period, towards the final days of the three  
9 month comment period that some -- that one party in  
10 particular needed more time, and we went ahead and  
11 extended by a week, and we put out a news release of  
12 the extension to December 7th instead of cutting it off  
13 on the 1st as planned, and we did get a few additional  
14 comments during that final week, including from the  
15 organization that had petitioned for more time.

16

17 So we believe the word was out, but  
18 that was the extent of comment.

19

20 CHAIRMAN ADAMS: Mr. Kookesh.

21

22 MR. KOOKESH: You asked about those 13  
23 comments, are we going to be getting comments of those,  
24 can we see those comments?

25

26 MR. BUKLIS: As I said, you can, I have  
27 those copies with me if anyone would like copies, I can  
28 give you copies, yes.

29

30 MR. KOOKESH: Another one.

31

32 CHAIRMAN ADAMS: Okay, follow up,  
33 Floyd.

34

35 MR. KOOKESH: When did you say that the  
36 Board will meet on it and vote on it.

37

38 MR. BUKLIS: It's not clear how the  
39 Board's going to move through from this point to a  
40 recommendation to the Secretary or Secretaries. They  
41 do have tentatively a meeting scheduled in December, an  
42 executive session -- I'm sorry, an executive session in  
43 March, the comment period closed in December. There's  
44 tentatively an executive session scheduled in March to  
45 take this up and I don't know how it's going to proceed  
46 in coming weeks and months as they move towards a  
47 recommendation. I honestly don't know how they're  
48 going to proceed, how expeditiously and the kinds of  
49 issues they'll be grappling with.

50

1 CHAIRMAN ADAMS: Another question,  
2 Floyd.

3  
4 MR. KOOKESH: Yeah, I have a question.  
5 This executive session, usually you have two kinds of  
6 executive sessions. One's either an open one or a  
7 closed one, what kind of executive session is it going  
8 to be.

9  
10 MR. BUKLIS: Mr. Chairman. When we use  
11 the term executive session with the Federal Subsistence  
12 Board it's a closed meeting. We have basically three  
13 classes of meetings for the Federal Subsistence Board.  
14 Public meetings, which are the large two to three day,  
15 typically, regulatory review meetings with a several  
16 month process of developing the meeting. Then we have  
17 work sessions which are simpler shorter meetings, but  
18 which are also open to the public, and which we  
19 announce as best we can. And then we have executive  
20 sessions which are closed, legal or policy meetings  
21 that involve legal issues and are not open to the  
22 public, and that's what this would be.

23  
24 MR. KOOKESH: I'm curious because if  
25 you're talking about C&T where we'll be literally  
26 affected by the decisions that will be made, I mean we  
27 are parties to this customary and traditional issue,  
28 and so I was wondering in this process -- because I  
29 know in executive sessions, that you don't come to --  
30 you don't make decision-making, any decisions can be  
31 made in executive sessions if I read Robert's Rules of  
32 Order. Somebody can correct me if I'm wrong. But  
33 we're an affected party and I'm just wondering how open  
34 this process is going to be.

35  
36 MR. BUKLIS: Mr. Chairman. I don't have  
37 much more to add from what I said. The overall process  
38 is open. We've had a publicly circulated draft policy  
39 and public comment and discussion at all the Council  
40 meetings or the opportunity was provided for discussion  
41 at Council meetings, and how the Board proceeds from  
42 here is in the hands of the Board. And all I know  
43 right now is the meeting that has been tentatively  
44 scheduled as an executive session. And what I  
45 understand is is the Board does not make regulatory  
46 decisions in closed session, but they can make  
47 administrative and legal and policy recommendations to  
48 the Secretary in closed session.

49  
50 CHAIRMAN ADAMS: Thank you, Larry.

1 Anyone else.

2

3 (No comments)

4

5 CHAIRMAN ADAMS: So you have copies of  
6 that.

7

8 MR. BUKLIS: Thank you, Mr. Chairman.  
9 Perhaps I'll just walk along and if any Council member  
10 wants a copy they may have one. I have, I think about  
11 10 copies.

12

13 CHAIRMAN ADAMS: Why don't you go ahead  
14 and offer everyone one.

15

16 MR. BUKLIS: Thank you.

17

18 CHAIRMAN ADAMS: Thank you.

19

20 MR. KOOKESH: Mr. Chairman. I just  
21 have a comment on Robert's Rules of Order. It's been  
22 my experience that when you're involved in the  
23 executive session process and you don't have to stay  
24 there, but in this executive session process, you don't  
25 come to -- you don't make decisions administratively or  
26 anything, that's not what executive sessions are  
27 designed for. There's two things they're designed for,  
28 if they affect somebody's credibility or you're talking  
29 about somebody or an organization is in trouble and you  
30 need to talk about it, but you don't make it -- maybe  
31 it's -- maybe I read Robert's Rules of Order wrong, but  
32 it seems, in my opinion, that you're not supposed to  
33 come to any conclusion, you're supposed to just  
34 dialogue. When we go into executive sessions we'll  
35 just talk about the issue then come out of executive  
36 session and then you bote on it.

37

38 And somebody can correct me or  
39 enlighten me, I just want to make this clear.

40

41 CHAIRMAN ADAMS: I think you draw a  
42 valid point, there, Floyd, because that's the way I've  
43 always seen executive sessions handled. You go in and  
44 you do your business during executive session and then  
45 you come back out and make your decisions and it  
46 becomes public after that, you know, so, yeah, I think  
47 you're right on that particular issue.

48

49 Thanks for bringing it out.

50

1                   Okay, Mr. Buklis, unless other Council  
2 members have a comment or question for you, do you have  
3 some more paper to give out to us?

4  
5                   MR. BUKLIS: Only the draft policy from  
6 the fall if you need that to relate to the comments.

7  
8                   CHAIRMAN ADAMS: Okay.

9  
10                  MR. BUKLIS: Because the comment itself  
11 is not in the comment document.

12  
13                  CHAIRMAN ADAMS: Okay.

14  
15                  MR. BUKLIS: So it might assist you in  
16 relating to comments. It just occurred to me, it might  
17 help you relate to comments if you were refreshed on  
18 what the policy contained.

19  
20                  CHAIRMAN ADAMS: Sure.

21  
22                  MR. BUKLIS: You may not have your copy  
23 from the fall.

24  
25                  CHAIRMAN ADAMS: Okay. While Larry is  
26 doing that, we need to have Mike Miller come down and  
27 we want to hear his report on Sitka Tribes' management  
28 for sea otters. I saw him come in the door there, is  
29 he still out there somewhere.

30  
31                  Mr. Miller, (In Tlingit) We're  
32 interested, Mr. Miller, in hearing about Sitka Tribe's  
33 Sea Otter Management Plan.

34  
35                  MR. MILLER: Okay, Thank you, Mr.  
36 Chair, good morning. I was going to say pick a hand,  
37 I've got one issue in one hand and one in the other.

38  
39                  I guess my first exhibit I'll pass  
40 around to you guys -- for the record, again, my name is  
41 Mike Miller, and I guess I'm speaking as the Chairman  
42 of Sitka's Marine Mammal Commission. It was a  
43 commission that was first formed as a Sea Otter  
44 Commission in 1988. It then was by ordinance, tribal  
45 ordinance, adopted, local issues involving seal harvest  
46 and sea lion harvest as well in 1995 and I've been the  
47 chairman of that since 2002, I think.

48  
49                  I'm going to pass the sea otter skin  
50 around just so you guys can have a point of reference

1 here. This skin was tanned at the local tannery we've  
2 started in the last two years and I'll get to that as a  
3 possible management tool here while I talk with you in  
4 a moment, so I'll just hand it around.

5

6 (Pause)

7

8 MR. MILLER: It's actually not my  
9 personal skin, it's still property of the tannery so I  
10 will expect it to end up back over here at some point.

11

12 (Laughter)

13

14 CHAIRMAN ADAMS: I was really coveting  
15 that, Mike.

16

17 (Laughter)

18

19 MR. MILLER: Mr. Chairman, yeah, thanks  
20 for the invitation to come and talk to you guys, I  
21 worked quite a bit with Mr. Burn who gave the  
22 presentation yesterday with Fish and Wildlife Service.  
23 Sitka is a member of the statewide marine mammal  
24 organizations, it's called, IPCMM, Indigenous People's  
25 Commission on Marine Mammals, and it's a representative  
26 group that covers all the Alaska Native organizations  
27 and it was governing co-management issues, everything  
28 from sea otter to walrus and polar bears and beluga  
29 whales and every marine mammal that's harvested under  
30 Section 119 of the MMPA.

31

32 Specific to sea otters, I think we're  
33 recognizing that in a lot of areas of Southeast there's  
34 quite a problem, if you will, with the over abundance  
35 of sea otters or perceived over abundance of them and  
36 the negative effect that they have on the shellfish  
37 populations, in particular, that are a large part of  
38 subsistence and commercial catches for communities.

39

40 One of the things that we saw in the  
41 Sitka area in the mid-90s was actually the bloom of the  
42 sea otter populations as they came down the coast, so  
43 what's happening down, especially in the inner waters  
44 now and Prince of Wales is what happened here in the  
45 mid-90s, we saw just this big wave of otters that came  
46 into an area where they hadn't been for over a hundred  
47 years, so the conditions were really good for them to  
48 grow, when the population has appropriate food, they  
49 can grow between 19 and 20 percent per year. They pup  
50 most of the year, they don't have a set season. And

1 actually what dictates the growth, the way I understand  
2 it is the availability of food and survivability of the  
3 pups, so if there's a lot of food the pups survive and  
4 if they don't, they don't, or not as high a percentage.  
5 So with the introduction or reintroduction of the  
6 otters into these food rich areas, we've seen a hugh  
7 growth.

8  
9                   The interesting thing that has  
10 happened, though, in the Sitka area is actually quite a  
11 bit of the reduction of the otters from what we saw in  
12 the mid-90s. In 1995 the population in the Sitka use  
13 area, which is governed by the Tribe, was around 2,500  
14 animals and at that time the Tribe felt that that was  
15 probably the optimal number. It turns out actually the  
16 number now is quite a bit lower and I think we're  
17 realizing that the optimal number is quite a bit lower  
18 than what it looked at at the time because there was a  
19 lot of food now and they've grazed the area down. The  
20 stable population seems to be in the 1,100 number and  
21 that's about where we're at for the last couple of  
22 years now.

23  
24                   We have worked with Fish and Wildlife  
25 on their aerial surveys of contacting them and having  
26 them contact other communities, National Marine  
27 Fisheries patrol people and trying to find out where  
28 the extent of the otters are so when they were flying  
29 their segments that they were -- make sure that they  
30 were going far enough inland to try to get as many  
31 otters counted as they could, so we actually have a  
32 pretty high degree of confidence in their methodology,  
33 anyway, for counting sea otters, although as was  
34 pointed out yesterday, it's been about five years now  
35 since that survey happened and a lot of things can  
36 happen in five years. The Aleutians being a prime  
37 example where they went the other way, they lost 20,000  
38 animals in five years or something along those lines,  
39 it was quite a decrease. I think the common knowledge  
40 is there's been quite an increase here in Southeast in  
41 the last five years. So I won't go too much into  
42 particulars of things you might already be well aware  
43 of, I know you still have lots to go on your agenda.

44  
45                   But some of the things we have done  
46 here in trying to promote management of the sea otters  
47 is projects like the tannery. We started that two  
48 years to try to increase the use of otters and at the  
49 same time create opportunities for the tribal citizens  
50 to do handicrafts and traditional use of otter skins

1 for our market or whatever market they choose, so we  
2 have kind of a dual purpose of going ahead and trimming  
3 and the otter population but stimulating economic  
4 growth for, you know, cottage industries as well. The  
5 project actually has been working fairly well. We  
6 have, along those lines, been working to set these  
7 programs so that they aren't just applied to Sitka.  
8 The same things could very well be done by any other  
9 people in any other communities here and that's one of  
10 the reasons why we have opened up the tannery to all  
11 types of skin tanning from Southeast or all around the  
12 state. We processed at about, at last count, it was  
13 about 450 animals in the last year, of sea otters I  
14 should say. And the harvest in Sitka has grown quite a  
15 bit as people are starting to get used to the tannery  
16 as you saw yesterday, I think it was about 240 animals  
17 were harvested here in Sitka last year, and that's  
18 actually -- it's at a rate that is in excess of what  
19 the local population of otters could sustain if there  
20 was no immigration of otters or from them coming back  
21 from other areas.

22

23                   So I think that, you know, the  
24 populations could be controlled in other areas as well  
25 if the programs, if people are used to being able to go  
26 out and harvest them, there is quite a market for the  
27 skins for handicrafts, the people that are making  
28 products are doing very well with it. And so I think  
29 that market could be available to anybody in any of the  
30 places that have otters.

31

32                   We've also actually been training kids.  
33 We had our first hunters training class last summer, we  
34 took 13 kids and went through boating safety and rifle  
35 safety and cultural awareness and traditional harvest  
36 and practices and got them started in the middle school  
37 level, and there was really good response with that so  
38 it looks like we're going to be continuing that program  
39 to train kids to go out and hunt and actually take them  
40 out.

41

42                   We've been working with the University  
43 of Alaska to develop a Northwest Coast Arts Program and  
44 part of that is skin sewing, so actually I was the  
45 person who sat through one of the first classes and  
46 learned how to make a pillow anyway and actually Mr.  
47 Stokes made a travel pillow here at one point when he  
48 was up here, and also an accomplished skin sewing.

49

50                   So I think, you know, there's lots of

1 ways that communities can be involved. One of the  
2 things that we had been working on at the statewide  
3 level is the reauthorization of MMPA that Mr. Burn  
4 talked about yesterday. And one of the key provisions  
5 that we've really been fighting for is the harvest  
6 management plans and they can be protective of certain  
7 areas, certainly, that can be written into plans as has  
8 at times been written into Sitka's plans. So you can  
9 look at harvest management plans as two different ways,  
10 it could be protecting the species where it needs to be  
11 but also protecting other resources, and I think that's  
12 probably the state where most of you guys are at right  
13 now.

14  
15                   One of the key provisions, though,  
16 that's been delaying this, is the State of Alaska's  
17 continued opposition to Alaska Native organizations  
18 having in any say in enforcement of these plans. My  
19 personal argument back to that is always that these  
20 plans don't work unless we have, you know, enforcement  
21 abilities. It's not necessarily that the tribes want  
22 to be enforcing provisions of it, but we have to have  
23 that ability, if a tribe sets harvest limitations in  
24 its area, that somebody could enforce it, so if we  
25 could have it enforced by appropriate agencies then  
26 that would work as well. The State has derailed the  
27 entire process upon that one argument for quite some  
28 time. But for the first time this year the Congressman  
29 for Alaska reintroduced the bill with the appropriate  
30 provisions in there so we're hoping that that will have  
31 some movement. The precedent has been set already with  
32 the Nanook Commission with its Polar Bear Treaty with  
33 the US and Russia and also with the Eskimo Whaling  
34 Commission, that their provisions are being enforced,  
35 so we're hoping that that being the case that we can  
36 have the same for here.

37  
38                   One of the things in this final  
39 comments, is we have been reaching out to the other  
40 tribes in the area to try to offer whatever advice --  
41 we can't write a plan for any other community, but we  
42 can certainly give them the one that we have and let  
43 them take whatever they want so if there's any of you  
44 that want any of that information -- I know actually  
45 Kake has been very advanced in their planning and  
46 forming a commission as has Hoonah, Hydaburg has and  
47 Ketchikan has, but, you know, we're kind of all in this  
48 together and have to look at it as a bigger picture.  
49 But I'd certainly offer, you know, whatever we learned  
50 from -- you know, definitely our mistakes as well to

1 anybody that would like that information.

2

3                   One thing that we have just done in the  
4 last few days is to encourage harvest in areas that  
5 have come to us and said we have otter population  
6 problems, namely Kake and Hoonah have come to the tribe  
7 and says, you know, we're concerned about the otters  
8 coming in here so we did, through the Tannery, just  
9 sent an offer to their tribes that if their enrolled  
10 hunters wanted to harvest more otters, that we're  
11 offering a special deal through the tannery, where if  
12 they send three otters in, we'll send two back to them  
13 and one of them will transfer to the tannery for later  
14 sale and so that's -- we're hoping -- encouraging some  
15 hunting opportunities in some of those areas. So as we  
16 progress with that, I guess, we'll extend that out to  
17 other communities as well or if communities especially  
18 want to try to target some harvest, that I'm sure we  
19 could work out some kind of deal.

20

21                   So that's, in a nutshell, how we've  
22 been working with the otter situation here. So thanks  
23 for the time to talk.

24

25                   CHAIRMAN ADAMS: Thank you, Mike.  
26 Yeah, I'm sure that there'll probably be some good  
27 questions coming from the Council here.

28

29                   When Sitka Tribes first started, you  
30 know, got their management -- I think they already had  
31 it in but there was a lot of still -- you know  
32 beginning stages of it taking place when I became aware  
33 of it, because about that time I was getting quite  
34 concerned about the otters or the tribe was getting  
35 quite concerned about the otters in Yakutat and so we  
36 had an opportunity to come to a meeting, I think it was  
37 here in Sitka to meet with the tribe, to get some  
38 ideas, you know, about how to go about developing a  
39 management plan. We started the process and then, you  
40 know, somewhere, some other priorities took place and  
41 then I got out of the council and so it's kind of left  
42 in limbo again, but when I go back home tomorrow  
43 there's a council meeting and I'm going to talk with  
44 them about this issue because they are wondering, you  
45 know, what to do, you know, about the otters, the sea  
46 otters in that area because they're multiplying, you  
47 know, quite rapidly. And so one of the things that I  
48 remember, you know, the discussion about is how to keep  
49 the balance, you know, at a good level and I think it  
50 was something like you would allow about five percent,

1 you know, of the population to be hunted and it seems  
2 to me like in your report today, to us, that that's  
3 something that you're trying to do, is to keep the  
4 population at a good balance so that it doesn't, you  
5 know, get too explosive and still not down enough where  
6 it would cause conservation concern to the animals.

7  
8           So I still think, you know, that we  
9 need to work with you and I think other -- and I'm glad  
10 that it was brought before this body, maybe we can get  
11 the word out to other communities to use Sitka as a  
12 model, you know, for how to develop a management plan  
13 for their areas. I didn't realize, you know, that the  
14 market was so good, you said it was pretty good and I  
15 know that was kind of a problem in the past and why  
16 some of the people didn't go out and hunt the sea  
17 otters. But if that's the case then maybe you need to  
18 get feelers out to the communities again and say, hey,  
19 the market is good, you know, send us your pelts and  
20 we'll work them up for you.

21  
22           Are you the only tannery in Southeast  
23 Alaska, I know there's another one up north somewhere,  
24 but is there other places where this can be done as  
25 well without sending them somewhere else?

26  
27           MR. MILLER: Thanks, Mr. Chair. Yes,  
28 we're the only one in Southeast, I believe that's  
29 operating on a large scale. There is a couple  
30 tanneries in Anchorage, one that specializes just in  
31 seal skins. There also is a tannery that had been  
32 operating in Shishmaref but due to the problems of  
33 always getting washed into the ocean up there, they had  
34 to move it several times. They have just started  
35 again. And it's my understanding the focus has been on  
36 seal skins, surprisingly, actually one of our bigger  
37 customers for buying otter skins has been Shishmaref so  
38 it seems like they're focusing on seal skins and not  
39 sea otters.

40  
41           I guess, you know, I want to clarify  
42 just a couple quick things, though, on your comments.

43  
44           Yeah, the original plan from Sitka had  
45 a target rate of about six and a half percent and  
46 realistically what was harvested last year was in  
47 excess of about 20 percent. Without all the other  
48 otters that cross back and forth across the lines that  
49 wouldn't be a sustainable harvest so that's something  
50 we're watching really closely because the average size

1 of the otters that's getting harvested in Sitka is  
2 going down and it's getting to be younger, younger  
3 otters. So on the otters side, I think it's fair to  
4 say that, you know, we're not promoting wiping out  
5 otters, I don't think that's in the best interest of  
6 the communities as well. But to be honest I think in  
7 looking at it, we really don't know exactly the balance  
8 of where they should be because since they were into an  
9 ungrazed territory, they ballooned and probably passed  
10 what their numbers should be, but there is benefits  
11 obviously to healthy otter population as well, the  
12 negative side we've really seen, but one of the strong  
13 benefits is the increase of kelp in the water column  
14 and kelp, of course, is something that enriches the  
15 water, it adds a nitrogen compound that actually makes  
16 the water more fertile but also adds a lot of habitat  
17 for herrings and other forage fishes to hide or baby  
18 salmons and things like that, so there's not all bad  
19 with otters moving into an area. But certainly what  
20 we're trying to find out where the right balance is.  
21 There also is, you know, quite an industry in nature  
22 based tourism and I think as you go back to each  
23 community you just have to look at what your priorities  
24 are and so what might be right for Sitka might be  
25 completely different for Kake or Angoon or Yakutat. So  
26 it really is up to each community to find out what  
27 their priority should be.

28

29 CHAIRMAN ADAMS: Questions.

30

31 MR. KOOKESH: I have a question.

32

33 CHAIRMAN ADAMS: Mr. Kookesh -- Mr.  
34 Davis and then Mr. Kookesh.

35

36 MR. DAVIS: Thank you, Mr. Chairman.  
37 Does your tribe or do you know anyone that's going to  
38 be offering a sewing class in sea otter pelts?

39

40 MR. MILLER: Yeah, Mr. Davis, we  
41 actually have been and that's part of that curriculum  
42 with the University, we've been offering sewing class  
43 to work with otter hide. The way the Fish and Wildlife  
44 regulations are is people have to be one-quarter,  
45 Alaska Coastal or more, it follows ANCSA requirements,  
46 so we're offering the class for -- with otter skins for  
47 people that qualify and with beaver skins for people  
48 that don't. We actually got the course accredited  
49 through University of Alaska so it's a series of three  
50 courses each getting more advanced, but these courses

1 are accredited and combining towards a degree in  
2 Northwest Coast Arts, so we're trying to expand that,  
3 of course, and I think the next stage now that we've  
4 already got that going in Sitka is to try to expand  
5 that to other communities again. The markets, I think,  
6 are centered mostly in the big communities and I think  
7 you can see that any time you go to Juneau or Ketchikan  
8 or Sitka or one of the big cruise stops because you see  
9 these fur galleries of all kinds of skins from around  
10 the world being sold here, but there really isn't much  
11 focused on the skins from the area here. But so far  
12 we've been trying to promote that through a little shop  
13 here, we're looking for money to expand traditional art  
14 sales, the products move very well. And anecdotally  
15 there's a specific shop in Hoonah that is dealing with  
16 sea otter products and they are moving as much as they  
17 can bring in there. So I think if you tap the right  
18 market there's a lot of potential for growth there. So  
19 what I'm hoping is that we're going to be able to  
20 promote opportunities, you know, for people to be able  
21 to sew at home, even if they don't have the market  
22 right there that we can have kind of -- the central  
23 clearing house is in the bigger communities so that  
24 they can work over the winter and send products in to  
25 have a market there.

26

27 CHAIRMAN ADAMS: Mr. Kookesh, did you  
28 have something.

29

30 MR. KOOKESH: Yeah, Mr. Chairman, I had  
31 a few comments and a few questions. Under your  
32 management plan, I know you have it on disk, right, is  
33 that correct, you have a management plan on a disk?

34

35 MR. MILLER: (Nods affirmatively)

36

37 MR. KOOKESH: And I also believe that,  
38 Mr. Chairman, that there's a lady by the name of  
39 Hettinger, Henninger from Yakutat, that also attended  
40 the same workshop I attended to help draft up or to  
41 work on plans for the communities. One of my  
42 questions, there was an organization there, was it  
43 called TASK, is it possible if you can talk a little  
44 bit about them after I'm done -- after I'm done -- but  
45 I wanted to get to something -- I wanted to make sure  
46 that under your management plan, one of the reasons why  
47 we're sitting in this process here is because of  
48 subsistence, does your management plan address  
49 protection of subsistence and creating subsistence  
50 zones where you won't allow for any otters to basically

1 take over the area. And also I notice that when you  
2 were talking about jobs, I noticed you didn't seem to  
3 be specific, I was wondering what kind of -- what kind  
4 of -- if you had any numbers, like, how -- how big of  
5 an opportunity has been created because I believe when  
6 I talked to Mr. Bangs last night, he want to elaborate  
7 a little more about the economy part that we talked  
8 about a little bit last night, I -- I was just  
9 wondering what kind of jobs you were creating. And I  
10 just noticed -- well, your last comment was that you  
11 talked about tapping the right market, but I believe  
12 the terminology is not tapping the right market, it's  
13 marketing, you know, that's what will get your product  
14 to where it needs to go is marketing.

15

16 But I was just really concerned about  
17 subsistence. I do know that when we brought it up last  
18 night with the gentleman that was here talking about  
19 sea otters one of the things I never heard from the  
20 communities that are affected, that have large sea  
21 otter populations, I never heard a loud cry about the  
22 loss of their crab and the loss of their abologne, and  
23 the loss of their -- their clams, I never heard that  
24 cry -- that outcry yet, so maybe they're -- maybe I'm  
25 just seeing -- maybe the otters aren't -- what did you  
26 call them, critters, to use your words, on you,  
27 critters, but anyway that -- that's what I just wanted  
28 to talk about, see if you could talk about TASK, but  
29 you did have a representative from there.

30

31 Thank you.

32

33 CHAIRMAN ADAMS: Yeah, just let me  
34 answer your question in regards to, you know, the  
35 subsistence -- well, the critters eating the  
36 subsistence foods, our crab, our clams and gumbots and  
37 sea urchins, you know, are all disappearing in our area  
38 and, you know, we're pointing at the otters. And, you  
39 know, I'm sure that a lot of other people feel the same  
40 way so I just wanted to bring that out to you and maybe  
41 you can.....

42

43 MR. KOOKESH: I have a comment.

44

45 CHAIRMAN ADAMS: You have a comment to  
46 me.

47

48 MR. KOOKESH: I believe we are called  
49 the invasive species also.

50

1 CHAIRMAN ADAMS: Yeah. Mike, did you  
2 want to respond to any of Floyd's comments.

3  
4 MR. MILLER: I guess there were a  
5 couple, if I remember correctly your first question was  
6 about specific to.....

7  
8 CHAIRMAN ADAMS: Before we go any  
9 further, though, Steve Kessler and I are going to have  
10 to leave here in a few minutes to go over to Raven  
11 Radio and, you know, give them some -- an interview.  
12 So what I'm going to do right now, Mr. Kookesh, is turn  
13 the gavel over to you for now. And I just want to make  
14 note, too, that I hope we're done by the time Carrie  
15 Sykes comes up to talk on some of the things that T&H  
16 does because I do have a lot of questions and  
17 information to offer as well so hopefully we'll get  
18 back here by that time, but I'll go ahead and have you  
19 take over Mr. Kookesh at this point.

20  
21 Thank you.

22  
23 MR. MILLER: Okay, Mr. Chair. Your  
24 first question was related specifically to the Alaska  
25 Sea Otter Stellar Sea Lion Commission, the TASK.

26  
27 MR. KOOKESH: TASK.

28  
29 MR. MILLER: That was a group that --  
30 it still is a group, I guess, was created under that  
31 Section 119 of the MMPA in the mid-90s to deal -- to be  
32 the conduit for information to the tribes. They do  
33 have some brochures. They were scheduled to come here  
34 and talk, I believe. They sent some brochures down  
35 that are up on the table there. Mr. Burn didn't get  
36 into that yesterday but essentially they had some poor  
37 relations, I guess, with the Fish and Wildlife Service  
38 and with several of the member organizations there and  
39 those tried to be -- there was efforts to try to fix  
40 that over several years and they did not work out. So  
41 in the last year the Fish and Wildlife has basically  
42 said that they are not going to sign anymore  
43 cooperative agreements with that individual  
44 organization. The IPCOM (ph), which is the statewide  
45 group met with Fish and Wildlife to try to figure out  
46 how to fix the situation and what has been proposed and  
47 what Fish and Wildlife is following through, is to  
48 reorganize the statewide co-management group, and what  
49 they are is basically just the conduit to make sure all  
50 the information is getting down to all the tribes and

1 then getting back up so they can make management  
2 decisions with Fish and Wildlife. Being there is so  
3 much confusion as to even who they were or, you know,  
4 what their purposes were and even the issues that we  
5 have with sea otters down here, a lot of people haven't  
6 heard about that and that kind of shows that the  
7 process wasn't working with them.

8  
9                   What's been proposed now is to  
10 reorganize with a group that represents all the regions  
11 again and basically kind of following the ANCSA regions  
12 that are in sea otter territory so there's the six  
13 designated seats for each of the regions, Bristol Bay  
14 region, Aleutian Pribilof region, Cook Inlet, Chugach,  
15 Prince William Sound area and then Tlingit-Haida will  
16 have a designated seat. We did push for -- since we  
17 were organized in Sitka and also a large percentage of  
18 the population, we pushed for a tribal seat, which  
19 we'll have as well, so it's going to be a seven member  
20 board. We met with Carrie yesterday to kind of update  
21 her on that situation so we're going to be looking to  
22 Tlingit-Haida to appoint a Southeast representative  
23 here before too long. So that's kind of the status of  
24 where, you know, TASK is still involved, but they  
25 won't, at this time, be the partner with Fish and  
26 Wildlife.

27  
28                   The other question about the number of  
29 -- oh, do you want me to continue?

30  
31                   MR. KOOKESH: Yes, continue.

32  
33                   MR. MILLER: Okay. you know about the  
34 number of people this affects, you know, I guess --  
35 we've been trying to quantify that as we're expanding  
36 the tannery. We're at the stage now with Economic  
37 Development Association about getting a stand-alone  
38 building, we've got some pretty positive news in the  
39 past couple days. It looks like the facility that we  
40 have, it's been expanded to the point where we're  
41 getting behind in returning people's skins back to them  
42 and we got, you know, just kind of backed up processes  
43 back there and keep having to buy more freezers to keep  
44 the skins packed up, so we've been renting places and  
45 it looks like we're going to be able to purchase a  
46 facility here before too long that will be large enough  
47 to allow for expansion. Limited -- you know, the  
48 tannery itself is a very limited amount of jobs but  
49 we've been trying to quantify potential for economic  
50 opportunity in the villages especially. And we don't

1 specifically have the numbers on that. We know in  
2 Sitka how many people are, you know, harvesting and  
3 we're in the 20 to 40 range of people. Economic and  
4 Development wanted to make sure that we could say that  
5 this many people are using the products and making  
6 money off of it and so we're trying to figure out how  
7 many exactly are benefiting from it but it's kind of an  
8 ongoing process.

9

10                                    You know again from the tourism  
11 industry it's a very large component Sitka but it's  
12 obviously not in a lot of the -- you don't have otter  
13 watching tours in a lot of the other communities, so,  
14 again, it's kind of up to each community. You take  
15 Petersburg or Kake or someplace, down on Prince of  
16 Wales that has a lot of dive fisheries or -- especially  
17 dive fisheries, I guess, and the impact on them and the  
18 jobs lost from otters is quite a bit greater than  
19 Sitka, so in their management plans would like to look  
20 at, you know, they should look at things differently.  
21 Sitka did have, you know, specifics in its management  
22 plan several years back that was actually targeting  
23 certain areas, one of which was a razor clam beach here  
24 that we were trying to protect and the Fish and Game  
25 came to the Tribe and said, can you target harvesting  
26 along this area and so people did that. Unfortunately  
27 the otters are very tenacious and they continued in the  
28 area and at the same time there was a disease that kind  
29 of wiped out the clams so since then we've kind of  
30 dropped that effort because it wasn't doing any good  
31 anyway. But those kind of things certainly can be  
32 written in to anybody's plan if there's -- you know if  
33 the community decides it's in its best interest to just  
34 keep them out of its areas then that's where you should  
35 go with it. But, you know, keeping in mind that it has  
36 to be kind of the entire community and you know things  
37 are changing, there's a lot of opportunities in that  
38 eco-tourism and I think that's kind of a hard thing,  
39 even for me, since I'm not really involved in that, to  
40 accept that but unfortunately it's kind of a thing that  
41 we're faced with. And so those people as well, I  
42 think, for the health of the communities need to be  
43 addressed anyway.

44

45                                    MR. KOOKESH: Mr. Bangs.

46

47                                    MR. BANGS: Thank you, Mr. Chair. In  
48 my mind when we talk about customary and traditional  
49 use of sea otters, I visualize the sale of whole pelts.  
50 Now, I know that's illegal and know it's not something

1 that we can deal with but I'm wondering if there's a  
2 demand for whole pelts and if the value incentives for  
3 harvest would change if it were a legal thing for  
4 Alaska Natives to do.

5

6 MR. MILLER; We had a fairly  
7 interesting case, Mr. Bangs, that's being reviewed by  
8 the U.S. attorneys right now and it is an artist who is  
9 attempting to sell otter pelts with felt backing, where  
10 just the feet are cut off but the head and the tail is  
11 still on there, it's about as close to a whole pelt as  
12 you're going to get. Previously there had been some  
13 efforts down at Prince of Wales to sell whole pelts  
14 with painting on the back and those were ruled to be  
15 not -- you know they couldn't sell. Being that there  
16 was that effort to do that shows there is a market for  
17 the whole pelts. I'm sure that there is. These were  
18 -- especially in foreign markets. In the turn of the  
19 century, I'm thinking about 1911 the entire harvest was  
20 only 12 animals in the state but those sold for 10 and  
21 11 and \$12,000 in China back then. I think there's  
22 huge potential but with the Fish and Wildlife, I think  
23 where they were is working with the Native artisans,  
24 you know, they didn't want to open it up too much for  
25 fear of overharvesting then. And that's the one where  
26 we were always trying to balance that of if you make it  
27 too easy what kind of hunters and -- or you're going to  
28 have wasteful take issues and kind of flood the market  
29 then and -- and with a product that's maybe not that  
30 good and would that have a negative impact on the  
31 existing people that are creating more authentic  
32 handicrafts. So, you know, there was a traditional,  
33 obviously traditional market was whole pelts, you know,  
34 that was traded.

35

36 And what we're faced with is this kind  
37 of grey area that Fish and Wildlife has for enforcement  
38 purposes, the term significantly altered, and no one  
39 ever really knows that that means. People certainly  
40 make the argument that when you have this, you know, or  
41 as soon as you skin the animal it's pretty  
42 significantly altered from a live sea otter swimming  
43 around. But the way they interpret it is that it no  
44 longer looks like a sea otter and it's the same with  
45 polar bears.

46

47 (Cell phone ringing)

48

49 MR. MILLER: I just realized I left my  
50 cell phone on, sorry about that Mr. Chair.

1 (Laughter)

2

3 MR. MILLER: Or maybe that's Bert's,  
4 since he's gone.

5

6 (Laughter)

7

8 MR. MILLER: So the -- I'll go put it  
9 in the Girl Scout's jar here when we get done.

10

11 Significantly altered is one that we're  
12 trying to get some clarification as to what is altered  
13 and is that enough. The one thing we have to keep in  
14 mind is when we make a -- have a decision come down on  
15 sea otter skins, it affects other fish and wildlife  
16 animals as well. And so we've been talking, especially  
17 with the Polar Bear, Nanook Commission to see if our  
18 efforts to find out whether just backing on a skin is  
19 good enough because the Nanook Commission has not  
20 wanted, in the past, to have whole skins, whole bear  
21 skins sold. If you just cut the feets off of them they  
22 still are considering it whole skins, so that ruling is  
23 -- I would expect within the next month. Because there  
24 is an artist here in Sitka who is working to sell pelts  
25 with just the backing on it. And we're really not  
26 quite sure. Some artists really want that and some  
27 don't but there definitely is a market for it.

28

29 MR. KOOKESH: Council. Any more  
30 Council wishing to ask questions. Merle first and then  
31 Mr. Davis.

32

33 MS. HAWKINS: Thank you, Mike, for your  
34 presentation. And I was up here in November for the  
35 Knowledge Conference and was able to go out and tour  
36 the tannery and it did seem like a small area so I'm  
37 glad you're going to expand. And I'm grateful for the  
38 work that you guys do but it seems like you could do  
39 more in educating people because I took my three pelts  
40 home and I have them on the back of my couch and my  
41 chair and had a non-Native come into my house and she's  
42 like, petting it, oh, that poor critter, and so I use  
43 it as an opportunity to educate her on how important  
44 they are to our culture, our trade for clothing,  
45 regalia, for arts and, you know, for training and young  
46 men for hunting. So if you could just -- just grateful  
47 for the service that you guys do because otherwise I  
48 wouldn't have the opportunity to own a sea otter pelt.

49

50 So, thank you.

1 MR. KOOKESH: Mr. Miller.

2

3 MR. MILLER: Mr. Chair, just in  
4 response to that. Yeah, definitely the outreach, I  
5 think is key and I think that was one of the failings  
6 of the previous group in that the outreach to the  
7 actual harvesters and the community is just not there.

8

9 One of the things that we're really  
10 trying in the expansion of this tannery is to tap the  
11 tour market, to educate tourists that come up here, let  
12 them go through the tannery and try to tell them that  
13 there is -- it's okay for them to own sea otter  
14 products and that there is a harvest. One of the  
15 things that we also are looking at is some level of  
16 designation of sustainable harvesting for people that  
17 might be borderline on fur products, that if we can say  
18 that they're harvested as part of a plan that's  
19 approved by Fish and Wildlife, that that might  
20 alleviate some of their concerns, but there's just a --  
21 I think people always have the, you know, pictures of  
22 clubbing baby seals in their mind when they look at a  
23 fur product from Alaska, and so we're trying to educate  
24 people that that's not the case. It's tough though  
25 when -- I mean otters are cute little animals and we're  
26 faced, you know, trying to say, while they're cute,  
27 they're definitely a negative impact as well.

28

29 MR. KOOKESH: Mr. Davis.

30

31 MR. DAVIS: Thank you, Mr. Chair.  
32 There's no problem for Natives to sell to another  
33 Native, say like if somebody from the Sitka Tribe knows  
34 somebody in Pt. Barrow that makes parkas, it's a Native  
35 up there, is there any problem sending it through the  
36 mail to them?

37

38 MR. MILLER: Mr. Chair. Mr. Davis.  
39 No, there's no problems as long as the person qualifies  
40 to have the -- to be able to hunt the skin. So  
41 basically the exemption, it's 101(b) in the Marine  
42 Mammal Protection Act says that any Coastal Native of  
43 Alaska qualifies all around the state for all marine  
44 mammals and they do have the definition, though, the  
45 ANCSA, blood quantum, which some tribes like, some  
46 don't, but that's the way the law is right now. So,  
47 yeah, you can transfer, although, you know, one of the  
48 stipulations, though, is that otters have to be tagged  
49 when they're harvested and the hunter has to tag them.  
50 He can't send the wet skin to somebody else and say you

1 go ahead and tag it under the law right now. So prior  
2 to it being transferred it's supposed to be tagged  
3 under current Fish and Wildlife regulations.

4  
5 MR. KOOKESH: Council, comments. Mr.  
6 Kitka.

7  
8 MR. KITKA: Thank you, Mr. Chair. Just  
9 a comment or two. One of them was a comment on  
10 significantly altered animal. Any time you kill it it  
11 alters it considerably.

12  
13 Also a question is it seemed like when  
14 you guys started the tannery you offered not only  
15 classes on it but also the ability to take back to the  
16 other communities the ability to start their own  
17 tanneries. I was wondering where that went and whether  
18 it's still an ongoing thing.

19  
20 MR. MILLER: Mr. Chair. Mr. Kitka.  
21 Yeah, significantly altered in the first comment, it's  
22 a trouble area. The problem is with no definition  
23 often times it's up to the enforcement officer, you  
24 know, he can say is it altered or not and of course  
25 people look at things differently so this existing  
26 situation is trying to get figured out, is that one  
27 enforcement officer said the backing with the feets cut  
28 off was okay, but the rest of the agency isn't saying  
29 that so the artist is the one that's kind of stuck in  
30 the middle there. And already having sold one that was  
31 approved, now the rest of the agency is saying, no, so  
32 hopefully we'll get some clarification on that.

33  
34 We've been offering to share as much  
35 information as we can on the tannery. There's been  
36 some interest in different communities but there hasn't  
37 been much follow through. To be honest it's been a lot  
38 of work to get to the stage where we're at, even in the  
39 funding right now, through EDA, they were really  
40 apprehensive about funding, too, in the state, being  
41 that Shishmaref had a tannery, they were really  
42 reluctant to let go of any additional funding to Sitka  
43 and we were trying to explain just the geographical  
44 difference between Sitka and Shishmaref. And so I  
45 don't know if it's realistic that each community could  
46 have their own tannery or not of if there's the  
47 availability of skins, we would never make it on sea  
48 otters, I think we would have to do about a thousand,  
49 about 1,200 sea otters a year to break even with the  
50 tannery and with the small space that we have. So we

1 definitely have had to expand into other things so if  
2 you get goats or moose or deer or any other animals,  
3 send them in.

4

5 MR. KOOKESH: Mr. Bangs.

6

7 MR. BANGS: Thank you, Mr. Chairman.  
8 This is just an observation in response to your  
9 comment, Mr. Kookesh, I've been involved in the dive  
10 fisheries since the early '80s and I've had the  
11 opportunity and pleasure of being able to swim the  
12 outside coast and basically from Sitka to Treat Point,  
13 I've swam around most all the islands and I've seen  
14 visually what the sea otter does and if people could  
15 witness what happens, you know, this is something that  
16 people who don't go under water, they don't know what  
17 takes place. Everyone would scream. It is just  
18 frightful how they can turn over large rocks and they  
19 take everything. There would be some screaming,  
20 believe me, it's devastating.

21

22 Thank you.

23

24 MR. KOOKESH: Council. Any more  
25 Council comments.

26

27 (No comments)

28

29 MR. KOOKESH: If not, thank you very  
30 much for your presentation. As Merle mentioned earlier  
31 I think we should be grateful to the service you're  
32 providing because I believe in creating an incentive in  
33 Southeast is important. It's unfortunate that EDA had  
34 to take a hard look just to make the, you know, make a  
35 determination to move forward. And I'm really glad to  
36 see that you're doing this because it kind of made me  
37 wake up in Angoon, when I knew this tannery was opening  
38 here, because to me, like Shishmaref, is on the other  
39 side of the world, literally. But thank you for  
40 coming. I believe you have a closing comment.

41

42 MR. MILLER; Yeah, Mr. Chair, thanks  
43 for the opportunity to come and talk to you about this  
44 issue. The Tribe does have a website for Sitka Tribe  
45 and there is a link to the tannery. Typically they put  
46 the skins that are for sale up on that site but, yeah,  
47 I mean we're really interested in not just sea otters  
48 but we're getting a lot of the other furbearers coming  
49 in there and to make this thing actually work we're  
50 going to need a lot of other types of furs.

1                   But if anybody wants any information  
2 or, you know, if we could do targeted outreach to  
3 specific communities, you know, like Petersburg, to try  
4 to get increased hunting there or, you know, other  
5 parts of Prince of Wales, then we'd be happy to look at  
6 that to offer other incentives through the tannery for  
7 people to harvest, especially sea otters.

8  
9                   MR. KOOKESH: Okay. And is the  
10 responsibility of the Chairman to inform you that you  
11 need to turn your cell phone off so we'll be fining the  
12 Chairman Bert Adams \$5 for not warning you.

13  
14                   (Laughter)

15  
16                   MR. MILLER: Yeah, I'll work that out  
17 with Bert, I guess, so thank you.

18  
19                   (Laughter)

20  
21                   MR. STOKES: We need to take a break.

22  
23                   MR. KOOKESH: Mr. Stokes would like to  
24 request that we take a five minute break.

25  
26                   (Off record)

27  
28                   (On record)

29  
30                   MR. KOOKESH: Please come to order.

31  
32                   (Pause)

33  
34                   MR. KOOKESH: Okay, we need to call our  
35 meeting back to order, we need to catch a jet this  
36 evening.

37  
38                   (Pause)

39  
40                   MR. KOOKESH: Council. Council, we  
41 need to come back to order so we can conclude our  
42 business.

43  
44                   (Pause)

45  
46                   MR. KOOKESH: We do have two gentlemen  
47 that wish to address the Council. The first one is Big  
48 John Nielsen, Sr., and the second one after him will be  
49 Mr. Guthrie, Mr. Ralph Guthrie. So Mr. Nielsen, sir.

50

1 (Pause)

2

3 MR. KOOKESH: For the record please  
4 state your name.

5

6 MR. NIELSEN: Thank you, Mr. Chairman.  
7 My name is James Big John Nielsen, Sr. I was born in  
8 Sitka and lived in Sitka all my life. I will be 79 on  
9 my next birthday in June.

10

11 What I have seen happening in Sitka,  
12 Alaska, the Sound, the fisheries are diminishing. So  
13 I've made some notes that I want to speak to you and  
14 thank you for the time.

15

16 First I wanted to speak about the  
17 herring. Herring sac roe fishing, the quota has been  
18 increasing ever since they started fishing; why have  
19 they increased. Commercial aspects so the fishermen  
20 can make money and the fish are dwindling. The herring  
21 stocks are getting lower and lower. I could remember  
22 when Sitka Sound was white as the fleet, all spawn.  
23 Not only Sitka Sound, but from Ketchikan to Barrow was  
24 all spawn, where is it. It's not there.

25

26 What I want to say is we must cut back  
27 or close it down and have a moratorium, close it down  
28 for awhile and see if it will come back.

29

30 There was Ketchikan, Hydaburg, Craig,  
31 Auke Bay, they don't have no fishery anymore because  
32 there's not enough herring now Sitka is the last  
33 resort. Are we going to be one of them. Are we going  
34 to be a sign on the wharf saying no fishing because of  
35 no fish. That's going to happen if we don't do  
36 something.

37

38 The level of herring is going to come  
39 down to where the wildlife will do the rest. I hate to  
40 be the one to say I told you so because it's going to  
41 be that way. And we must do something about it right  
42 away.

43

44 Halibut fishing in Sitka Sound there is  
45 no halibut, little or nothing, you'll be lucky to catch  
46 one there. I used to dry halibut in my younger years,  
47 now I don't even do that anymore because there's not  
48 enough halibut. I fished halibut with my grandfather  
49 since I was a young teenager, 12, 13 years old and we  
50 used to fish just right here amongst these islands, we

1 didn't have to go very far, two miles, three miles,  
2 there's nothing there.

3  
4 We have told the Fish and Game that the  
5 herring stocks are dwindling to nothing because the  
6 signs on the beach is that herring spawn, half of it is  
7 false spawn, no herring eggs.

8  
9 The Fish and Game had lied to Sitka  
10 Tribe about the biomass, they said we are going to  
11 increase the quota, there is no need to increase the  
12 quota, if you increase it more there won't be anything.

13  
14 Charter fishing has taken over our  
15 fisheries, commercial guides are screaming, the  
16 subsistence users are getting left out and they were  
17 the ones who were cleaned out Sitka Sound with halibut,  
18 so they have to go further away.

19  
20 Charter fishermen, some of them, own  
21 more boats than one, there should be a limit on the  
22 amount of charter boats per charter, and why does the  
23 charter have walk-in freezers, the clients come up  
24 here, they fish one or two days, maybe they'll catch  
25 one or two fish but they go home with six, eight, 10,  
26 12 boxes per client, who are those people, hotel  
27 owners, restaurant owners, they come up here to fill up  
28 their freezers down south and the commercial guides are  
29 left out because they're not -- the hotel owners are  
30 not buying from the processors which is the way it used  
31 to be. And it's bad for the subsistence user because  
32 it makes it harder for us to catch fish.

33  
34 Charter fishing down south is a sport  
35 and is that what you call that here in Alaska,  
36 sportfishing, if it's so why not do what they're doing  
37 down South, catch and release.

38  
39 My brother and I experienced quite a  
40 few times, we took the early flight down South and we  
41 got bumped off one time because there was too much fish  
42 being sent out, we couldn't go because of the boxes.

43  
44 Commercial boats, they are being  
45 monitored more or less they are getting left out right  
46 now to charter fishing, I don't think that's right.

47  
48 And the next item I want to talk about  
49 deer hunting. We have experienced quite a bit of snow,  
50 winter kill it's been devastating. Hunting season is

1 the best when the snowfalls, deer hunters can get more  
2 than their share and they showed up -- a lot of eagles  
3 are dying on the beach, nothing to eat, they used to  
4 harvest on the winter kill. Right now the raptor  
5 center had over 45 eagles in there, half of them are  
6 dying because they were starved to death. The season  
7 is too long, why not go back to where it was. I can  
8 remember when hunting season was September to November  
9 30th when we had a limit of four deer, no doe hunting.  
10 We have to take a conservative measure otherwise we'll  
11 never see anymore animals.

12

13 I think I've said enough, thank you.

14

15 MR. KOOKESH: Council, you have any  
16 questions. Mr. Hernandez.

17

18 MR. HERNANDEZ: Not a question but just  
19 an addition.

20

21 I was made aware of, recently, that  
22 something I had not heard before that in a lot of  
23 states in the Lower 48, if you have sport-caught fish  
24 it's legal to sell them so the people from -- that come  
25 to -- as far as I understand, people that come to  
26 Alaska and bring home the sport-caught halibut it's  
27 perfectly legal for them to sell it once they get back  
28 home and if that's true then what's referred to as  
29 sportfishing, in a lot of instances, is a little more  
30 closer to commercial fishing, and I think that's  
31 something that needs to be addressed in some way. I  
32 don't know how to go about it, but if that's true, I  
33 was very disturbed to hear that.

34

35 MR. KOOKESH: Comments, Council. Mr.  
36 Nielsen.

37

38 MR. NIELSEN: Yeah, I could agree with  
39 him on that but the charter fishermen are not monitored  
40 like the commercial fishing. They take more than they  
41 should. Who is to monitor, the Department of Fish and  
42 Game says they do not have enough help here to check  
43 them out every day on a daily basis, I'm talking about  
44 daily basis when the fishing is at its peak. Taking  
45 six, eight, 10, 12 wet-lock boxes per client, that goes  
46 on every day. So charter fishing is a sport, it should  
47 be treated as a sport, not pushing away the commercial  
48 guides, commercial guides are here to earn money for  
49 the processors to send fish all over the world, but  
50 that's getting pretty low now because commercial guides

1 are screaming because not enough halibut, because  
2 there's not enough herring, the salmon is going to be  
3 showing up here, hatchery is not the way -- hatchery is  
4 the poor product of fish, doesn't make good dry fish,  
5 it just falls off the racks. I've experienced it so I  
6 don't even bother with it anymore.

7

8 MR. KOOKESH: We'll have Mr. Larson  
9 talk to some of your comments.

10

11 MR. LARSON: Yeah, Mr. Chairman. A  
12 number of comments that were made by Mr. Nielsen are  
13 really the purview of the Alaska Department of Fish and  
14 Game. There is, on the agenda, under Item 17, an  
15 opportunity for the Council, if they wish, to address  
16 those issues specifically and forward their concerns to  
17 the Department of Fish and Game. I'd like to remind  
18 everyone that proposals for fish under the State cycle  
19 are heard once every three years and that cycle ends  
20 for public proposals on April 10th of this year.

21

22 MR. NIELSEN: I want to make one  
23 comment about the charter fishing. Those guys that are  
24 here in town are rich millionaires, not all of them,  
25 but the ones that have more boats than one, they're  
26 walking around and spending their money down South and  
27 not in Alaska. Our local charter people are just  
28 barely making it because they only have one boat so  
29 there's something wrong, too many boats per owner, more  
30 money.

31

32 MR. KOOKESH: Council. Does the  
33 Council have any comments. Mr. Davis.

34

35 MR. DAVIS: Yeah, thank you, Mr.  
36 Chairman. I didn't realize that the sportsfishermen  
37 down South, the charter was a catch and release and I  
38 don't see why we can't be the same up here. It's just  
39 a ticket for more clients at our expense.

40

41 Thank you.

42

43 MR. KOOKESH: Council, comments.

44

45 (No comments)

46

47 CHAIRMAN ADAMS: Council comments.

48

49 (No comments)

50

1 CHAIRMAN ADAMS: If there's no more  
2 comments, Mr. Nielsen, one of the things that I did  
3 when I was listening to you, is I hear you have very  
4 valid concerns. I know one of the things that this --  
5 in this process there is a value placed on traditional  
6 ecological knowledge, your opinions are valued, and  
7 your comments will be taken into consideration, because  
8 I do hear your concerns about the stocks dwindling and  
9 we do need someone from the State level to address  
10 them, if that's the case we need it, and if there's a  
11 request for a moratorium on the charter fleet, those  
12 issues need to be addressed and the State needs to do  
13 that for us. You do have some very valid concerns.

14

15 Thank you.

16

17 MR. NIELSEN: Thank you for your time.

18

19 MR. KOOKESH: Next we have Mr. Ralph  
20 Guthrie. And then followed by that we'll have Mr. Dan  
21 Moreno.

22

23 MR. GUTHRIE: Thank you, Mr. Chairman.  
24 Advisory Council. Thank you for the opportunity to  
25 speak. I have several issues I'd like to speak on  
26 today.

27

28 The first one I have, I've given you a  
29 handout of what issues that I've been looking at, your  
30 coordinator is handing them out now. Eagle Feathers  
31 is, you know, I talked to the Council there several  
32 years ago and most of you guys were here at that time  
33 and I was told to go to Sitka Tribes and try to work  
34 with them to resolve this issue so that our people  
35 could collect eagle feathers and set up a program for  
36 collection for the National Repository. And of course  
37 I went to the council and asked them to support me on  
38 this and I think the council was kind of busy and they  
39 may have written a letter but they never give me a copy  
40 of their correspondence but at the same time I wrote to  
41 the IRAs in Southeastern Alaska asking for support and  
42 there's a number of people here that should have --  
43 well, I won't say that you should have, but if they had  
44 the opportunity to talk to their IRAs to support this  
45 situation. And one of the reasons why I've looked at  
46 that and it's the fact that it's illegal to take eagle  
47 feathers, although a majority of Southeastern Alaska  
48 people take them but we had a meeting with the -- the  
49 people at the -- the Endangered Species and the  
50 Migratory Bird Act, and the eagle feathers and the

1 first thing they says is, you know, that you can be  
2 arrested for this and tried under this here situation,  
3 and I don't think we want to see any of our people go  
4 to jail for something that's so abundant, you know, in  
5 discarded feathers. Anyway I didn't get any  
6 correspondence back from any of the IRAs that I sent my  
7 correspondence to so here I am again asking for support  
8 through the Subsistence Council because part of  
9 subsistence is the use of eagle feathers with our  
10 regalia and at the same time, you know, those of you  
11 that are part of an IRA, I would like to ask you to  
12 talk to your IRA to send letters in support of this  
13 situation and you'll see that I wrote two -- I wrote  
14 two -- you know this is two letters that I could find  
15 in my files this morning so -- and then I got a letter  
16 back from Lisa Murkowski and she's -- I've gotten at  
17 least three letters from her, you know, pertaining to  
18 this and all she does is write the law -- write about  
19 the law that's presently in effect and what my concept  
20 is is to change the law to allow us to do that in  
21 Alaska -- do this in Alaska since the eagle is no  
22 longer endangered but it's governed by these here laws.

23  
24                   Anyway, you know, there's some more --  
25 you know the lady that was ahead of the -- head of that  
26 eagle thing in Anchorage, you know, she says -- she was  
27 here and she says what -- you know, what we need to do  
28 is this, she says, we're not really against the  
29 collection of feathers in Alaska and we're overlooking  
30 a lot, but if you get a change of personnel you're  
31 going to have a different view of the person that's  
32 functioning in this situation. So my take on this is  
33 that we should work to change the law so that we can do  
34 this and change the law so that we can have collection  
35 team and mostly what I'd like to see in those  
36 collection team is young folks that are either in the  
37 Boy Scouts or in the community dance groups or  
38 whatever, it's not something that I think adults should  
39 be getting into, you know, it's something that I think  
40 we should look at to give -- help give our kids  
41 responsibility in doing stuff.

42  
43                   Anyway so -- but that's the first part  
44 of my appeal there.

45  
46                   The second part is something that's  
47 really important and that is ocean ranching that has  
48 been proposed by this Administration and is being kind  
49 of shepherded by NOAA. And a lot of us we were here  
50 when Fish and Wildlife Service was part of the regime

1 for conservation in Alaska salmon. And at least three  
2 times during the time that I was a young person in the  
3 '40s and '50s, the salmon fisheries were shut down by  
4 the U.S. Fish and Wildlife Service because they  
5 overharvested the fish, you know, they couldn't  
6 possibly harvest fish when they couldn't get any return  
7 on those fish. So I see the same thing happening under  
8 NOAA. And this ocean fish ranching is basically a  
9 concept for mitigation for species that have been  
10 overharvested in all of Alaska waters by the trawl  
11 fleet. And, you know, instead of functioning from a  
12 point of conservation so that we have long-term usage  
13 of these fish, you know, the only thing that they seem  
14 to come up with for that is ocean ranching and ocean  
15 ranching is a concept that will be very detrimental to  
16 the communities in Southeastern Alaska. And being  
17 detrimental is also -- it affects our subsistence use  
18 of the other species of fish and, you know, all of you  
19 are very well aware of the early Tlingit use of all  
20 different species and the hooks that were developed in  
21 taking these species. So, you know, that includes rock  
22 fish, ling cod and any other species of fish that  
23 happen to be on the bottom including black cod. So  
24 anyways, so if we don't say something on this  
25 situation, then long-term we're going to suffer for an  
26 agency's inability to look at a model of conservation  
27 that protects the stocks of fish that we're used to  
28 using.

29  
30 So then I get to the halibut, you know,  
31 and we see over usage, what we're calling over usage on  
32 the halibut stocks in Area 2, and it's very important,  
33 the halibut all the way down into California were used  
34 by the Native people for thousands of years, so what  
35 we're looking at in Area 2 is three-quarters of their  
36 quota cut because poor halibut stock and I think part  
37 of it is overfishing by the commercial longliners but  
38 what I'm looking at, and I believe -- we used to get a  
39 lot of tags that came from the Bering Sea and Area 2,  
40 and so I'm looking at thinking that maybe the trawlers  
41 are impacting those fish that normally come into the  
42 Eastern Gulf of Alaska from the Bering Sea. So I think  
43 it's incumbent on people that are interested in long-  
44 term us of halibut to also look at a better  
45 conservation system use for the long -- you know the  
46 trawlers.

47  
48 So anyway that's where I'm at. I think  
49 that -- I believe that we're being impacted all over  
50 the Coast and that kind of -- if we're suffering a

1 collapse due to this we're going to see a collapse  
2 eventually in the -- you know, in Area 3, 3A and  
3 whatever. So I guess that's -- you know, and I'd like  
4 the Council to take cognizance of this and start  
5 working on addressing this issue with NOAA and it's  
6 just another branch of the Fish and Wildlife Service,  
7 or another branch of it or whatever. So anyway, I  
8 guess I got past that, I probably said enough.

9  
10                   So then we get to herring. And, you  
11 know, John has concerns and I have concerns, you know,  
12 and we have a respected person that managed herring for  
13 a long time in Southeastern so -- in Bob, and I like  
14 that, but I got to tell you that I'm not against the --  
15 the Alaska Department of Fish and Game because I think  
16 overall they've been very conservatively managed, but  
17 what I like is a really level playing field so you can  
18 look at it year to year and say, well, this is what is  
19 happening, you know, and this is what's going to happen  
20 next year so we have a new model for herring for this  
21 year, and my belief and I'm not a biologist but my  
22 belief is when you start doing models you have to have  
23 a reason for that and changing the model, you have to  
24 have a reason for that and so what I see is -- I look  
25 at what we get on our branches every year so in seven  
26 years, you know, I brought in for four or five years  
27 there, I bring in three loads of eggs which would  
28 disappear and some of the eggs went to SeAlaska, you  
29 know, like SeAlaska took over 100 boxes of herring to  
30 distribute and some of those went all over the country,  
31 it's a -- it's a pretty major sharing. But I've had --  
32 when I've had herring on my boat, it was known in town  
33 and people would come all night long and I'd come down  
34 to my boat and there'd be only a few little patches of  
35 herring eggs left on my deck, you know, it wasn't like  
36 I was overharvesting but, you know, some of those years  
37 we had 46 miles and some years we had a little more  
38 but, you know, it seems like it's been 40 to about 50,  
39 60 miles of herring spawn every year. So last year I  
40 believe the number was 34 miles of spawn and, you know,  
41 the community really suffered from not being able to  
42 get herring eggs off the branches. And when we had 40  
43 miles it seemed like everybody had chances to get  
44 herring eggs. So, you know, the year before, even with  
45 57 miles of spawn, it was a little thin on the harvest.  
46 So this -- this new model is allowing for over 2,000  
47 tons of herring more than we took from the previous  
48 year that we had 57 miles of spawn so I feel that  
49 looking at this model, it may be a little bit off  
50 center, and I know the manager in Sitka is trying to do

1 the best job he can with the model that he has to work  
2 with so I'm not going to -- I'm not saying anything  
3 about that. I think the person that changed the model  
4 probably shouldn't have done that, you know.

5  
6 But, anyway, that's where I'm at. I  
7 would like to see this model dropped and go back to the  
8 old model so that we can look at a different reality in  
9 this situation. And I think it would benefit the  
10 Department because I think this increase in herring has  
11 lost credibility with the Department in this community  
12 and I don't like to see that because I watch the  
13 Department build salmon runs. When -- you know from  
14 the time that we took over management and I don't want  
15 to say that they're not trying to do something  
16 conservatively but the model, I think, is wrong. So  
17 I'd like you guys to look at that situation.

18  
19 Thank you.

20  
21 MR. KOOKESH: Council comments. Mr.  
22 Hernandez.

23  
24 MR. HERNANDEZ: A question, Ralph, I'm  
25 unfamiliar with this ocean ranching, you want to just  
26 give me a little bit of a brief description more about  
27 what that is.

28  
29 MR. GUTHRIE: Well, you know, it was  
30 supposed to take place off the Continental Shelf all  
31 over the United States. They have sort of an ocean  
32 ranching project in the waters of Hawaii within the 200  
33 mile limit and they're -- you know they're happy with  
34 it, I don't know if they're making any money at it but  
35 they're raising several species of fish that they've  
36 had conservation problems with. You know what that --  
37 that will happen on the -- you know, is starting to  
38 happen on the East Coast where they're raising, you  
39 know, raising fish that are endangered but, you know,  
40 if any place on the West Coast where they -- you know,  
41 and there's some in-roads already made on black cod,  
42 you know, in the -- they have a hatchery there that  
43 they released young smolt and then -- or whatever,  
44 young salmon and when they closed their pens up it was  
45 full of young black cod and so they started raising  
46 black cod as part of that program and so what it's  
47 looking like is the high end species are going to be  
48 the first ones that are going to be ranches and that's  
49 halibut and black cod and some of the snappers, so, you  
50 know, if they start that any place on the coast of the

1 United States, on the West Coast, it's going to impact  
2 every community in Southeastern Alaska and every  
3 community that has anything -- any fishing activities  
4 all the way across into, you know, Unalaska or, you  
5 know, but, you know, that's what -- you know that's  
6 what little I know about it. You know, there's some  
7 stuff, you know, they do shrimp and, you know, but this  
8 is going to be a lot bigger operation and -- and it's  
9 very -- you know it's really something that, you know,  
10 you should look at with concern.

11

12 MR. KOOKESH: Okay. Mr. Kitka.

13

14 MR. KITKA: Thank you, Mr. Kookesh. I  
15 don't know if this is a question for you, Ralph, or  
16 whether it's from one of our staff and that was on the  
17 eagle feathers, realizing that once the feather falls  
18 off the bird it's not really a live thing anymore, and  
19 I just can't see a law that would effectively hurt  
20 people, and especially our people for picking them up  
21 because it has already passed its life and been  
22 discarded by the live animal that it was on so maybe  
23 somebody could let me know something about this.

24

25 MR. GUTHRIE: Harvey that's part of the  
26 gist of that letter that's in -- you know that your  
27 coordinator passed out for you. And there is a section  
28 in that law that says that you cannot be in possession  
29 of any eagle parts unless you have a document coming  
30 from the Eagle Feather Repository and if you have a  
31 feather or a part or anything, you have to retain that  
32 in your possession when you have it in your regalia or  
33 whatever, and I'm not sure how many of our dancers or  
34 storytellers that use regalia with the eagle feathers  
35 have this here documentation.

36

37 And I'd like to -- I can't quote the  
38 whole thing that was let out in Juneau a few years ago  
39 but it was right after Celebration and it basically  
40 said this, anybody in possession of eagle feathers has  
41 to turn it in or they're going to suffer the  
42 consequences of the law.

43

44 MR. KOOKESH: Well, thank you very  
45 much, if there's no more Council comments or questions,  
46 thank you very much for being here. In closing we are  
47 blessed with having Carrie Sykes from the Central  
48 Council of Tlingit-Haida Indian Tribes of Alaska here  
49 to -- and she is addressing -- we are addressing issues  
50 such as the ones that you mentioned, like bald eagles,

1 and we haven't talked about ocean ranching but we're  
2 also talking about the Forest Service's apology for the  
3 land that was taken and the herring stocks, I believe  
4 these are issues that Carrie, I'm sure she's talked to  
5 you about this already. But she is going to be working  
6 on it and I am very glad Central Council has taken the  
7 position -- and I would like to make one comment, that  
8 it's unfortunate that there's a -- the Fish and  
9 Wildlife Service has a regulation out there that, and,  
10 hopefully one of our children becomes a test case for  
11 that, that they arrest one of our children and we'll  
12 see how people start reacting when that happens. You  
13 know, it's unfortunate that a law like that exists.

14

15 MR. GUTHRIE: Yeah, well, I think the  
16 Central Council can address this and I'd be  
17 appreciative if they would. I talked a little bit with  
18 -- I forget her name.

19

20 MR. KOOKESH: Carrie.

21

22 MR. GUTHRIE: Carrie. Anyway there's a  
23 really important issue there in our oral tradition that  
24 pertains to the that, the land that was -- could have  
25 been part of our culture through those smokehouses.

26

27 Anyway, I'd like to thank you for the  
28 ability to speak and I'm pleased that you're here and I  
29 think that you make a fine Chairman, you have a nice --  
30 well, as it goes.

31

32 Bye.

33

34 MR. KOOKESH: We do have one more  
35 person, Mr. Mike Douville.

36

37 MR. DOUVILLE: Thank you, Mr. Chairman.  
38 I've listened to the herring testimony. We have  
39 limited ability to deal with it and we did -- it was  
40 something that we dealt with in our fish session last  
41 time, which I felt that we badly mishandled, and I  
42 would like to have the opportunity to readdress that  
43 down the road. I know it's a difficult situation for  
44 Sitka and all the old timers will tell you how it was  
45 before and there's substance to that and I see it  
46 first-hand, the same similar situation in Craig, where  
47 I live, I grew up when there was a lot of herring, and  
48 it was decimated during the herring egg harvest on kelp  
49 was really what was a major contributor to its  
50 downfall. And you still have a big fishery there and

1 the herring pound fishery, which kills a lot of fish  
2 and doesn't allow a spawn, so with those things it's  
3 probably worse than the -- than actually the situation  
4 here in Sitka by far, but it's very difficult to make  
5 any headway in the process of trying to get those  
6 stocks to recover, you know, it's very difficult  
7 because there is such strong commercial lobby for it.

8

9 But I just -- for anybody's concern, I  
10 have listened to it, I'm well aware of it but we're  
11 limited but certainly we do what we can.

12

13 MR. GUTHRIE: Thank you, Mike.

14

15 MR. KOOKESH: Thank you. Next we do  
16 have two more speakers and I'd like to inform them that  
17 we do have a very big agenda in front of us yet so we  
18 do have Mr. Dan Moreno and I'll allow for Robert  
19 Nielsen and then we'll go to Mr. Larry Edwards who's  
20 been very patiently waiting. Mr. Moreno.

21

22 MR. MARINO: Thank you, Mr. Chairman.  
23 Honorable Council members. First of all I'd like to  
24 thank each and every one of you for taking time away  
25 from your families to come to Sitka to address a number  
26 of needs and issues that impact the people in our  
27 community.

28

29 The issue that I would like to address  
30 is Item 16 on your agenda which is the Unit 4 special  
31 actions and the need to address those issues.  
32 Understanding that the snowfall last year created a  
33 huge impact on that resource and I understand that  
34 there is a need and I understand that the Alaska  
35 Department of Fish and Game had done some surveys last  
36 year and there was a tremendous amount of winterkill  
37 but it was all on the northern end. I hunt along the  
38 water system but I also hunt up in the mountains and  
39 the stocks up in the mountains are always healthy and  
40 those are the stocks that are going to be replenishing  
41 the population and the deer that I saw this year, you  
42 know, 600 yards up to the top of the mountains were  
43 really healthy stocks. And I go out and I take a look  
44 because I believe in management and the management  
45 should be a partnership between all stakeholders,  
46 whether it's Fish and Game and the Forest Service, who  
47 has some responsibilities in management under the  
48 subsistence regulations.

49

50 And I think that maybe along those

1 lines on the northern end, there's a number of  
2 individuals that live in our community that go out and  
3 hunt and they hunt for other people, I'm one of those  
4 individuals. I was taught as a young man when I was  
5 six years old that we need to take care of our  
6 communities and so that's one of the things that I do,  
7 is not only provide for myself but for other  
8 individuals within our community. And I think that  
9 those are individuals that you could probably get some  
10 data from, to say, what are you seeing, especially  
11 after a harsh winter to use in the management of these  
12 resources, and I think I would like to recommend that,  
13 that under the Forest Service's management of the deer  
14 population that they look to individuals in the  
15 communities that do go out and harvest and it allows  
16 you to generate data that will assist in the management  
17 of that resource. Any management decision should be  
18 based on hard data. And granted the Department of Fish  
19 and Game does provide some data on what it is they're  
20 seeing in their surveys but I think that you could  
21 utilize the expertise of the individuals in the  
22 communities that are being affected. And I think that  
23 if you're looking to develop a management, a  
24 restriction on numbers and the type of deer that you do  
25 it with management and if there is something, a change  
26 that's going to be made make it from Sitka north,  
27 because that was the area that was hit the hardest.  
28 And the populations, from what I've seen, from Sitka  
29 South, the majority of the deer that I got this last  
30 hunting season were from Sitka South, and the  
31 population was good.

32  
33                   What I'm seeing is there was a number  
34 of -- and what I look at is I look at the offspring,  
35 the young ones, the number of does and also look at the  
36 number of bucks and I think there was a pretty good  
37 ratio. I was a little concerned after last year  
38 because what I did, starting last spring I started  
39 watching to see what the numbers that were showing up  
40 as I was going out fishing to see what -- how much the  
41 population was devastated by the heavy snow of last  
42 year and those are kind of the things that I looked at  
43 is to where I was going to be harvesting the majority  
44 of the deer that I was going to be harvesting for this  
45 last hunting season and to ensure that there is a good  
46 management practice in that area.

47  
48                   The last thing that I wanted to speak  
49 on is the number -- as a harvester for other  
50 individuals, elderly, single parents, whoever else, you

1 know, with the economic impact of fuel prices, I'd like  
2 to recommend that an individual be able to hunt for  
3 more than one other individual because the time that  
4 you take away to go out and do that harvest at, you  
5 know, if you can maximize the number of people that you  
6 are going to be harvesting for, would really allow to  
7 address the need and in a manner that is in consistent  
8 with the management practices.

9

10 That concludes my testimony, Mr. Chair.

11

12 MR. KOOKESH: Thank you, very much,  
13 sir. Do we have any Council comments. Mr. Douville.

14

15 MR. DOUVILLE: Thank you Mr. Chairman.  
16 Like bag limits, you're talking about Federal hunt and  
17 not the State.

18

19 MR. MORENO: Well, yes, I guess  
20 whatever, you know, whatever that is and I think it's  
21 in cooperation with the management between the U.S. --  
22 between the Federal management practices and the State  
23 management practices.

24

25 MR. DOUVILLE: You have a -- are you  
26 talking about the designated hunter thing through the  
27 Federal portion then?

28

29 MR. MORENO: Yes, I am.

30

31 MR. KOOKESH: Council.

32

33 MR. DOUVILLE: If you wanted to change  
34 the bag limit, or not the bag limit, but the ability to  
35 take more than one bag limit, you could submit a  
36 proposal to do that and it would be heard.

37

38 The other thing is you were talking  
39 about on the outside south of Sitka, we're fortunate  
40 where I live Prince of Wales that the ocean warms it  
41 and melts the snow and there's less mortality and so  
42 on, I would assume you have a similar situation here.  
43 I'm saying that because I'm not familiar with Sitka  
44 outside Baranof in the wintertime.

45

46 MR. MORENO: You know my perspective  
47 was that if there was going to be management changes in  
48 the numbers, that that be reflected in the northern end  
49 of Unit 4 and that the southern end of Unit 4 would  
50 remain the same and that's what I was wanting to

1 recommend. That sometimes when there's a management  
2 issue or a potential change, that it covers the whole  
3 area and the snow wasn't as heavy on the southern end  
4 and the deer population was pretty much the same as it  
5 was in previous years.

6

7 MR. KOOKESH: Mr. Hernandez.

8

9 MR. HERNANDEZ: Thank you, Mr.  
10 Chairman. Mr. Moreno, I really appreciate your  
11 testimony. You know when we came to this meeting I  
12 realize that there was that special action last year  
13 that would probably have an impact on people's  
14 subsistence activities there and I've been anxious to  
15 hear some testimony here, just how it affected people's  
16 ability to go out and get what they need, you know, for  
17 meat last winter and I think you'd be a good person to  
18 ask.

19

20 Do you think that closing of the doe  
21 season for the month of January, did that have a  
22 serious impact on people's ability to harvest what they  
23 need here in Sitka would you say or minimal or how do  
24 you think it really affected people's ability to go out  
25 and get what they require for the year?

26

27 MR. MORENO: It did provide somewhat of  
28 an impact. You know, for me I was looking -- what I  
29 was looking at was the ratio of does and bucks and  
30 fawns and I looked at that and I thought, you know, if  
31 it was an emergency closure I support that because of  
32 that -- the -- the ability and I think that whatever is  
33 done in the area management and the numbers that you're  
34 allowed to take and the sex that you're allowed to take  
35 does impact the resource and to maintain a higher level  
36 of ability for individuals in communities to utilize  
37 those resources, so I just -- it didn't bother me that  
38 much, I mean I got the deer that I needed and also  
39 provided for the individuals that asked that I assist  
40 them in getting theirs.

41

42 MR. KOOKESH: Follow up, Mr. Hernandez.

43

44 MR. HERNANDEZ: No, not a follow up on  
45 that and I appreciate that answer. Just one more  
46 comment. You talked about gathering information from  
47 area hunters and the value of that information and the  
48 three of us here, Mike, myself, and the other Mike, we  
49 were all involved in the Unit 2 subcommittee that dealt  
50 with all the Unit 2 regulations on Prince of Wales

1 Island and that was one of the things that when we had  
2 all of the managers, you know, gathered in one spot and  
3 we just talked about nothing but deer management for  
4 six months, we kept pushing that point, that we thought  
5 that that was extremely important, that the managers go  
6 out and try and gather that information and talk to the  
7 people that are out there, that's your best source of  
8 information, you know, with all the scientific research  
9 they do, that's still probably one of the best sources  
10 of information they can get and I think that message  
11 got through, I think they really realized what we were  
12 telling them. And, you know, we were talking about  
13 Unit 2 and there's always been problems there, but now  
14 unfortunately with this severe winter you're starting  
15 to see some of the same, you know, conservation  
16 concerns that we've had down there for different  
17 reasons. So I think the Departments are recognizing  
18 that and I think if you go to them and, you know, bring  
19 those concerns to them I think they'll listen. So you  
20 might try that.

21

22 MR. MORENO: Yeah, thank you, and I saw  
23 that on one of your other items under other business,  
24 was establish working group and, you know, if you need  
25 somebody to assist with that I'd be willing to  
26 participate on a working group and I'm not sure what  
27 the make up is of that for issues in the Sitka area.  
28 And I just wanted to offer that in closing.

29

30 MR. KOOKESH: Mr. Bangs and then Mr.  
31 Kitka. Thank you.

32

33 MR. BANGS: Thank you, Mr. Chairman.  
34 From one of your previous comments about Sitka south  
35 and Sitka north, would you be in favor of subdividing  
36 Unit 4 as a management tool for Federal managers to be  
37 able to close sections versus the whole unit, I  
38 understand it's just an enormous unit but right now I  
39 don't think there's the tools to close portions, but  
40 would you be in favor of a subdivision, so to speak?

41

42 MR. MORENO: If you're using hard data  
43 to make those determinations I would support that. And  
44 that's based on what I was seeing this last hunting  
45 season. I think that would be a good practice to look  
46 at because sometimes, you know, granted like you say  
47 Unit 4 is a pretty big unit and I think that not only  
48 the people in Sitka would probably support that but  
49 some of the other communities that are part of Unit 4  
50 also would want to provide some input into those

1 management decisions.

2

3 MR. KOOKESH: Mr. Kitka.

4

5 MR. KITKA: Thank you, Mr. Chair. I  
6 heard you address the possibility of being able to get  
7 more deer for more people, more than just one or  
8 however more deer you got, I know you can -- I believe  
9 you're allowed up to four extra deer, I think or  
10 something like that so you can get four people deer, it  
11 might be only one deer apiece, but when I first came on  
12 the Council, I brought that to the Council from the  
13 tribe and being was I didn't have quite the knowledge  
14 or the ability to speak at that point to that point as  
15 well as I should have and hopefully I've learned a  
16 little bit since then, but I know that that failed and  
17 it could have been more my fault than anybody else's  
18 but now with the price of fuel and the price of time  
19 and the weather and the deer and things, a lot of it  
20 might come to the forefront where the rest can see this  
21 problem and allowing the hunters that do go out and  
22 gather for other people, it seems like they need to  
23 look at that a little better.

24

25 Thank you.

26

27 MR. MORENO: Thank you. And I will  
28 follow the recommendation on the proposal.

29

30 MR. KOOKESH: Thank you. We'll have  
31 time for one more speaker and then we'll go to Mr.  
32 Larry Edwards, who's been patiently waiting. I do have  
33 here a Mr. Robert Nielsen. Mr. Nielsen.

34

35 MR. NIELSEN: Good morning, Mr.  
36 Chairman, everybody, the Board. My name is Robert  
37 Nielsen, I am a Sitka resident. I am also -- you know  
38 I wear many hats as well, I have to go to work here in  
39 a little bit, so I have to make a quick testimony but  
40 anyways, talking about all the subjects of Federal  
41 subsistence and such, I would just like to make a  
42 recommendation that the Board do something to adopt  
43 some kind of resolution to help the State of Alaska.  
44 If you look at the State of Alaska as a whole battery  
45 in itself, a liquid battery, we got one cell that's  
46 kind of missing there. And if you're talking about  
47 subsistence you're talking about a lot of wildlife,  
48 birds, fish, I'm taking a look at these herring and  
49 halibut populations, you're taking away from the Exxon  
50 Valdez what it did to Prince William Sound and you're

1 taking away from Alaska as a whole.

2

3                   And it is my opinion that, you know,  
4 when you're taking that away from it, you're not only  
5 taking that away, you're taking away a lot of resources  
6 from other communities. For instance, just a boat  
7 operator at hand, you know, a lot of the boats that had  
8 to go up there and help try and mop up that mess. But  
9 the state right now still hasn't finalized their  
10 lawsuit and a lot of people are losing money, boats and  
11 subsistence and a lot of other issues.

12

13                   But just touching on that a little but  
14 we were talking about halibut. I've done business as a  
15 charter operator last year. My first year, I grant you  
16 that it's not very long but the morality rate that I  
17 saw in the local area as a halibut chartering, now you  
18 put all these hooks in the water and you're going to  
19 catch small halibut. On one occasion we were out  
20 there, you have to go off shore, be outside the limit,  
21 and the testimony I'm about to give is we fished for  
22 two hours, we caught four juvenile halibut. Now, each  
23 one of these juvenile halibut were pretty much dead by  
24 the time they got up from the 300 fathoms. And it is  
25 my testimony today, you know, that the less amount of  
26 hooks you have in the water the less mortality rate  
27 we're going to have on the halibut. And I have to  
28 agree with Mr. Guthrie about as far as, you know, a lot  
29 of the tagged fish being brought from the Bering Sea,  
30 they do migrate and that goes with everything hand in  
31 hand as far as herring populations and so forth  
32 because, you know, like I said about the battery, you  
33 know, all the herring populations from Prince William  
34 Sound have depleted because of the Exxon Valdez, for  
35 instance. Now, they're coming down here to further  
36 take away from the battery so after awhile you're going  
37 to have a battery that's not going to be able to work  
38 anymore, and we all know we don't want to see that.

39

40                   And on the other hand as far as  
41 anything goes, as far as deer hunting, sea otter,  
42 herring or halibut surveys or even deer, anything that  
43 has to do with subsistence way of life, if there's  
44 anything that we could do to help any of these  
45 communities adopt some kind of resolution to expedite  
46 funding so that we could get surveys done adequately  
47 and get some good counts, whether it's flying over or  
48 whatever, whatever kind of help you can get. It  
49 wouldn't necessarily have to be done every year, for  
50 instance, maybe a two year, one year field, one year

1 paper, I don't know something, something should be  
2 adopted is what I'm looking at.

3  
4                   And further down the line as far as  
5 fish farming, now I just heard Mr. Guthrie talking  
6 about fish farming over in Hawaii. And I read an  
7 article somewhere I think it was Scientific America and  
8 it was probably Ralph's magazine, he donates a lot of  
9 his magazines to the hospital, but anyway they were  
10 talking about micro-organisms and plankton, and the  
11 adverse effects it has on the world as a whole, you  
12 know, taking away from that battery thing again,  
13 wherever they do fish farming it always appears nothing  
14 lives there after they do that.

15  
16                   But having to go to work and  
17 everything, I just want to put in a few plugs for  
18 everybody.

19  
20                   CHAIRMAN ADAMS: I just got here so  
21 you're providing testimony. Council comments.

22  
23                   (No comments)

24  
25                   CHAIRMAN ADAMS: Questions.

26  
27                   (No comments)

28  
29                   CHAIRMAN ADAMS: I'd like to thank Mr.  
30 Kookesh for taking over the Chair here for a few  
31 minutes. What was your name?

32  
33                   MR. NIELSEN: Robert Nielsen, Sitka.

34  
35                   CHAIRMAN ADAMS: Robert Nielsen, okay.

36  
37                   MR. NIELSEN: And like I said to  
38 everybody else before. I did one year of chartering,  
39 doing business as Raven Clan Charters and we were  
40 looking at the adverse effects of having hooks in the  
41 water from all these charter boaters and those effects.

42  
43                   CHAIRMAN ADAMS: I just came back from  
44 a radio station from an interview and right after the  
45 interview was over, I got a call from a lady, her first  
46 name was Linda, I can't remember her last name, anyhow  
47 she is concerned about a proposal that the charter  
48 fleet is going to push through the North Pacific  
49 Halibut Commission soon about increasing the halibut  
50 quota and, you know, so I was wondering if you might be

1 aware of that, and how you feel about that particular  
2 issue.

3

4 MR. NIELSEN: Well, it was just like I  
5 said about, you know, the more hooks you have in the  
6 water the more morality you're going to get, it doesn't  
7 really matter whose hooks they are. The more hooks you  
8 have in the water I believe it would be a natural  
9 factor, you know, from what I just saw and witnessed  
10 just from a two hour charter off shore. I was out  
11 there just -- and we all know that this is a spawning  
12 ground for halibut and to have a 16 odd hook coming  
13 right through the side of your head, you know, that's  
14 pretty -- and then you have to release it because it's  
15 too small, for instance, and then, you know, it's  
16 already dead, it doesn't even swim at all. The other  
17 thing is -- I don't know if I'm stepping out of my  
18 bounds about requesting some sort of resolution or  
19 something, you know, to help out all these surveys  
20 about subsistence or as far as the Exxon Valdez -- does  
21 anybody have any comment on that.

22

23 CHAIRMAN ADAMS: I'm not sure. Mr.  
24 Hernandez, please.

25

26 MR. HERNANDEZ: Just one comment.  
27 Listening to the news this morning, the Supreme Court  
28 is presently, today, listening to what would be the  
29 final argument in the Exxon Valdez lawsuit settlement.  
30 So that issue is going to get settled, apparently, here  
31 very shortly, once it goes to the Supreme Court, that's  
32 the final venue for settling any claims so we should  
33 hear soon what the final legal settlement will be  
34 anyhow. We're still, of course, dealing with the  
35 environmental repercussions, but we should see that  
36 soon.

37

38 CHAIRMAN ADAMS: Mr. Stokes.

39

40 MR. STOKES: Thank you, Mr. Chair. I  
41 agree with you, there should be something down on the  
42 immature halibut. Because there in Wrangell why we got  
43 a lot of charter boats coming up from the Lower 48 and  
44 there's several of the locals, and they bring in their  
45 limit with but they're all ping-paddles and I -- I  
46 don't -- I argued with them and told them they should  
47 just release them but they have -- they say they have  
48 to get their quota for their charter people. I wish  
49 there was something we could do about that.

50

1 MR. NIELSEN: Well, my other question  
2 was, was there -- am I stepping out of bounds here by  
3 asking -- requesting the Board to look at making  
4 possibly a resolution on any of these items that I just  
5 addressed?

6  
7 CHAIRMAN ADAMS: I wasn't here for your  
8 entire presentation, I came in at the tail end of it so  
9 I'm kind of unfamiliar for what you're actually asking  
10 for. Mr. Kookesh, do you have a response?

11  
12 MR. KOOKESH: One of the proper --  
13 probably in order to move your material forward, it's  
14 probably good to give us some kind of a document to be  
15 able to reflect on because a lot of us have poor  
16 memories -- I can't remember.

17  
18 (Laughter)

19  
20 MR. KOOKESH: Yeah, anyway, it would be  
21 nice if we could have some kind of a document so that  
22 we could all be able to get on the same page and stay  
23 there with you.

24  
25 Thank you.

26  
27 CHAIRMAN ADAMS: Yeah, I think what  
28 he's asking is something written, you know, either a  
29 proposal form or I don't know if that would be  
30 appropriate. Like I said I don't know what the content  
31 of your presentation here was to us but that's one  
32 thing that we can address your concern.

33  
34 MR. NIELSEN: Well, a lot of that is,  
35 you know, maybe helping cut down on some red tape as  
36 far as getting some of the surveys done for all the  
37 herring, deer, sea otters, whatever, populations as far  
38 as subsistence goes. I mean just take any one of them  
39 and it's probably a pretty broad issue.

40  
41 CHAIRMAN ADAMS: Yeah, I seen you  
42 sitting up there and, you know, I was wondering if you  
43 were going to come down and make any comment on  
44 anything but why don't you, you know, maybe during a  
45 break or something get together with Mr. Larson here  
46 and see if you guys can put something together that  
47 will address your concerns.

48  
49 MR. NIELSEN: Thank you very much, I  
50 will do that.

1 CHAIRMAN ADAMS: Okay.  
2  
3 MR. KOOKESH: Comment.  
4  
5 CHAIRMAN ADAMS: You got a comment.  
6  
7 MR. KOOKESH: About you, later.  
8  
9 CHAIRMAN ADAMS: A comment about me?  
10  
11 MR. KOOKESH: Yeah.  
12  
13 CHAIRMAN ADAMS: Okay. Thank you, sir,  
14 appreciate it.  
15  
16 MR. NIELSEN: You're welcome, thank  
17 you.  
18  
19 CHAIRMAN ADAMS: He's got a comment  
20 about me.  
21  
22 MR. KOOKESH: Earlier when you had  
23 left, we had a speaker coming up and you didn't remind  
24 him to turn his cell phone off so we had to fine you  
25 \$5.  
26  
27 (Laughter)  
28  
29 MR. KOOKESH: It was your own fault.  
30  
31 CHAIRMAN ADAMS: Do you have change for  
32 10.  
33  
34 (Laughter)  
35  
36 CHAIRMAN ADAMS: Okay. I'll be happy  
37 to help. Okay, Mr. Larry Edwards, would you please  
38 come down. I know you've been waiting there for a long  
39 time, so the time is now yours.  
40  
41 MR. EDWARDS: Thank you, Mr. Chairman.  
42 I've not just been waiting, I've been absorbing  
43 everything over the last two days, it's very  
44 interesting and it's important to me as well.  
45  
46 My name is Larry Edwards. I'm a 31  
47 year resident of Sitka. I work for Greenpeace on  
48 Forest issues. One of the Staff -- oh, she's getting  
49 it up now. What I would like to talk about is my  
50 observations on to what degree the Forest Service is

1 looking out for subsistence deer within the region,  
2 both within its planning, Forest wide, with the Tongass  
3 Land Management Plan, as well as in its planning at the  
4 project level.

5  
6 So if we could go to the next slide,  
7 please.

8  
9 I don't expect you to be able to read  
10 this, but it's just to show you where I'm at, kind of  
11 show and tell. This is a page out of the standards and  
12 guidelines in the new Forest Plan that came out last  
13 month and this is the deer standard and guideline,  
14 which is part of the standard and guidelines called  
15 Wild I, which is for Wildlife Habitat Planning. As you  
16 can see it's the highlighted part there, it's very  
17 brief, and since it's short I'll just read it to you  
18 off the page here that I've got in front of me.

19  
20 Part A is:

21  
22 Consider Sitka black-tailed deer  
23 habitat needs before or as part of  
24 project analysis.

25  
26 Part B is:

27  
28 Ensure interdisciplinary involvement in  
29 consideration of deer habitat in  
30 project planning in the environmental  
31 analysis process.

32  
33 I think that's all well and good but  
34 it's very general language and it doesn't really make  
35 anything happen, it doesn't really provide any  
36 protections.

37  
38 We'll go to the next slide, please.

39  
40 And this occurs a few pages earlier in  
41 the standards and guidelines, and this is two pages,  
42 the subsistence standards and guideline. And once,  
43 again, this is all very general, a lot of it's higher  
44 level process oriented things. There's a couple of  
45 parts in here that deals specifically with your  
46 Regional Advisory Council and over here there's one  
47 that I'll read to you, and then I'll read you a portion  
48 from in here. So over on the right side it's:

49  
50 Section 2(j), I believe it is, it says:

1                   Seek to maintain abundance and  
2                   distribution of subsistence resources  
3                   necessary to meet subsistence user  
4                   needs.

5  
6                   So, again, that's good but it's very  
7                   general and it basically sets a goal but it doesn't  
8                   really say how to do it, what things to consider, what  
9                   analysis processes to use or not use and it doesn't  
10                  take you real far towards getting towards an end point  
11                  of actually looking out for the subsistence resources  
12                  in general, deer in particular or for the users of  
13                  those resources.

14  
15                  Now, over in here there's some language  
16                  that comes out of ANILCA and I'm sure most of you, or  
17                  probably all of you are familiar with it but in the  
18                  decision-making process it allows a determination to be  
19                  made acknowledging that there's a significant  
20                  restriction of subsistence uses being necessary  
21                  consistent with sound management principles for the  
22                  utilization of public lands. And this one is  
23                  frequently used in making decisions on timber sales in  
24                  relation to deer where they acknowledge that there's a  
25                  significant possibility -- significant restriction of  
26                  deer resources and use of deer, but they go ahead and  
27                  make their decision anyway on the basis of sound  
28                  management, saying that the need for the timber  
29                  overrides that. So the point I'm making here is that  
30                  with this standard and guidelines and the previous one  
31                  on deer they're very general and they don't really  
32                  provide any measurable or enforceable protections.

33  
34                  The thing about these two is that they  
35                  apply Forest wide to all the game management units.

36  
37                  Now, if we could go to the next slide,  
38                  please.

39  
40                  This is the Alexander Archipelago Wolf  
41                  standard and guidelines, and, of course, this applies  
42                  only in game management units 1, 2 and 3 where we have  
43                  wolf populations. And it's also useful for protecting  
44                  subsistence deer resources, and I'll explain that after  
45                  I give you kind of an overview of it; it has three  
46                  parts.

47  
48                  No. 1, up here, is to different  
49                  measures for avoiding excessive wolf mortality.

50

1                   And acknowledging what Mr. Stokes and  
2 Mr. Douville were saying yesterday, this allows for a  
3 take of wolves, and I'm fine with the take of wolves, I  
4 have no problem with that at all.

5  
6                   Section 3 down here deals with  
7 protecting wolf dens from intrusion by roads. Very  
8 often this would be logging roads, it could be others  
9 as well, but just maintaining a road distance from the  
10 dens.

11  
12                   But the important part for us, where  
13 the concern for the deer subsistence resource is Part 2  
14 here and I will read that to you just to provide an  
15 understanding of it. I think I need to get my reading  
16 glasses, I'm like our Chairman, I need a little  
17 assistance that way. What it says is:

18  
19                   Provide where possible sufficient deer  
20 habitat capability to first maintain  
21 sustainable wolf populations and then  
22 to consider meeting estimated human  
23 deer harvest demands. This is  
24 generally considered to equate to a  
25 habitat capability, and they mean a  
26 capability here for deer, of 18 deer  
27 per square mile. And it says here  
28 measured, using the Deer Habitat  
29 Capability Model.

30  
31                   And while this is intended primarily,  
32 in this context of this standard and guideline is the  
33 protection for wolves. The management of wolves and  
34 deer is so interlinked that it actually provides  
35 protection, both for the subsistence deer resource and  
36 actually for sporthunting of deer as well as for  
37 protecting wolves. So this 18 deer per square mile  
38 habitat capability standard and guideline is very  
39 important and that's what I wanted to explain to you a  
40 little bit on the next slide, and we could go to the  
41 next one now, please.

42  
43                   This is a view of how the Forest  
44 Service has looked at capabilities to support enough  
45 deer for wolves and for hunters Forest wide and also a  
46 view of where it could legitimately do Forest planning  
47 without unduly affecting those two resources. So this  
48 is for the 1995 current condition and the areas you see  
49 mapped there, they don't show too clearly on this one,  
50 but this is one boundary, that's a wildlife analysis

1 area, and an important thing to remember is that when  
2 the Forest Service talks about the current condition,  
3 they're talking about what the deer model is showing  
4 for habitat capability on the ground at that time, and  
5 it doesn't take into account what you were discussing a  
6 couple of days ago, which is what happens with 25, 30  
7 years after logging when the canopy closes, it's not  
8 looking into the future of that canopy closure, it's  
9 just looking at the habitat value of these various  
10 places as it exists on the ground now, or at least as  
11 the model believes it exists. So for example when you  
12 make a clear-cut and there's a fresh opening less than  
13 25 years old, the deer model gives that opening a  
14 fairly high score, which might be for some kinds of  
15 habitat, say, 60 or 80 percent of its original value as  
16 old growth and actually in some cases in the low snow  
17 zones down here in Prince of Wales Island for some of  
18 those habitats, for that first 25 years after logging,  
19 it actually is considered to have up to maybe twice the  
20 value that it originally did. So that's something to  
21 kind of keep in mind and then I'll come back to it.

22

23                   But to explain the map a little bit  
24 first, these grey areas are not wolf territory so the  
25 areas we're looking at here are the ivory and the  
26 green. The green areas have a habitat capability,  
27 according to the model for 1995, conditions, of at  
28 least 18 deer per square mile. The ivory areas fall  
29 the standard. And all those red dots are timber  
30 projects that either were decided over recent years or  
31 are presently in planning.

32

33                   So now if we could go to the next  
34 slide, please.

35

36                   And this is a very different view, also  
37 using Forest Service data. This is for the 2006  
38 current condition. And this is data that I obtained  
39 for Greenpeace by Freedom of Information Act request.  
40 It's data that was mentioned in the draft Forest Plan  
41 EIS that came out last year, but the data wasn't  
42 published in the EIS and the Forest Service didn't  
43 really acknowledge this situation there. The big  
44 differences between this map and the previous one are  
45 that in the modeling this uses a different vegetation  
46 data set. The one in the previous map is called  
47 Valstrata, it's looking at timber volume, but that data  
48 set is flawed for wildlife analysis because it looks at  
49 timber volume irrespective of tree size. So you might  
50 have high volume stands that are a lot of very dense

1 small trees and it scores those very high even though  
2 that's not the kind of habitat that the scientists that  
3 put this deer model together wanted to score high, they  
4 actually would score those low. So the Forest Service  
5 acknowledged in the new Forest Plan EIS that using this  
6 new data set lowers very much these habitat scores but  
7 it doesn't say in there anywhere how much it lowered  
8 them. You have to go through the data to figure that  
9 out because the Forest Service isn't being, you know,  
10 frankly very up front about that. The other difference  
11 is that there's something called the deer multiplier,  
12 which is a conversion factor. The deer model actually  
13 produces a unit-less result which is -- you can kind of  
14 consider it to be a percentage value for any of these  
15 wildlife analysis areas, these little areas here, which  
16 each are several watersheds, but it figures out a  
17 percentage value that that area has of the value of  
18 best quality habitat. So like maybe this one would  
19 score, you know, say 20 or 30 percent or something,  
20 just to give off the top of my head example. In order  
21 to get that to a number you can compare to that 18 deer  
22 per square mile standard and guideline this deer  
23 multiplier was used and that was based on field studies  
24 of deer pellet counts and that conversion factor is 100  
25 deer per square mile. The Forest Service has not been  
26 applying that multiplier correctly. It's not observing  
27 the best available science and it says how that  
28 multiplier should be applied. So when I had this map  
29 created from the data that I foied, the multiplier was  
30 used correctly, and, of course, there's another  
31 difference which is this map includes another 11 years  
32 of logging, but you can see that there's a vast area  
33 here that doesn't comply with the standard. Now, that  
34 doesn't mean that you can't log there but it means you  
35 should be doing much deeper analysis of those areas and  
36 it may very well mean that in some of these areas maybe  
37 you shouldn't be logging at all or maybe you shouldn't  
38 be logging much at all or at least you got to be  
39 careful about how you're deciding what you're doing and  
40 I think you should be making conservative decisions  
41 that protect the deer.

42

43 The next slide, please.

44

45 This is two tables out of the two  
46 Forest Plans, the 1997 Forest Plan and the new Forest  
47 Plan for this year. For the 1995 map, what I've done  
48 is I've taken this column which is the habitat  
49 capabilities for each of these WAAs and this table goes  
50 on for three pages, it lists every WAA in the region, I

1 think there's 167 of them. And these other columns  
2 give the similar kinds of figures for each of the  
3 alternatives that were considered for the 1997 Forest  
4 Plan. But if you go down to this new table, it doesn't  
5 give any habitat capabilities, these are all percentage  
6 changes in habitat capability based on the original  
7 1954 estimate of what those capabilities were, half a  
8 century ago. And what they're doing in the new Forest  
9 Plan, is they're only considering the relative changes  
10 in habitat capability between the alternatives, they're  
11 not doing anything that you can make a comparison of  
12 the standard and guideline. It's almost like the  
13 standard and guideline doesn't exist, the Forest  
14 Service appears to be trying to ignore it. And I think  
15 one reason for that is if they have to acknowledge a  
16 previous map they're going to have to really do some  
17 rethinking on what that ASQ is, that annual sale  
18 quantity for timber that the Council was discussing  
19 yesterday.

20

21 The next slide, please.

22

23 This is a view of northern Kuiu Island,  
24 I always get these two confused, I think it's Security  
25 Bay and Sagana Bay and top end of Rowan Bay down here.  
26 If you go across Kiku Strait off the photo, that's  
27 where Kake is located, a few miles away. And there  
28 have been major timber entries on this island, some in  
29 the '40s but, you know, certainly from the '60s on up  
30 until year 2000 and you can see the clear-cuts there,  
31 you know, some isolated habitat here, a lot of  
32 fragmentation, a lot of connectivity problems and I  
33 just want to use this map -- it's kind of an odd one to  
34 use because there's some peculiarities with Kuiu Island  
35 that I don't want to get into here with the severe  
36 winter around 1970 and it's got a lot of predation both  
37 from wolves and black bears that have kept those deer  
38 populations suppressed, and that's not what I want to  
39 discuss. What I want to talk about is this canopy  
40 closure issue and how the deer model treats it and just  
41 use this for an example.

42

43 If we can go to the next slide, please.

44

45 All of these red areas I've just added  
46 in by hand and I've made them as accurate as I can but  
47 it's not absolutely precise. But all of these red  
48 clear-cuts were white areas on the previous photo, but  
49 these are all the ones that have been cut since 1981 so  
50 we're looking at the last 25 years of logging, which is

1 the logging that deer model scores fairly high. So  
2 this is what the deer model is not considering and you  
3 need to look ahead that much farther to do it. And  
4 those maps I had are for the current condition and I  
5 just did that because that's the data that I had. It  
6 would be better to do those maps for 25 years ahead of  
7 those dates but the Forest Plan -- when they do the  
8 Forest Plan they're not doing it that way, they just  
9 don't provide the data.

10

11 The next slide, please.

12

13 And then there's a timber sale being  
14 planned here. And these yellow and green units  
15 represent 33 million board feet of logging that are in  
16 the proposed alternative. And you can see how these  
17 would add to even that last 25 years of logging and how  
18 it affects connectivity by, you know, taking away areas  
19 that are in between existing clear-cuts, either the red  
20 ones or even these lighter colored ones from other  
21 times.

22

23 But I have here some compact disks, one  
24 for each of you and some for the audience, it has more  
25 extensive remarks than what I've made here verbally  
26 today and it also provides documentation for the 10  
27 years that I've been digging into all this stuff and  
28 kind of the rabbit hole that I went down to get to some  
29 of the conclusions I've presented. And I've just been  
30 trying to share what I've learned. I'd like to learn  
31 from you folks, and I'm open minded to changing my  
32 conclusions on any of this. But what I've done is  
33 based on 10 years of research and many, many phone  
34 calls to the scientists and trying to make sure I  
35 understand the things that they've been saying and  
36 learning.

37

38 So with that I'm open for your  
39 questions and comments.

40

41 CHAIRMAN ADAMS: Well, thank you, Mr.  
42 Dickerson [sic] for that wonderful presentation. I  
43 would entertain any questions from the Council at this  
44 time towards you. Mr. Davis.

45

46 MR. DAVIS: Thank you, Mr. Chairman.  
47 You know the Forest Service is always telling us that  
48 they have no intentions of building new roads for  
49 logging and this kind of makes me more aware that their  
50 intention is to log areas that have already been logged

1 and areas that are -- I always say they make easy  
2 access for wolves and it still is devastating our deer  
3 population so I really appreciate the information.

4

5 Thank you.

6

7 MR. EDWARDS: Thank you.

8

9 CHAIRMAN ADAMS: Any others. Mr.  
10 Hernandez.

11

12 MR. HERNANDEZ: Thank you, Mr.  
13 Chairman. Yeah, I want to thank you Larry for bringing  
14 all that to our attention, you know, we get these  
15 Forest Service documents and, you know, quite frankly  
16 they're beyond most of our's ability to analyze and  
17 figure out what all this actually means so having  
18 people like yourself who are willing to dig into this  
19 and bring this information forward to us is very  
20 helpful.

21

22 I guess my question is, you pointed  
23 out, I think it was in your first slide there, ANILCA  
24 does give this Regional Council some deference in how  
25 -- what actions and planning are supposed to take place  
26 on our Forest, and I guess my question is, I don't know  
27 if you can necessarily answer this or somebody else,  
28 but what I understand from your presentation was that  
29 it almost seems like the way we are dealt with is kind  
30 of like a mere formality. They can go ahead with  
31 these, if I understood correctly, and I guess first I  
32 got to point out that I believe in the environmental  
33 impact statement for this Tongass Plan they do say that  
34 subsistence uses will be significantly impacted by this  
35 plan, negatively impacted by this plan but all they  
36 really need to do is notify the Council that  
37 subsistence uses will be negatively affected and just  
38 inform us that it's necessary to meet their plan, and  
39 that's the only obligation, is that the way it works?

40

41 MR. EDWARDS: That seems to be about  
42 it, yeah. If I could just make one point on something  
43 I forgot to come back to and mention.

44

45 CHAIRMAN ADAMS: Sure.

46

47 MR. EDWARDS: Which is that wolf  
48 standard and guideline, that 18 deer per square mile,  
49 of course that applies only in game management units 1,  
50 2 and 3, and I just wanted to come back and reemphasize

1 that really there's no protection for deer subsistence  
2 in the Forest Plan for game management unit 4 and we  
3 know how tough the winters have been in Hoonah, in  
4 particular, in the recent years, albeit not of logging,  
5 it's happened up there both on Federal and private land  
6 and right now the Forest Service is planning the Iatook  
7 (ph) project up in that area and, you know, there's  
8 really -- it makes for a difficult situation and I just  
9 hope that the Council will give some attention to that  
10 sale in particular. And when you look at the CD disk  
11 I've got, I have on there sections of comments on a lot  
12 of different timber sales that are in the backyards of  
13 all you people here on the Council and there's one for  
14 Iatook and Sotanick down by Mr. Douville's way and a  
15 couple over in the Petersburg area and the Kuiu one.  
16 But if you look at those and read through the comments,  
17 there's citations to other documentation on the disk  
18 and that will help you with that and I'm just a phone  
19 call or an email away and I'm happy to be a guide for  
20 going down this rabbit hole and help direct you to  
21 documents that will answer the questions and concerns  
22 that you have.

23

24 Thank you.

25

26 CHAIRMAN ADAMS: Well, thank you for  
27 that Larry. Item No. 16, we will be discussing, you  
28 know, Unit 4 deer and maybe perhaps you'll be here for  
29 that and make some comments.

30

31 MR. EDWARDS: Yes, I'll be here.

32

33 CHAIRMAN ADAMS: Good.

34

35 MR. EDWARDS: Thank you for the time.

36

37 CHAIRMAN ADAMS: Any other questions,  
38 Mr. Kookesh.

39

40 MR. KOOKESH: No.

41

42 CHAIRMAN ADAMS: Don, did you have one.

43

44 MR. HERNANDEZ: I just had kind of a  
45 follow up question. I guess I would like to know, you  
46 know, what ability the Council has to actually, you  
47 know, influence how some of these standards and  
48 guidelines are applied other than just being an  
49 organization to be notified and ignored. I mean do we  
50 have -- does this Council have some ability to

1 influence how the management proceeds?

2

3 CHAIRMAN ADAMS: How about that, Larry,  
4 do you have a response to that?

5

6 MR. EDWARDS: Well, I think you'll be  
7 getting -- apparently from what it says in that  
8 standard and guideline the Forest Service provides  
9 notice to the Council and I think the more you can  
10 consult with the area biologist and habitat division  
11 which, thankfully now is moving back to Fish and Game,  
12 you can certainly call me and I'll tell you what my  
13 views are on it, and I don't know. I'd like to talk  
14 with more of you on just maybe a one on one basis on  
15 how this works, because I don't really understand fully  
16 what the Council's powers are. But I'd like to know  
17 more about that and I think that there's probably a  
18 role to be played here for making sure that that  
19 subsistence is being looked out to the greatest extent  
20 that it can be under the rules the way they exist and  
21 maybe, you know, even leading up to towards some  
22 amendments to the Forest Plan.

23

24 CHAIRMAN ADAMS: Well, our job is to  
25 look after the subsistence issues in our region so if  
26 you have anything that you can offer for us to do a  
27 better job of it, you know, you're welcome to do that  
28 at any time.

29

30 MR. EDWARDS: Thank you. I hope this  
31 opens a dialogue, thanks.

32

33 CHAIRMAN ADAMS: Right, thank you.

34

35 MR. KOOKESH: Mr. Bangs.

36

37 CHAIRMAN ADAMS: Did you have  
38 something, Mr. Bangs.

39

40 MR. BANGS: Thank you, Mr. Chairman.

41

42 CHAIRMAN ADAMS: Larry, we're not done  
43 with you yet.

44

45 MR. BANGS: I just wanted to add  
46 something to what Mr. Edwards had. I attended the  
47 public hearing on that North Kuiu timber sale and there  
48 was several people there and there was no positive  
49 comments to the Forest Service and I'm not sure of the  
50 status of that timber sale. But one of the things that

1 I was aware of, or made aware of that the people of  
2 Kake were very much concerned about that and not only  
3 because of the connecting of the dots on the -- to the  
4 old clear-cuts, it would increase the pressure on the  
5 steelhead stocks. There's a very important steelhead  
6 stream that's important to subsistence people of Kake.  
7 And I just wanted to add that. The deer is one thing.  
8 But when they go into an area like that and increase  
9 pressure on local subsistence users it's something that  
10 we definitely need to be aware of.

11

12 Thank you.

13

14 MR. EDWARDS: Thank you, Mr. Bangs.  
15 That brings up, I think, an important point, which is  
16 on this disk I'll be giving you, if you look through  
17 some of these comments you'll be seeing that we've been  
18 commenting over and over and over again about the need  
19 to move away from the Valstrata data set to either the  
20 old TIMTYPE or that size density one that resulted in  
21 that 2006 map. We've also been haranguing the Forest  
22 Service on its misuse of the deer multiplier and all  
23 this stuff is backed up by very solid science. And  
24 over and over we've brought those documents to their  
25 attention, they simply just say there's no  
26 documentation for what we're saying, the refuse to even  
27 acknowledge that those studies exist. And also on this  
28 disk you'll find the State's comments on the draft of  
29 the new Forest Plan, you'll find their comments on some  
30 draft proceedings that were written for a week long  
31 conference that was held in 2006, the Tongass  
32 Conservation Strategy Review, and their comments on the  
33 recent Navy (ph) timber sale on Edlund Island over by  
34 Wrangell. And the State's comments on this stuff are  
35 very strong, they back up all the things I've been  
36 saying about what's wrong with how this planning's been  
37 done for these timber sales and what the Forest Service  
38 has been ignoring and how really it hasn't given any  
39 consideration to the subsistence resource of deer.

40

41 So I hope you'll give that a close  
42 look.

43

44 CHAIRMAN ADAMS: All right, thank you,  
45 Larry. Thank you. Okay, we have next line is U.S.  
46 Forest Service update and review of relevant court  
47 cases. Mr. Kessler, I see that you have two  
48 presentations to give, I was wondering if you can take  
49 care of both of those at the same time. You've got the  
50 court cases and then the future of wildlife monitoring

1 program.

2

3 By the way before we go any further,  
4 Steve and I just came back from Raven Radio and the  
5 interview is now available on line, wwkcaw.org if you  
6 want to check that out, you know, at your convenience  
7 and see how we did. I blame everything on Steve that  
8 was not rightly, correctly done. So go ahead Steve.

9

10 MR. KESSLER: Thank you, Mr. Chairman.  
11 And as usual Bert made his statement that he doesn't  
12 answer any hard questions, and he looks at me so --  
13 but, Mr. Chairman, are they criteria or are they  
14 factors.

15

16 CHAIRMAN ADAMS: Factors.

17

18 MR. KESSLER: But, anyway, thank you,  
19 Mr. Chairman. I've got, as you said, two topics that I  
20 could speak to.

21

22 The first one is an update and review  
23 of relevant court cases. And I'm just going to talk a  
24 little bit about two of them and that's the Katie John  
25 case and the Chistochina customary and traditional use  
26 determination case. And I don't think there are any  
27 updates on the other cases that are currently in  
28 litigation. I can tell you what they are if you  
29 desire.

30

31 Now, one caveat I'm not an attorney and  
32 I need to be careful about how much I say about these  
33 cases because they're in litigation and if you ask me  
34 anything that's hard I'm not going to answer it because  
35 as I say they are in litigation.

36

37 The first case I'll talk about is the  
38 Katie John case and that's a consolidated case with  
39 Katie John, et al., versus the United States, Alaska  
40 versus Norton, although now I think it's Alaska versus  
41 Kempthorne and it's also managed jointly with an older  
42 case called the Peratrovich case, which many of you may  
43 be familiar with because that's been around, I think,  
44 for about 20 years and specifically has to do with  
45 Southeast Alaska. In this case, that's all been  
46 combined, the State of Alaska challenged two things;  
47 the process used to identify waters subject to  
48 jurisdiction under Title VIII of ANILCA, so this has to  
49 do with the regulations that the Federal Program, the  
50 Secretaries promulgated after -- approximately the year

1 2000 when the Ninth Circuit Court said that we needed  
2 to expand jurisdiction into navigable waters and where  
3 we started managing for anadromous fish and within the  
4 outside boundaries of the National Forest and the  
5 different conservation units.

6

7                   So they argued, first of all an  
8 adjudication was required before the Secretaries could  
9 extend jurisdiction and that's an adjudication under  
10 water law. And then the State also claimed that the  
11 Secretaries improperly applied the Reserve Water Rights  
12 Doctrine to marine waters and to other waters not  
13 adjacent to Federal lands.

14

15                   Now, Katie John also then claimed that  
16 the Secretaries improperly extended jurisdiction, but  
17 in that case by not extending jurisdiction far enough.

18

19                   So the State said it was too much and  
20 then in the Katie John said it was too little.

21

22                   Katie John believed that the Federal  
23 waters can't be managed in isolation. So for example  
24 for the Yukon River, to them it doesn't make sense to  
25 only manage where there are Federal holdings along the  
26 river but you need to manage the whole river.

27

28                   And then the longstanding Peratrovich  
29 case, which was a herring roe issue originally, in that  
30 case the piece that is part of this claims that the  
31 Secretaries improperly extended jurisdiction by not  
32 including marine waters of the Tongass National Forest  
33 as Federally reserved waters.

34

35                   So the courts on May 17, 2007 took the  
36 first action, which was -- and this is the District  
37 Court and said that the rulemaking process was  
38 appropriate, you didn't need to go through an  
39 adjudication, rulemaking was appropriate as the  
40 Secretaries did. What's being looked at now is the so-  
41 called where or which waters should all of this apply  
42 to. So did the Federal government improperly apply  
43 jurisdiction to this area or did the Federal government  
44 improperly not apply it to this area and that's what's  
45 currently being worked on. And there have been a lot  
46 of briefs going back and forth between everybody and  
47 being presented to the district court. As far as I  
48 know all of the briefs -- there are a number of briefs  
49 that are due by March 27th. There are a number of  
50 briefs that have already been produced and so now the

1 different parties are responding to the briefs of the  
2 other parties. So it's very complicated because  
3 there's so many organizations involved and then there's  
4 intervenors also, like the Alaska Federation of  
5 Natives.

6

7 As I understood that Judge Holland is  
8 expected to rule sometime this summer on this case.  
9 And there's every expectation that it will be appealed  
10 no matter what ruling he makes.

11

12 For those who are really interested in  
13 reading these briefs and some of them are fairly  
14 lengthy, but they're very interesting, just let me know  
15 and I could make those available to you or actually  
16 your Council coordinator has them all, too, and he  
17 probably would be the right person to make them  
18 available to you.

19

20 The second case I wanted to just  
21 mention is the -- it's State of Alaska versus Mike  
22 Fleagle which is known as the Chistochina case, and  
23 that has to do with customary and traditional use  
24 determinations. The State lost that case in district  
25 court and has now appealed that case to the Ninth  
26 Circuit. In that case the State challenged the Federal  
27 Subsistence Board determination of a customary and  
28 traditional use by the village of Chistochina for the  
29 entire game management unit 12. The State argued that  
30 the determination was not supported in the record. So  
31 briefs are right now being filed in the Ninth Circuit  
32 and I have no idea how long that's going to take before  
33 the Ninth Circuit rules on that.

34

35 As Mr. Buklis reported earlier the  
36 Federal Subsistence Board is also working on the  
37 customary and traditional use policy of the Federal  
38 Subsistence Board and as reviewed by the Secretaries  
39 and, of course, action on that policy is in part tied  
40 to the information revealed in the Chistochina case.

41

42 So that's the two court cases I thought  
43 you might like an update on and if you have some  
44 questions I'll see if I can answer them. Let's do  
45 that.

46

47 CHAIRMAN ADAMS: Okay, do you take hard  
48 ones.

49

50 MR. KESSLER: I send those to you, Mr.

1 Chairman.

2

3 CHAIRMAN ADAMS: Any questions --  
4 before we go any further, though, I have a card here  
5 for Frank Wright and Pauline Johnson, they're both  
6 going through some health issues and I'm going to take  
7 it over to Merle and you could pass it on down here and  
8 everyone sign it please. But any questions of Steve on  
9 his presentation so far.

10

11 MR. KOOKESH: Yes.

12

13 CHAIRMAN ADAMS: Floyd, you got  
14 something.

15

16 MR. KOOKESH: Earlier you mentioned --  
17 earlier it was mentioned that the Board was going to  
18 take up in executive session the C&T and what is your  
19 take on executive sessions?

20

21 MR. KESSLER: Mr. Chairman. Mr.  
22 Kookesh. In this situation with the customary and  
23 traditional use policy there is absolutely no choice  
24 about doing this in executive session because this is  
25 in litigation and the Board must speak confidentially  
26 on this matter with its attorneys.

27

28 CHAIRMAN ADAMS: Mr. Kessler, you know,  
29 he addressed earlier the fact that an executive session  
30 is, you know, to talk about confidential issues but  
31 when it comes right down to making actual decisions on  
32 it it must be brought in a public meeting, as such, so  
33 I think that's probably what, you know, Mr. Kookesh is  
34 probably alluding to so what's your take on that?

35

36 MR. KESSLER: I say that's a hard  
37 question and I don't have a take on that at this point.

38

39 CHAIRMAN ADAMS: Well, thank you. Any  
40 other questions of Steve. Mr. Hernandez.

41

42 MR. HERNANDEZ: I was just wondering if  
43 you could tell us a little more detail what the  
44 Peratrovich case entails with the Federal waters in  
45 Southeast Alaska.

46

47 MR. KESSLER: I do this somewhat from  
48 memory because of having read their brief and I would  
49 say the best thing to do is to read their brief, it's  
50 very, very interesting. And in that brief what they

1 discuss is that in their opinion the Tongass National  
2 -- there should be Federal reserved waters in the  
3 Tongass National Forest because -- in marine waters of  
4 the Tongass National Forest because of the way -- the  
5 manner in which the Tongass National Forest was  
6 originally created and the purposes for which it was  
7 created.

8  
9 And so you've probably seen some of  
10 these maps that show the Tongass National Forest  
11 extending into saltwater, the boundary is into the  
12 saltwater. They provide some rationale in their brief  
13 for why some -- I'm not sure if it is some or all of  
14 that area ought to be Federal reserve waters. As I  
15 understand it, one of the issues in this case is that  
16 these Federal reserve waters have never been applied to  
17 marine waters. Now, I don't know if that's true or  
18 not, but that is said in some of these briefs. And so  
19 that if the -- if Federal reserve waters were extended  
20 out into the marine waters that would be the first time  
21 that that would have happened.

22  
23 But, again, I suggest reading the brief  
24 and they make a case for it and if I'm not mistaken the  
25 State has responded to that and also the Federal  
26 government has responded to that also saying, no, it  
27 should not -- the Federal reserve waters should not be  
28 extended out into those marine waters. As I say these  
29 are very interesting to read and look at the pro's and  
30 con's.

31  
32 CHAIRMAN ADAMS: Anyone else. Harvey.

33  
34 MR. KITKA: Thank you, Mr. Chair. Did  
35 you say we can get the briefing from Robert here if we  
36 needed to, because I would be very interested in the  
37 marine waters.

38  
39 MR. KESSLER: Yes, you can and actually  
40 I can just -- he can email them to you, I can email  
41 them to you, too. Maybe we can get together and you  
42 can tell me which ones you want and I could just do it  
43 right now. And that specifically is probably the  
44 Peratrovich case, and that Peratrovich case started out  
45 the herring roe, selling of herring roe on kelp case  
46 and a piece of that had to do with the ownership of the  
47 beds of the marine waters and that was determined  
48 through what was called the U.S. Supreme Court's review  
49 of the -- or Alaska versus United States in original  
50 case number 128 and that the Supreme Court ruled on and

1 said that now the marine waters of the Tongass National  
2 Forest, the beds are not in Federal ownership. But in  
3 Peratrovich they're saying, well, even if the beds  
4 aren't in ownership that doesn't mean that the waters  
5 above them shouldn't have reserved water rights for  
6 certain purposes. It's the same issue on navigable  
7 waters. In navigable waters that have been determined  
8 to be navigable waters, the State owns the beds of the  
9 rivers and those beds of the rivers transferred to the  
10 State at statehood, but we exert jurisdiction in the  
11 water above that for that Federal reserve water right  
12 associated with subsistence. So essentially what  
13 Peratrovich is doing is, well, a similar situation  
14 should occur in these marine waters.

15

16 CHAIRMAN ADAMS: Mr. Kookesh.

17

18 MR. KOOKESH: I know this is something  
19 you're not going to be able to answer but it did come  
20 up during the request to close Unit 4 -- it did come up  
21 during the request to close Unit 4 in December that the  
22 State -- that when the State made their request that  
23 they were going to close all -- from the mean high tide  
24 down, that Kootznahoo Corporation, who has management  
25 authority -- or cooperative management authority with  
26 the Forest Service on Admiralty Island had been looking  
27 at the map that was made on -- and showed the monument  
28 boundary lines and the monument boundary lines actually  
29 extend out into the marine waters basically making it a  
30 biosphere but the marine water issue, Kootznahoo has --  
31 has gone to the Forest Service and said the State has  
32 no jurisdiction because the monument boundaries are  
33 outside in the marine waters and wonder where that's  
34 going to go, that's an issue because they said they --  
35 Kootznahoo is saying they're exempt from -- or they're  
36 not -- or they don't have to follow this because of the  
37 boundaries being out there and I'm wondering what the  
38 position is of the monument people when it comes to  
39 such an issue like this, but if you see -- if you look  
40 on Admiralty Island you'll see it goes all the way  
41 around the island covering islands and a lot of marine  
42 water, so it's an issue that's going to come up and I  
43 don't know if you have an answer on that or if I've  
44 been clear enough on what I've been attempting to get  
45 across to you.

46

47 MR. KESSLER: Mr. Adams. Mr. Kookesh.  
48 I'm aware of what you're talking about but it didn't --  
49 that issue did not come my way at all when we were  
50 talking about this Unit 4 closure, or no closure, I

1 didn't hear anything about that specific issue for  
2 Admiralty Island. But it's something that certainly  
3 could be looked into.

4

5 CHAIRMAN ADAMS: Follow up.

6

7 MR. KOOKESH: Well, the one thing that  
8 it's been observation in following that process is that  
9 it's my observation that the Feds are just basically  
10 going to go ahead and just allow the State to assume  
11 from the high tide down -- it's just my observation  
12 that the Feds are just going to let it go without a  
13 fight. But there was a reason why those lines were put  
14 there to protect the island for research purposes and  
15 it wasn't done with the idea that the State would have,  
16 if you look at the lines, they never had the State in  
17 mind when they drew these lines it was intended to  
18 maintain a research site -- system.

19

20 CHAIRMAN ADAMS: Very interesting.  
21 Steve, you got a response to that.

22

23 MR. KESSLER: No.

24

25 CHAIRMAN ADAMS: Okay. Dick.

26

27 MR. STOKES: Thank you, Mr. Chair. I  
28 was just wondering if you could give me an update on  
29 the State wanting to have the bottom of the river, and  
30 do you know anything about that?

31

32 MR. KESSLER: Mr. Adams. Mr. Stokes.  
33 I'm guessing you're talking about the Stikine River; is  
34 that correct?

35

36 MR. STOKES: That's correct.

37

38 MR. KESSLER: And this has to do with  
39 what's called the recordable disclaimer of interest,  
40 and I know something about it, probably enough to be  
41 just slightly dangerous. But let me say a little bit  
42 about what I do know.

43

44 Is as I said before, that the beds of  
45 navigable rivers transfer -- transferred to the State  
46 at statehood. The question is which of our rivers are  
47 navigable rivers. And some navigability determinations  
48 have been made around the state but most navigability  
49 determinations have not been made. And as I understand  
50 it, what ended up happening is the Federal government

1 and the State agreed to a process called recordable  
2 disclosure of interest. And in that process, the State  
3 petitions the BLM, which is the Federal organization  
4 that deals with this for a recordable statement of  
5 interest essentially saying that we think that the bed  
6 of such and such river, like the Stikine River, ought  
7 to be considered navigable and that -- and asking the  
8 Federal government to support that and say, yes, you're  
9 correct, it is navigable.

10

11 And for the Stikine River, and I don't  
12 know the exact dates on all of this, but within the  
13 last year the BLM prepared a recordable disclaimer of  
14 interest that went out for public comment and as part  
15 of that comment, the Forest Service said we disagree  
16 under this recordable disclaimer of interest process,  
17 that the bed of the Stikine River should transfer to  
18 the State. The Forest Service didn't say we disagree  
19 that it's navigable, the Forest Service -- this is how  
20 I understand, the Forest Service said we disagree with  
21 the recordable disclaimer of interest. So at this  
22 point, as I understand it, all of this, the recordable  
23 disclaimer of interest is essentially on hold until  
24 this whole Katie John case runs its way through because  
25 the State used the Stikine River as one of their  
26 examples of where the government exerted jurisdiction  
27 that they don't think the government should have  
28 exerted. So therefore the Stikine River is actually in  
29 litigation and as I understand it the recordable  
30 disclaimer of interest process is on hold until that  
31 case works itself through the courts.

32

33 MR. STOKES: Thank you. And my reason  
34 for asking is that the State have gone in and taken out  
35 all the private cabins and the others have gone out,  
36 those that had float houses, they've anchored them in  
37 the sloughs and if the State owned the bottom they  
38 won't have any place to put the anchor, so I'm just  
39 wondering. Thank you.

40

41 CHAIRMAN ADAMS: Any other questions  
42 for Steve, or did you have a response.

43

44 MR. KESSLER: Well, my only response to  
45 Mr. Stokes is that that is becoming a local enough  
46 issue that I think you need to address the Wrangell  
47 District on those types of issues because that's  
48 something that I just don't deal with, these -- those  
49 specifics.

50

1 CHAIRMAN ADAMS: Thanks. Any more  
2 questions of Steve. Steve, I think what I'd like you  
3 to do now is go ahead and address that other issue, but  
4 include in that the budget of the Forest Service. You  
5 know I got wind, you know, not too long ago that the  
6 subsistence part of it was going to be taken out and I  
7 got really alarmed about that because I thought maybe I  
8 was going to end up doing Bob Johnson's job here, but  
9 maybe you could enlighten on that a little bit for us  
10 as you go through your process and then we'll go ahead  
11 and break for lunch.

12  
13 MR. KOOKESH: Who's Bob Johnson.

14  
15 CHAIRMAN ADAMS: This guy. Bob Larson.  
16 Another \$5 fine, uh.

17  
18 MR. LARSON: You don't have to break  
19 that 10 now.

20  
21 (Laughter)

22  
23 CHAIRMAN ADAMS: No, true.

24  
25 (Laughter)

26  
27 CHAIRMAN ADAMS: And then, you know,  
28 Carrie, be prepared, you know, right after lunch for  
29 your presentation, okay.

30  
31 MR. KOOKESH: She actually has a 1:00  
32 o'clock.

33  
34 MS. SYKES: I can reschedule.

35  
36 CHAIRMAN ADAMS: Could you, okay, good.  
37 Go ahead, Steve.

38  
39 MR. KESSLER: Thank you, Mr. Chairman.  
40 I'll talk about the budget and a little bit about the  
41 Wildlife Monitoring Program. And then there was an  
42 item on the agenda, current wildlife information  
43 services studies and Dennis Chester can cover that at  
44 some point, I'm not going into specifics of what's  
45 going on right now.

46  
47 In fiscal year 2008, that's the year  
48 we're in right now, Forest Service received just under  
49 a \$5 million appropriation from Congress, which is  
50 approximately the same as we received last year.

1 You might recall about three years ago that we received  
2 5.9 million and with that extra money that we had  
3 received that year we had developed this Wildlife  
4 Monitoring Program to parallel the Fisheries Monitoring  
5 Program. That money was short-lived because the next  
6 year the amount of funds we received went right back  
7 down to \$5 million, actually lower than where we had  
8 been before. So, of course, with having gone back down  
9 to this lower funding level, it's very difficult to  
10 maintain everything that we were doing when we had  
11 approximately 1 million additional.

12  
13 As you discussed the President's fiscal  
14 year 2009 budget request, and that's the budget request  
15 to Congress, we call it the President's Budget, shows a  
16 complete removal of the Forest Service subsistence  
17 program allocation. And then what you have to do is  
18 you have to sort of read in the Forest Service budget  
19 justification why, and it's not that the intent is to  
20 just completely unfund the subsistence program within  
21 the Forest Service, it's just to move the money into  
22 our regular allocations. So right now Congress  
23 actually has a specific allocation for subsistence for  
24 the Forest Service and that's unlike the Department of  
25 Interior, the Department of Interior does not receive  
26 specific funds for subsistence. For instance Fish and  
27 Wildlife Service, the money comes in two lines for  
28 them, Refuges and in their Fisheries Program.

29  
30 So essentially what the President's  
31 Budget would do would be to move that money from that  
32 specific line item allocation and say do it like the  
33 other agencies do, just take it out of these other  
34 lines.

35  
36 Then when you take a look at the Forest  
37 Service budget -- or the President's Forest Service  
38 budget for fiscal year 2009 you also would note that  
39 there are percentage decreases in all these other lines  
40 where those funds would probably come from. And if you  
41 take a look at that Forest Service budget you'll notice  
42 that there's actually quite a bit of movement of money  
43 into firefighting from other areas and that has to do  
44 with sort of the rules on how you pay for firefighting  
45 and the Forest Service needs to put in their budget the  
46 average 10 year cost of firefighting and that average  
47 10 year cost for 2009 goes up 150 million, and since  
48 the bottom line stays approximately the same it has to  
49 come from somewhere. So we don't know exactly what's  
50 going to happen as far as that budget goes and where,

1 if this budget gets implemented, the money would come  
2 from.

3

4 Certainly we don't expect to see a  
5 drastic decrease from the \$5, it's going to come from  
6 somewhere, we don't have any choice about this program  
7 and we know that our Washington office recognizes that.

8

9 So now I'd like to just get back to the  
10 Wildlife Monitoring Program a little bit. And we've  
11 had, as I think you all know, a fairly large Fisheries  
12 Monitoring Program, part of the statewide program, and  
13 then we've had the Forest Service smaller Wildlife  
14 Monitoring. And one of the things that we've been  
15 thinking about is we never really get to balance, well,  
16 what is the highest priority of all the wildlife and  
17 the fisheries projects. And I guess one of the things  
18 I guess I would be curious about, we sort of had this  
19 sort of smaller pool of money than what we had when we  
20 started the Wildlife Monitoring portion, and I'd be  
21 curious, some comments from the Council, what does the  
22 Council think of sort of that distribution between  
23 fisheries and wildlife funds. Should we take a look at  
24 the prioritization among all of that? Should we  
25 maintain the fisheries sort of as the predominant  
26 monitoring that we do? Or just what do you think?

27

28 So that's about all I have on the  
29 Wildlife Monitoring Program. We have not put out a  
30 request for proposals for wildlife for this year, in  
31 fiscal year 2008. I don't know the future of it for  
32 2009, it sort of depends on what happens with funding  
33 and sort of the prioritization, if we should just  
34 continue that emphasis on fish.

35

36 Thank you.

37

38 CHAIRMAN ADAMS: Comments or questions,  
39 particularly about what he's requesting from the  
40 Council on the monitoring system.

41

42 (No comments)

43

44 CHAIRMAN ADAMS: Thank you, Steve.  
45 Hearing none, we'll break for lunch, be here at 1:15.

46

47 MR. KESSLER: Thank you.

48

49 (Off record)

50

1 (On record)

2

3 CHAIRMAN ADAMS: Okay, welcome back  
4 everyone. There was a ring that was found up at the  
5 entrance of the ladies room earlier, and we need to  
6 find the finger that it belongs to so it's right here  
7 if you want to claim it. It won't even go on my little  
8 finger so I can't keep it.

9

10 (Laughter)

11

12 CHAIRMAN ADAMS: Okay, we're going to  
13 go ahead and take your testimony Carrie and then  
14 there's a lady that's here that wants to talk about  
15 halibut and we'll have you next.

16

17 So let me just say that I'm happy  
18 you're here and I really appreciate your patience. I  
19 know you've been here every day, or since yesterday and  
20 waiting to get on the agenda. But we adopted the  
21 agenda as a guide so we could move things around here  
22 and there and so appreciate your patience Carrie. One  
23 of the things I want to do is impress upon you the fact  
24 that I'm happy that T&H Central Council is taking an  
25 interest in subsistence issues. I really think that  
26 there's a lot of things that tribal governments can do  
27 to better address, you know, the issues of subsistence  
28 concerns in the communities and I think the Central  
29 Council would be a real good catalyst to bring people  
30 together and I think that's what I understood your  
31 purpose was when you came to the Haines meeting last  
32 year, so I'd like to really see that happen.

33

34 But, you know, with that I'd just go  
35 ahead and turn the time over to you for your  
36 presentation.

37

38 MS. SYKES: Thank you, Mr. Chair.  
39 Again, my name is Carrie Sykes. I am a subsistence and  
40 sustainable development specialist for Tlingit-Haida  
41 Central Council. And I thank you for inviting me here  
42 and letting me give an update to the Regional Advisory  
43 Council on what I've been doing in subsistence efforts.  
44 At the last meeting Rob Sanderson, Jr., was here with  
45 me and we were able to start to work more with the  
46 Southeast Regional Advisory committee, and at that time  
47 we informed you that we wanted to be more involved with  
48 subsistence and, yes, that is my reason and I really  
49 did want to give an update, I've been quite busy since  
50 the last time I came before this committee.

1                   But because of the importance of  
2 subsistence to all Alaska Native people, Central  
3 Council realizes the need for tribes to work together,  
4 we need to cooperate and work collaboratively to take  
5 action to address our concerns. Central Council's  
6 objective is to work together with the Southeast tribes  
7 and to have a unified voice on important subsistence  
8 issues. So I've been very busy in this area.

9  
10                   I went ahead and put some hand outs  
11 along the table along with my business card.  
12 Unfortunately I didn't have a complete packet of  
13 information for you but I'm going to coordinate with  
14 Robert to get that information, the complete set of  
15 information out to all the committee members.

16  
17                   First of all I think at the last  
18 meeting I was talking about how we started working with  
19 Alaska Native organizations on subsistence. In August  
20 2007 we had a meeting with Alaska Council of Village  
21 Presidents and they had been dealing with AFN on  
22 identifying the top state subsistence issues, and so  
23 last summer we sent a letter out that went out to all  
24 the statewide tribes and I provided a copy of this  
25 letter at the last meeting but I'll make sure that this  
26 is included in the electronic distribution so that you  
27 can all see that again. But basically we sent a letter  
28 out to all the tribes and we wanted them to help us  
29 identify and prioritize the top concerns. We prepared  
30 a ballot and we asked them to help us rank these  
31 concerns. The concerns that we took were ones that  
32 were already identified by the Alaska Council of  
33 Village Presidents and by AFN. So instead of  
34 restarting and trying to get all the collected input  
35 from the tribes statewide, we took the work that they  
36 had started with and we split out the state concerns.  
37 The purpose for that was to prepare for a meeting with  
38 Governor Palin, and we had scheduled the meeting but  
39 to-date that meeting has not happened. We did still  
40 want to work on identifying the top issues and try to  
41 take the top ones and work on a couple issues at a  
42 time, we didn't want to bombard her with the whole list  
43 of issues and we know that there are many. So the plan  
44 was to try to identify the top, work on those, build  
45 our relationship with her. But we're still going to  
46 work on trying to get a meeting with Governor Palin.

47  
48                   But anyway this did go out to all the  
49 tribes and we did get ballots back. IT was sent out  
50 to, I think there's 229 tribes, we got approximately 58

1 ballots back, which is a pretty good return, that's  
2 about 25 percent. Most of the time when you do any  
3 kind of a survey you get 10 to 15 percent, so 25  
4 percent was a pretty good group and I still welcome  
5 tribes who have not provided input about the top issues  
6 to still submit those ballots so that we can include  
7 their prioritization in with our summaries.

8  
9                   What we have in front of you is some  
10 pie charts and on those charts, I took the information  
11 from the ballots, there's more in the back if other  
12 people want to look at them, but the first one shows  
13 the percentages of the top priorities. This is the  
14 ones that the tribes said were the top issues. And it  
15 was interesting to see that the first priority was  
16 Native allotments and ANCSA management by Fish and  
17 Game, that received 20 percent of the ballots that we  
18 received as a number 1 priority. The second one was  
19 Natives on boards and commissions to provide a Native  
20 voice. And that's been a pretty big issue. On the  
21 second pie chart you can see that some of these same  
22 issues are repeated and people being on -- Natives  
23 being on boards and commissions ranks high in both  
24 first priority and second priority. Another first  
25 priority that ranked third was Federal Subsistence  
26 Board following Alaska State positions, and this is a  
27 concern I've heard quite a bit, particularly with  
28 customary and traditional use determinations, and I'll  
29 talk a little bit more about that in a minute. But  
30 another one, too, that I seen that I hadn't really  
31 mentioned, that came up as a second priority, and that  
32 was the State addressing Native aboriginal knowledge,  
33 traditional ecological knowledge and that was 17  
34 percent of the second priority. So it's pretty  
35 interesting to get this information directly from the  
36 tribes about what their top concerns are and this will  
37 be something that we will use at Central Council and  
38 anyone that wants to join in on our efforts to try to  
39 address the top issues.

40  
41                   The third sheet that you have is a  
42 graph and it shows the top 10 issues and it's a little  
43 bit of a busy chart but I wanted to include it anyway.  
44 And it has the top 10 issues and it will show the  
45 percent of importance to the tribes and it's a little  
46 hard to read but it does give that information on  
47 there.

48  
49                   But, anyway, this is pretty interesting  
50 to get this input.

1                   These statistics about Native concerns  
2 were submitted to Rhonda McBride, she's the special  
3 assistant to the Governor on rural affairs, we had a  
4 meeting in December, it wasn't about subsistence but  
5 because I was invited to the meeting we were actually  
6 talking about energy issues, I wanted to make sure and  
7 bring this to her attention since she deals with rural  
8 affairs and I want to follow up with that and see what  
9 else we can do to get a meeting with Governor Palin to  
10 try to start working on some of these issues.

11  
12                   One of the top concerns that was  
13 brought up, as I mentioned, was more Native  
14 representation. So to work towards addressing this top  
15 concern, we started really encouraging tribes to become  
16 more involved. One example was the Southeast RAC.  
17 There was an application opening and we really  
18 encouraged all the Southeast tribes to make those  
19 applications and try to get involved with this process.  
20 In fact I had a question about that, I was wondering  
21 what the status of those RAC applications were and  
22 maybe you can tell me a little bit more about that  
23 later.

24  
25                   Another area we were working on for  
26 more Native representation was with Governor Palin,  
27 when she announced her proposed appointment to the  
28 Board of Game and it was going to -- it was not going  
29 to be a Native and it was going to take the one seat  
30 that had a Native in that position, and of course that  
31 is a bit of an uproar from the Native communities about  
32 that proposed appointment, so we did get busy and we  
33 got a letter to her and we were telling her that we  
34 really needed to have that seat remain open for a  
35 Native, to have the Native voice heard at that Board of  
36 Game. So we are opposing that proposed appointment and  
37 we did offer to work with her. We started talking with  
38 the tribes about who might be good for that seat and we  
39 offered to meet with her, but when that letter when in  
40 that day, she did appoint a Native to that seat, so  
41 that's still going through the confirmation process as  
42 i understand it.

43  
44                   So that was another area that we were  
45 trying to work on.

46  
47                   A third area we wanted to get more  
48 Native representation was on the Southeast Conference  
49 Board. Although they don't deal directly with  
50 subsistence they deal with economic development, and

1 economic development has a direct impact on subsistence  
2 so we wanted to make sure we get Native representation  
3 on that and that will be an ongoing effort that we'll  
4 continue to do. We weren't successful in the first  
5 round but we're going to make nominations again at  
6 their next annual meeting, so we'll be looking for more  
7 input on who might be good for being on that board.

8  
9 Other subsistence policy issues the big  
10 one has been the Federal Subsistence Board's proposed  
11 customary and traditional use determination. Central  
12 Council did submit comments, I believe they are part of  
13 the packet from a presentation earlier. But I went to  
14 the BIA provider's conference and I was able to speak  
15 with quite a few of the tribes that were present there  
16 and I was able to consult with other people who are  
17 involved with this policy and at that time, you know,  
18 it was the deadline for the comments on that policy so  
19 what I did is I had a letter written from President  
20 Martin directly to, I think his name is Theo, I don't  
21 remember his last name, but we requested a time  
22 extension, we did get that time extension and the idea  
23 was to have the tribes be able to get back home and  
24 prepare their comments, I did provide a number of  
25 people, not only the tribes in our area but tribes up  
26 north, the Alaska Council of Village Presidents and  
27 other entities copies of what our position was, and as  
28 I said, the idea was that they would be able to go home  
29 and still provide their comments. I was kind of  
30 disappointed when I seen in the agenda that Central  
31 Council and Yakutat were the only tribes from Southeast  
32 that did provide comments even though we did really  
33 encourage the tribes to provide some kind of comment,  
34 you know, based on that policy, you know, it didn't  
35 have to be our same position, but we wanted to share  
36 that position. I know that in talking with some of the  
37 tribal entities it's due to a lack of people at the  
38 tribal level to be able to take care of these issues.  
39 And even with some guidance there's still not staff to  
40 take care of that and that's really a concern, you  
41 know, we're lucky at Central Council to have my  
42 position and when he was talking about the budget,  
43 right before we broke for lunch, that budget cut is  
44 something that could affect my position also, so that  
45 is of concern because having a subsistence position at  
46 Central Council has always had very limited funds and  
47 we all know there's a lot of issues and there needs to  
48 be someone to be able to react to these issues and  
49 hopefully be more proactive instead of reactive as  
50 these policies are brought to our attention. So that's

1 a real big concern.

2

3                   In Central Council's position, about  
4 this customary and traditional use determination, we  
5 stated that because ANILCA does not require, define or  
6 provide criteria for customary and traditional use and  
7 because there have been problems with interpretation of  
8 Title VIII of ANILCA that we recommend that the Federal  
9 Subsistence Board keep within ANILCA Title VIII as the  
10 policy for determining subsistence uses. We didn't  
11 think that we needed to have another layer of  
12 bureaucracy, another layer that could be misinterpreted  
13 and so that was our recommendation. We asked that if  
14 they didn't take our recommendation, we wanted to  
15 recommend that if they proceeded with the policy, that  
16 they address some due deference issues. We recommended  
17 that the RAC be given stronger due deference. And that  
18 if the RAC made recommendations to the Federal  
19 Subsistence Board and those recommendations were not  
20 adopted, that they provide some kind of written  
21 rationale as to why not. I think that in making  
22 decisions, when the RAC makes recommendations that  
23 there should be a response as to why they're not  
24 adopted. So that was what our position was on that.  
25 And the other thing was that this recommendation about  
26 having written rationale, we wanted it to not be just  
27 for the customary and traditional use determinations,  
28 but we wanted it to be for rural determinations and for  
29 special and temporary actions, including emergency  
30 closures and other proposed policies. We just want to  
31 make sure that there's some, you know, some response  
32 when there's recommendations that go forward.

33

34                   So that was what we did with the  
35 customary and traditional use determination.

36

37                   And just as a side note I wanted to  
38 mention, too, that there's ANILCA training next week  
39 that I'm going to be attending so I intend to find out  
40 a lot more about Title VIII. I went ahead and shared  
41 that training with the tribes in Southeast and I'm  
42 hoping that there's other people that will go, too. I  
43 think that if we want to be effective in managing, you  
44 know, providing input for subsistence we need to be  
45 very familiar with ANILCA and that Title, so I will be  
46 going to that training in Anchorage next week and I  
47 want to learn a lot more about the ANILCA process.

48

49                   In another area that we've been dealing  
50 with is with the Alaska Native Federation, ANF, but,

1 anyway, I went to their annual convention in October  
2 and I attended their subsistence caucus. And at that  
3 time there was a lot of people that were providing  
4 input about subsistence and I informed them about what  
5 Central Council had been doing with the ballot and  
6 trying to get input about the top priorities and at  
7 that time they were recruiting for participants to a  
8 subsistence working group and I informed them that it  
9 was the intention of Central Council to be involved,  
10 that we wanted to be involved and the other thing that  
11 they informed at that caucus was that they were going  
12 to have a special subsistence convention that was to be  
13 held in March and April and so we wanted to be involved  
14 with that also. But I went and I called them just  
15 recently, less than a month ago, I believe, to find out  
16 about the status of this work group because I hadn't  
17 heard from them and I wanted to know when the  
18 convention was going to be so I could start  
19 coordinating with them to make sure that we got  
20 Southeast issues at the table and I was informed that  
21 they've been having financial difficulties and that  
22 they had to lay off seven people and that the  
23 subsistence convention has been indefinitely postponed.  
24 So this is not good news, you know, right now there is  
25 not a statewide mechanism to deal with Native  
26 subsistence issues and that really is a concern. You  
27 know there's so many issues and there's -- like I said  
28 there's not enough staff people to try to deal with  
29 these issues so it's been really difficult to try to  
30 provide a unified voice. But because Central Council  
31 is the -- I believe it's the only Federally-recognized  
32 regional tribal entity in Alaska it seemed appropriate  
33 for Central Council to take the lead and so I've been  
34 talking with the executive council members and with  
35 President Martin and they've agreed that we should take  
36 this lead. And so I've worked recently with a funding  
37 proposal and it's for a Congressional Appropriation and  
38 that proposal went in a couple of weeks ago but it  
39 basically is following what AFN was proposing in their  
40 subsistence efforts, wanted to include the development  
41 of a subsistence work group, also a statewide Native  
42 fish and wildlife commission, of course the subsistence  
43 convention, we'd need legal advice and I wanted to  
44 include funding for a subsistence consultant, you know,  
45 I don't know everything about subsistence and I think  
46 that in addition to input from tribes, I think we need  
47 some guidance about that. I also included funding for  
48 a grant writer to try to look for funds because there  
49 is a real big lack of funds. I also included website  
50 development so that we could have a forum for getting

1 information out to not only Native entities but other  
2 people who are interested in subsistence efforts. And  
3 we also wanted to include money for media development.  
4 I've gone to several meetings where there's been  
5 foundations present. One example is the Tongass  
6 Future's Roundtable, and I wasn't able to speak but we  
7 were able to get up and introduce ourselves and two  
8 people at that meeting came up to me afterwards and  
9 wanted to talk to me about subsistence and these are  
10 foundation people, these are people that want to do  
11 conservation and they want to know what the issues are  
12 and so I wanted to be able to do some media  
13 development, particular video, so we could tell our  
14 story and that we could use that to get the word out,  
15 maybe a Native television programs or even bring it to  
16 the foundations in the form of an addition to the grant  
17 proposal. So those are the components that I put in  
18 that statewide subsistence proposal. But I won't hear  
19 back until probably fall but I think even if we don't  
20 get that appropriation that it still could be the  
21 building blocks for trying to do this effort, try to  
22 follow up on this kind of funding. So I'm going to be  
23 looking for other opportunities to try to follow up in  
24 the funding arena.

25  
26                   So in addition to addressing the  
27 different subsistence issues, I've also got another  
28 project that I'm working on, it's the Subsistence  
29 Customary Trade Project. This is what's funding a lot  
30 of my position. Customary trade, as you know, is the  
31 limited, non-commercial exchange of fish and wildlife  
32 resources for cash. This project will study and  
33 quantify subsistence oriented activities that  
34 constitute customary trade and determine the importance  
35 to the tribes. This has been an issue that's been  
36 ongoing. I don't think that the State realizes the  
37 true value of subsistence to the Native people,  
38 particularly in communities where they're having, you  
39 know, a lot of economic difficulties. For some  
40 communities this is how they survive. So I think this  
41 study will really help document that.

42  
43                   But right now I'm getting ready to do  
44 community visits. I've already gone out to the  
45 communities in Prince of Wales once to let them know  
46 about the project. I'll be going back out to working  
47 further to explain the project, we're going to be  
48 conducting surveys and interviews with subsistence  
49 users and with elders and then the data will be  
50 analyzed and used to determine the extent of

1 subsistence use and trade and then I will be doing a  
2 report. So I will be really busy with that this year.

3  
4 Another thing I wanted to inform the  
5 RAC committee about is a new website, it's called  
6 Nanat, and it's a subsistence website, it's being  
7 developed by the Alaska InterTribal Council. I was  
8 able to sit in on a meeting during the BIA provider's  
9 conference and it was really pretty exciting. I know  
10 the lady who's been working on this and she's really  
11 very smart and knows a lot about databases. But the  
12 purpose is to collect and share knowledge, including  
13 information about climate change, resource development  
14 and other activities that impact subsistence and life  
15 in the village and also to increase the tribal ability  
16 to respond to environmental changes. In other words  
17 say there's some abnormalities with fish, you know,  
18 they could document it and it could be put into a  
19 database and so if they're having a similar problem  
20 around some community and they're trying to figure out  
21 what's going on, that there's some other information  
22 there that they could start to figure out what the  
23 problem might be so it's pretty exciting to see that  
24 there's going to be that site that is being developed.  
25 Alaska InterTribal Council is working with  
26 organizations and tribes, not just tribes but also like  
27 wildlife biologists and other researchers to help  
28 collect that information and they want to be able to  
29 get it established so it could be queried so that you  
30 could get reports based on what your needs are. So I  
31 encourage people to look at that site and see whether  
32 there's something that you might want to be included  
33 there, they're looking for input.

34  
35 I did give you a handout and there  
36 should be two of them but they're from a newsletter  
37 article and that website information is on there so I  
38 encourage you to look at that and see if there's areas  
39 that you might want to add to that, but it's pretty  
40 exciting. So it's a new thing and it only got started  
41 about a month ago so check that out.

42  
43 And the other thing I'm working on, I  
44 saved the biggest for last, is the Forest Service  
45 acknowledgement issue. We've been hearing yesterday  
46 and today about the past destruction of smokehouses and  
47 fish camps and other scared sites. This has been  
48 happening since the 1920s up through even as late as  
49 the '60s and even more isolated incidences since then.  
50 But this issue was brought to our attention by the

1 Organized Village of Kasaan and they've been working  
2 with the Thorne Bay Ranger District to try to deal with  
3 this issue, but it's not a new issue, it's been  
4 something that's had a great impact on our culture, you  
5 know, and it's had a great impact on our relationship  
6 with the Forest Service. It's really hindered things.  
7 But nothing's been done about it and this has been  
8 going on a long time. And so what we did in talking  
9 with Rob Sanderson, he brought it to the regional  
10 level, there's two aspects to this, there's the  
11 regional level because all the tribes were affected by  
12 this and then there's the local level where there's  
13 incidences at the local level so it's been really  
14 complicated to deal with this issue but right now the  
15 Forest Service leadership has shown a willingness to do  
16 an acknowledgement and have a possible peace ceremony.  
17 And so this has never before happened where there's  
18 been a willingness like this for them to do this and so  
19 it's really a big deal. But what we've been doing is  
20 we've been meeting with the committee and it includes  
21 the Forest Service, myself and some tribes and some  
22 elders, one elder from each of the three nations,  
23 Tlingit, Haida and Tsmishan to provide us with their  
24 expertise about how to proceed with this delicate issue  
25 so we've been meeting about this for a little while.  
26 And we had a meeting last Friday where the Forest  
27 Service agreed to go ahead with this acknowledgement,  
28 and this is going to happen at General Assembly which  
29 will be April 16th through the 19th in Juneau. But  
30 it's pretty exciting. Right now it will be an  
31 acknowledgement, they're going to go ahead and admit  
32 that there was this wrongdoing. But the idea is to  
33 have an acknowledgement at the regional level and have  
34 the individual tribes work with the Ranger Districts to  
35 determine compensation at the local level. But there's  
36 a lot of grey issues going on here, it's really unsure  
37 what will happen, but the Organized Village of Kasaan  
38 has been very successful working with the Thorne Bay  
39 District. Right now it looks like they're going to get  
40 a cabin and a smokehouse and possibly some totems so  
41 they're going to have these facilities that are set  
42 aside just for their community to smoke fish, you know,  
43 so this is pretty exciting that this is happening. But  
44 they're kind of being the pilot, they're going to be  
45 the ones that we hope to model other successes after.  
46 But right now we don't know the extent of the  
47 destruction of these sites in the various communities,  
48 and in addition to that it's not Central Council's  
49 place to be speaking for the tribes, you know we can  
50 work with this regional acknowledgement but when it

1 comes to compensation, it needs to come from the local  
2 area, you know, we can't be speaking for them and  
3 what's right for them, so that's how we are working  
4 through this, to go address both areas.

5  
6 But it's pretty exciting. Our hope is  
7 that it will develop better government to government  
8 relationships with the Forest Service and I'm hoping  
9 that that will be a model for other agencies, you know,  
10 so we can deal with other issues because there's a lot  
11 of issues and I think that for future generations that  
12 this could be a real help, you know, we need to -- we  
13 both live in the same Forest and we need to learn to  
14 work collaboratively to try to make things work better.  
15 But it's very exciting. There are a lot of issues.

16  
17 A very big issue is the Native  
18 allotments, you know, we've been hearing about that.  
19 And a big part of getting a Native allotment is having  
20 evidence of use and occupancy and when they got rid of  
21 those smokehouses that was the evidence, the evidence  
22 was gone and we don't know how many allotments were  
23 denied because of this. And right now they are going  
24 to acknowledge that there were allotments that were  
25 denied because of it but we don't know exactly how to  
26 proceed. We've got, you know, with the allotments it's  
27 not just the Forest Service, you've got Bureau of Land  
28 Management that actually is at the head of those. And  
29 so there's some issues to be worked out and I'm not  
30 really sure where that will go yet, we're going to have  
31 to work through that process but it's a big deal that  
32 there will be an acknowledgement and there is a  
33 willingness to do something about it.

34  
35 Another area that -- an issue that got  
36 brought up during our meetings was eagle feathers. We  
37 wanted to have some eagle feathers for part of the  
38 peace ceremony but then, again, you know, when it was  
39 asked well where will we get the eagle feathers and  
40 we're sitting with a group of Natives and we were  
41 asking who had a permit, no one raises their hand, you  
42 know, this is an area where the Natives have a lot of  
43 issues about getting a permit to go gather eagle  
44 feathers, this is part of our traditions and so we want  
45 to work further to try to see what we could do about  
46 that. I think that will be dealt with down the road in  
47 another arena. I know the InterTribal Fish and  
48 Wildlife Commission did some work on it but I don't  
49 think it's an issue that's been resolved so I'm going  
50 to be looking more into that.



1 over, with the exception of the Forest Service, is  
2 included in the Central Council newsletters, that's the  
3 sheets that I gave you with the subsistence updates  
4 from, but those can be accessed at the Central Council  
5 website if you'd like to go and get more information  
6 about that.

7

8 That's my report, I've been quite busy.

9

10 CHAIRMAN ADAMS: You certainly have. I  
11 was just wondering when do you have time to eat and  
12 sleep.

13

14 (Laughter)

15

16 CHAIRMAN ADAMS: But it looks like your  
17 plate is full and that you're doing a real good job of  
18 addressing all of those issues. So I'd just like to  
19 open it up for questions to Carrie, you know, from the  
20 Council. Harvey.

21

22 MR. KITKA: Thank you, Mr. Chair. I  
23 don't know if this is a question for you but I was just  
24 wondering whether the class on the subsistence Title  
25 VIII, whether that would be open for the Council or  
26 whether anybody could possibly make it.

27

28 CHAIRMAN ADAMS: I'm sure it's open up  
29 to anyone who wants to attend it, uh?

30

31 MS. SYKES: Yes, it is. I don't  
32 remember right off hand who teaches it. I think it's a  
33 \$500 fee for the class. I do think you get quite a bit  
34 of information and it is in Anchorage next week,  
35 Tuesday and Wednesday.

36

37 CHAIRMAN ADAMS: Okay, thanks. Any  
38 other questions.

39

40 MR. KOOKESH: Mr. Chairman.

41

42 CHAIRMAN ADAMS: All right, Mr.

43 Kookesh.

44

45 MR. KOOKESH: Mr. Chairman. I've  
46 had.....

47

48 CHAIRMAN ADAMS: Before you go any  
49 further, I need to ask Tina a question, how come Mr.  
50 Kookesh has two microphones in front of him.

1                   REPORTER: It's Patty's fault.  
2  
3                   CHAIRMAN ADAMS: He's only the vice  
4 chairman.  
5  
6                   (Laughter)  
7  
8                   REPORTER: She was weathered in and  
9 that's her microphone.  
10  
11                  MR. KOOKESH: I have my own table, too.  
12  
13                  CHAIRMAN ADAMS: He has his own table,  
14 geez.  
15  
16                  REPORTER: I'll take that away, he  
17 doesn't need two.  
18  
19                  (Laughter)  
20  
21                  CHAIRMAN ADAMS: Okay, go ahead.  
22  
23                  MR. KOOKESH: Are you all right?  
24  
25                  CHAIRMAN ADAMS: I'm fine.  
26  
27                  (Laughter)  
28  
29                  MR. KOOKESH: Okay. Mr. Chairman and  
30 Council. I've had an excellent opportunity to work  
31 with Carrie on a lot of these issues and I really  
32 appreciate having her there because as you noticed, I  
33 timed her, it took her a half hour, as you notice she's  
34 an excellent speaker and she presents herself very well  
35 and that's one of the skills that I really appreciate.  
36 But Carrie being here is very good. She's  
37 complimentary to our program. And there are issues  
38 that we did bring to her attention and aside from our  
39 full plate she can get a bigger plate.  
40  
41                  (Laughter)  
42  
43                  MR. KOOKESH: See, because some of the  
44 issues that we keep bringing up and she is aware of  
45 them and she does know that we do have the herring  
46 issue, the subsistence herring. We actually had lunch  
47 with John Duncan just to get some dialogue going with  
48 him to build up how we're supposed to proceed, whether  
49 we should give up and just walk away but we know that's  
50 unacceptable. But I do have to compliment her for all

1 her work and I have to say that she's probably going to  
2 do another excellent report at General Assembly when  
3 Central Council Tlingit-Haida Indian Tribes has their  
4 general assembly it's like in April, she's probably  
5 going to do a very good report on that.

6

7 And one of the things that we've  
8 gathered from our dialogue, in addressing, just for  
9 example, the Forest Service. When the eagle feather  
10 issue came up it just made us start focusing on maybe  
11 going to the other agencies and starting to address  
12 issues with other agencies, this is an opportunity with  
13 the Forest Service and make the -- this is an  
14 opportunity for us to start addressing all the other  
15 agencies on issues. It -- a lot of the issues tend to  
16 be Native issues with the exception of herring because  
17 I've seen a lot of non-Native here harvest herring  
18 eggs, hopefully not just for their gardens but as part  
19 of their diet.

20

21 But I just wanted to make those  
22 comments and tell you I really appreciate Carrie Sykes  
23 and Central Council, what they're doing for all of us.

24

25 CHAIRMAN ADAMS: Thank you, Matt. Any  
26 other questions from anyone.

27

28 MR. KOOKESH: Follow up.

29

30 CHAIRMAN ADAMS: Pardon, follow up.

31

32 MR. KOOKESH: Who's Matt?

33

34 (Laughter)

35

36 MR. KOOKESH: You said Matt.

37

38 CHAIRMAN ADAMS: Did I say Matt?

39

40 MR. KOOKESH: You said Matt.

41

42 CHAIRMAN ADAMS: Geez, another \$5 in  
43 the kitty.

44

45 MR. KOOKESH: I'll grant you a pardon  
46 this once as the vice chairman.....

47

48 CHAIRMAN ADAMS: He granted me a  
49 pardon.

50

1 (Laughter)

2

3 MR. KOOKESH: .....yeah, as the vice  
4 chair, I didn't hear a word you said.

5

6 (Laughter)

7

8 CHAIRMAN ADAMS: But, anyhow, in line  
9 with that we had an ANB Convention in Angoon a few  
10 years ago and your brother, Al, you know, is on the  
11 executive committee, and he doesn't like to wear hats,  
12 and he'd come into the meeting kind of late, you know,  
13 and as he came in they'd fine him for not wearing his  
14 hat, you have to wear your hat on the floor during  
15 sessions and everything and that happened for a couple  
16 days and finally he got fed up with it and he walked in  
17 and he walked right up to the table and he says, I'm  
18 putting down \$25 for my fine for the whole week, so he  
19 got away without using his hat for the rest of the  
20 week. But I thought that was pretty significant, well,  
21 for your brother to do that.

22

23 MR. KOOKESH: So is that the standard  
24 you're now setting for yourself.

25

26 CHAIRMAN ADAMS: That looks like what's  
27 going to happen here.

28

29 (Laughter)

30

31 CHAIRMAN ADAMS: If that's going to be  
32 the standard I should just put it up there now.

33

34 But anyhow I do have some comments, you  
35 know, Carrie, to me, you know, I really looked forward  
36 to your presentation, I didn't realize that you're so  
37 involved in so many parts of the subsistence issues  
38 that, you know, pertain to our resources. But I really  
39 do believe and I said this earlier, that tribal  
40 governments really need to step up and play a more  
41 important part, you know, in the subsistence issues in  
42 their particular areas. And I see where Central  
43 Council can be the catalyst that can bring these tribes  
44 together and I really would like to see that happen. I  
45 know you're making efforts in that direction. I was  
46 kind of disappointed in the survey that came out and  
47 only Central Council and Yakutat, I can say, you know,  
48 I can put up a check mark in front of my tribe that  
49 responded, but we need to have all of the tribes in  
50 Southeast Alaska, you know, respond to those issues and

1 I know it's a resource problem, the funding and the  
2 personnel is just not there but if we can make it  
3 happen it's going to be really important. This is  
4 where I think a lot of the proposals should come from,  
5 you know, come through that avenue. Some tribal member  
6 or member in a community has an issue, you know,  
7 subsistence regulations that's where they would go to  
8 get support. And so I really want to emphasize that.

9

10 In our radio interview today I closed  
11 with that challenge to all of the tribes in Southeast  
12 Alaska to step up.

13

14 There are a lot of other issues that we  
15 could talk about, you and I, you know, but we just  
16 don't have the time for it. Did you receive in the  
17 email I sent to you, this little document that  
18 addresses Southeast Alaska customary and traditional  
19 food issues?

20

21 MS. SYKES: Yes, I did.

22

23 CHAIRMAN ADAMS: Okay. I would  
24 encourage you, if you haven't looked at it, to look at  
25 it and feel free, you know, to give me a call and  
26 discuss it with me further because it offers some  
27 suggestions as to how, you know, people can respond to  
28 the subsistence issues.

29

30 This particular paper was written by  
31 Matt Kookesh, and I think that's how come, and Don  
32 Bremner, and that's probably what I was thinking of.

33

34 MR. KOOKESH: You were ahead of  
35 yourself.

36

37 CHAIRMAN ADAMS: Yeah, you pardoned me  
38 already so I'm fine.

39

40 But they wrote a bunch of concerns, you  
41 know, that pertains to subsistence issues and what I  
42 try to do, just from my experience of being in the  
43 tribe for about 13 years, in bold letters is answer  
44 them the best I could, I couldn't answer all of them  
45 but there are some important things here you could  
46 probably take out, I would encourage you to really look  
47 at it. And, you know, feel free to give me a call and  
48 I'll be happy to clarify anything. You know not from  
49 this body but just from between you and me and my  
50 understanding and knowledge of what I think tribal

1 governments can do in playing a part in our subsistence  
2 programs.

3

4 So I think, you know, with that, I  
5 would encourage any other questions.

6

7 MR. KOOKESH: I have one.

8

9 CHAIRMAN ADAMS: Mr. Kookesh.

10

11 MR. KOOKESH: Just to follow up a  
12 little bit with what Carrie's doing. I had a meeting  
13 the other day with my brother, Albert, who's Chairman  
14 of SeAlaska and SeAlaska has, over the years, in all  
15 their visits to all the communities have been hearing  
16 that they're not doing enough economically in the  
17 communities so SeAlaska created the Natives Coalition  
18 which encourages, I don't know how strong their  
19 membership drive is going but encouraging all Natives  
20 and Native organizations to come and join and be part  
21 of the Coalition so that they can start doing more for  
22 the communities that SeAlaska's shareholders come from.

23

24 There are three points that are being  
25 brought out in a summit that is tentatively scheduled  
26 for November and one of the issues on there is  
27 subsistence, so SeAlaska does -- the Chairman is  
28 encouraging a role in there, that they play a stronger  
29 role in subsistence and I know Carrie hasn't heard this  
30 yet, but it is out there and they -- they also have two  
31 other issues on there, just to add to the -- just to  
32 finish off the SeAlaska part, and one of them is -- the  
33 other two, excuse me, is energy and economic  
34 development. I just wanted to let you know that  
35 SeAlaska is involved in this process and they're  
36 willing to put their money where their mouth is.

37

38 Thank you.

39

40 CHAIRMAN ADAMS: Anyone else.

41

42 (No comments)

43

44 CHAIRMAN ADAMS: Thank you, Carrie,  
45 appreciate it.

46

47 MS. SYKES: Thank you. I appreciate  
48 the opportunity to share what I've been doing.

49

50 CHAIRMAN ADAMS: Sure. Tory O'Connell.

1 I got a call right after Raven Radio interview from a  
2 lady named Linda Beckin, is that how you say it, and  
3 she wanted -- she asked me about getting heard by this  
4 body in regards to some halibut issues so she couldn't  
5 come but you're coming in her place.

6

7 MS. O'CONNELL: Thank you, Chairman  
8 Adams and Committee members. My name is Tori O'Connell  
9 and I am representing Linda Beckin (ph), she's home  
10 with a sick child. She's the executive director of the  
11 Alaska Longline Fishermen's Association in town. And  
12 they are interested in having you all address an issue  
13 regarding halibut management.

14

15 The North Pacific Fishery Management  
16 Council will be considering increasing the allocation  
17 of halibut to the charter industry at their March 29th  
18 meeting. We would like you all consider submitting a  
19 letter to the council expressing concerns regarding  
20 localized depletion and the impacts on subsistence  
21 users if charter harvest is increased. The charter  
22 harvest tends to be more localized near communities,  
23 and over the past couple years we've seen reduction in  
24 the halibut stock, the commercial quota is down, I  
25 believe 48 percent over the past two years in Area 2C.  
26 Not only does the commercial fleet show a decline in  
27 catch per unit effort, the halibut survey longline  
28 vessel shows that decline and the local charter  
29 industry here has shown a 55 percent decline in their  
30 catch per hook effort so we have some serious issues  
31 with declining stocks.

32

33 And we feel that reallocating the  
34 resource to the charter industry is likely to  
35 significantly impact subsistence opportunities in this  
36 area.

37

38 Comments are due to the council by the  
39 close of business on March 26th. So I know you have a  
40 lot of deer issues to discuss so I don't want to take  
41 up a lot of time but I wanted to put that in front of  
42 you.

43

44 So, thank you.

45

46 CHAIRMAN ADAMS: Well, thank you for  
47 coming here and thank Linda for bringing that to our  
48 attention. I think we can look into that and see how  
49 we can play a part in that but appreciate you being  
50 here.

1 Any questions by anyone.

2

3 (No comments)

4

5 CHAIRMAN ADAMS: Thank you.

6

7 MS. O'CONNELL: And if you need  
8 details, I'll be happy to provide you with numbers, I  
9 just didn't bring them because I didn't know I was  
10 going to be down here.

11

12 MR. KOOKESH: I have a question.

13

14 CHAIRMAN ADAMS: Floyd has a question.

15

16 MR. KOOKESH: I'm a charter boat  
17 operator, chartering out of Angoon. Last year we were  
18 asked to get one halibut longer than 32 and one not  
19 longer than 32 inch, yeah, one was supposed to be small  
20 and being in the charter business a lot of our clients  
21 had a hard time and didn't think -- and a lot of us  
22 believed, too, not only in the -- not only of our  
23 clients -- but happen to believe that killing what we  
24 consider ping pong paddles is wrong, that if you allow  
25 a stock to get larger, you'll have more of a product.  
26 So I was wondering on what you just dialogued to us,  
27 what is your position on us -- on the charter fleet  
28 taking less than 32 inch -- because I don't know what  
29 the science behind it is, or the logic, also, but I was  
30 curious.

31

32 MS. O'CONNELL: I can maybe answer that  
33 as a biologist, I used to -- according to the IPHC, I  
34 mean I think that regulation surprised a lot of people  
35 and there is a -- you know the commercial fleet has a  
36 size limit and that was actually a marketing limit, it  
37 wasn't so much put in place to be a biological limit  
38 but most of us innately feel like you shouldn't be  
39 taking babies, you should wait to they have a chance to  
40 reproduce. What the Halibut Commission is saying is  
41 that right now there are a lot of very small fish and  
42 because of the change in growth rates, a lot of the  
43 male fish never get to be a commercially harvested size  
44 so my understanding is they feel that's not going to  
45 impact the stock and it might actually help the stock  
46 because right now a lot of those young fish are being  
47 released and there's release mortality associated with  
48 that release and because a lot of those young fish are  
49 males they're not going to be taken even as mature  
50 fish. So that is their logic. And they've done quite

1 a few studies on it.

2

3 I don't think -- certainly the  
4 commercial fleet didn't advocate for a small fish bag  
5 limit, that was just something that the Federal  
6 government came up with as a solution to the poundage  
7 issue for the charter fleet.

8

9 CHAIRMAN ADAMS: Follow up there Floyd.

10

11 MR. KOOKESH: And maybe not necessarily  
12 in defense of the charter fleet but speaking as a  
13 charter boat operator and working for what I consider a  
14 first class lodge we've made it a point to encourage  
15 our clientele not to be taking large halibut, that we  
16 allow halibut 150 pounds and over to be let go because  
17 we -- well, there is a quality issue and for those  
18 clients that we've had that are so proud of their 200  
19 pounders that came back the next year and said I don't  
20 want a 200 pounder anymore, that was the worst fish I  
21 ever had. But the standard is being set and hopefully  
22 somebody would start setting standards about exceeding  
23 150 pound and also taking ping pong paddles, I mean  
24 there's got to be a middle ground and I'm just hoping  
25 that we can get there.

26

27 MS. O'CONNELL: Okay, thanks for that.  
28 I would really recommend that participation in the  
29 Halibut Commission meetings. I don't think necessarily  
30 very many charter operators -- lately we have seen more  
31 charter operators at the IPHC meeting, it's a very  
32 informative meeting. It's a very good place to  
33 interact with the biologists about your concern  
34 specifically to that. And this fall the commercial  
35 fleet asked that the Halibut Commission hold a special  
36 meeting this fall to discuss survey apportionment,  
37 which affects the quotas that come into the -- which  
38 also affects the charter quotas for each area but also  
39 movement and migration as a biological issue, you know,  
40 how the small fish are moving in. But I would really  
41 -- you know the IPHC is really accessible and I think  
42 you could set up a meeting with them or plan to send  
43 somebody to attend their meetings because they're  
44 pretty responsive, I think.

45

46 MR. KOOKESH: I might as well go again.  
47 There is one -- you know I've never been involved in  
48 derbies, but there is the common practice of having a  
49 derby to catch the biggest halibut and it doesn't serve  
50 -- it's not great food but we just continue to see all

1 these derbies, always encouraging the taking of large  
2 halibut. We really want to address this issue in the  
3 right way and I don't know if they'll ever get to  
4 addressing it, I don't think people will be very happy  
5 about losing their salmon derbies.

6

7 MS. O'CONNELL: If I could make a  
8 suggestion. It is very straightforward to write a  
9 proposal to the IPHC, their proposals are due, I  
10 believe -- I can call you, I think it's in the middle  
11 of December, they meet for a staff meeting in November  
12 and then they take up issues at their January meeting  
13 and that's exactly the type of proposal that they would  
14 discuss and act on at that meeting. For instance this  
15 year there was a proposal about tagging by non-IPHC  
16 sanctioned entities and there was gear types and so  
17 size limit for derbies, that type of thing would be  
18 discussed at that meeting and I could facilitate that  
19 if you'd like.

20

21 CHAIRMAN ADAMS: Sure. Any other  
22 questions. Mr. Douville and then Harvey.

23

24 MR. DOUVILLE: I wasn't aware of those  
25 numbers on sportfish decline per hook effort or  
26 whatever you -- I would like to look at those, I'm a  
27 commercial fisherman myself, subsistence fish and it's  
28 -- we find in the last few years we've been targeting  
29 bigger fish and so we wind up fishing in different  
30 areas where they're at using more hooks and that's part  
31 of the less catch per hook because the price is so much  
32 better for the big fish but in any case I would like to  
33 see the numbers and if you have those available.

34

35 MS. O'CONNELL: I don't have them with  
36 me but I can certainly email them to the group. I've  
37 gotten them from the Alaska Department of Fish and Game  
38 Sportfish group, they give those numbers to the Halibut  
39 Commission.

40

41 CHAIRMAN ADAMS: Next.

42

43 MR. KITKA: Thank you, Mr. Chair.  
44 Harvey Kitka here. I just -- I know a few years back  
45 we asked -- well, we didn't ask but we -- our former  
46 Chairman asked that we try to get a seat on either the  
47 North Pacific or on that other council so that we could  
48 have more of a say on the subsistence issues and I  
49 don't know if there's any possible venue to get aboard  
50 that.

1 MS. O'CONNELL: The North Pacific  
2 Fishery Management Council, they do have open seats  
3 from time to time. I think the Washington seat is  
4 becoming open and that, of course, is an appointment  
5 that's recommended through the Governor, so the -- the  
6 Halibut Commission has a processor advisory panel and a  
7 commercial or it's usually the user group advisory  
8 panel, and you could certainly get a seat on that very  
9 easily by submitting your name to Bob Alverson and  
10 requesting a seat and that's a voting seat. It's not  
11 actually a commissioner seat, however, it's a body that  
12 recommends to the Halibut Commission.

13

14 CHAIRMAN ADAMS: Okay. So how does  
15 one, you know, apply to become a part of that process?

16

17 MS. O'CONNELL: You just submit a  
18 letter to Bruce Layman and a copy to Bob Alverson at  
19 Fishing Vessel Owners Association because he's the U.S.  
20 Chair of that committee and they would add you to the  
21 list of the conference board and I can supply those  
22 addresses if you would like.

23

24 CHAIRMAN ADAMS: Sure. Why don't you  
25 give those addresses to Bob when you have a minute or  
26 two.

27

28 MS. O'CONNELL: Okay, be happy to.

29

30 CHAIRMAN ADAMS: Any other questions,  
31 anyone.

32

33 (No comments)

34

35 CHAIRMAN ADAMS: Thank you for coming,  
36 appreciate it.

37

38 MS. O'CONNELL: Thank you, for giving  
39 me the time.

40

41 CHAIRMAN ADAMS: Uh-huh. Okay, I want  
42 to take an opportunity and then we're going to listen  
43 here to a couple other testimonies but -- yes.

44

45 MR. BANGS: Thank you, Mr. Chairman.  
46 With regards to a letter in support of not raising the  
47 sport catch, would that be appropriate to make a move  
48 and maybe have a letter drawn up later today or  
49 something that we could submit or is the Council  
50 interested in doing something like that?

1 CHAIRMAN ADAMS: Well, maybe that's  
2 worth discussing. Would it be appropriate for us to do  
3 that, I think it would be. I think we had a little  
4 issue here a few years ago about the Council writing  
5 letters, you know, in support of this and that and  
6 maybe Steve Kessler can come down and answer that  
7 question for us, if you would, or Larry Buklis, if he's  
8 still here, Larry.

9  
10 MR. KESSLER: Thank you, Mr. Chairman.  
11 Steve Kessler. Could you ask me the specific question.

12  
13 CHAIRMAN ADAMS: Okay. She.....

14  
15 MR. LARSON: Tori.

16  
17 CHAIRMAN ADAMS: Ms. Tori wanted to  
18 know if we could do a letter of support, you know, for  
19 the reduction of the halibut. There's a proposal  
20 coming through the IPHC that they want to increase it  
21 and she doesn't think it's a good idea, and if the  
22 Council feels that way, is there some way that we can  
23 influence that in any way?

24  
25 MR. KESSLER: I would have to check  
26 with Larry Buklis, but as I remember the correspondence  
27 policy, I don't believe that that would be a problem at  
28 all. I think that it would need to have a review  
29 through the Office of Subsistence Management but that's  
30 okay. There are certain types of letters which are  
31 inappropriate to -- I think elected officials -- I  
32 think Larry remembers the policy better than I do.

33  
34 MR. BUKLIS: No, this is good, you're  
35 right.

36  
37 MR. KESSLER: He says I'm correct. So  
38 I don't see any problem with writing such a letter, it  
39 just would have to go through a review process.

40  
41 There are only certain types of letters  
42 that don't need to be reviewed, for instance, letters  
43 that go to the Federal Subsistence Board, those letters  
44 would not need to be reviewed, but to most outside  
45 parties we ask for review of those and Office of  
46 Subsistence Management has made a very quick turnaround  
47 on those types of letters.

48  
49 CHAIRMAN ADAMS: Okay, it looks like we  
50 can do it so Mr. Larson, I guess you can draft one up

1 and.....

2

3 MR. KOOKESH: Question.

4

5 CHAIRMAN ADAMS: .....slip it through  
6 the process.

7

8 MR. LARSON: Mr. Chairman. I would  
9 need some direction on what this letter would contain.

10

11 CHAIRMAN ADAMS: I'll have you get  
12 together with Ms. O'Connell and see what she would like  
13 to address to address it, and then yeah come on down  
14 John -- do you have a question.

15

16 MR. LARSON: I just have one thing that  
17 I'm not clear on, if there is -- I do not have a sense  
18 of the will of the Council, I'd like to have some  
19 discussion regarding exactly what is it that this  
20 letter should contain.

21

22 CHAIRMAN ADAMS: Okay. I'll take  
23 Floyd's question and then we'll probably bring that up  
24 as a matter of discussion. So, Floyd, did you have a  
25 question.

26

27 MR. KOOKESH: Well, prior to discussion  
28 I'd like to hear Mr. Littlefield's comments.

29

30 CHAIRMAN ADAMS: I would like to hear  
31 Mr. Littlefield's comments, too.

32

33 MR. LITTLEFIELD: Thank you, Mr. Chair.  
34 Previously we did -- I -- not we but the Regional  
35 Advisory Council did submit a letter in support of  
36 halibut subsistence when that came up several years ago  
37 and that was appropriate. What you've been asked to do  
38 today by Ms. O'Connell is to submit a letter in support  
39 of the sport charter cap. Personally, I'm probably in  
40 favor of the cap being lower for everybody. But let me  
41 talk about what your mission is first and that's to  
42 protect the rural users.

43

44 If I can use this cup as an analogy and  
45 you fill it up with the total allowable catch of  
46 halibut that's allowed every year, approximately three-  
47 quarters of the cup is filled with the commercial catch  
48 and the other quarter of the cup is filled with the  
49 sport catch and the very bottom, right here, is the  
50 subsistence catch and that's what you should be worried

1 about. What you're doing, if you write a letter in  
2 support of this, is getting involved in allocation  
3 issues and I don't believe that's something that the  
4 Council needs to do, they need to address subsistence  
5 issues and always remain in support of subsistence.  
6 Because the North Pacific Fisheries Management Council  
7 uses the determinations that have been made on what  
8 communities have the ability to harvest halibut under  
9 their subsistence regs. For instance Sitka, by  
10 remaining rural, is allowed to take halibut under that  
11 program. Had they not been rural they wouldn't be able  
12 to do it. And those are the types of activities that  
13 you should definitely be involved in, protecting rural  
14 residents. Getting involved in allocation issue is, I  
15 think, outside the purview and unwise for the Council  
16 to go forward with.

17

18 So I heard the coordinator say he  
19 didn't have the will of the Council, didn't know how to  
20 write that letter, I would urge that you not write that  
21 letter because it isn't something that I think the  
22 Council should get involved in, is allocation, and I  
23 think Mr. Miller might have some other comments on  
24 this. We've been following this halibut subsistence  
25 since it started and I think it's something you should  
26 stay out of, other than as the broad sense we did,  
27 supporting the program.

28

29 CHAIRMAN ADAMS: Mr. Miller you have a  
30 comment.

31

32 MR. MILLER: Yes, Mr. Chair, thank you.  
33 I wasn't really prepared for this, I didn't expect it  
34 to come up.

35

36 Again, Mike Miller. And I've  
37 represented the Sitka Tribe, along with Harvey in  
38 working through some of the regulations that came down  
39 in the halibut subsistence fishery with the North  
40 Pacific Council. We worked and still continue to be a  
41 representative with the Alaska Native Halibut  
42 Subsistence Working Group that advised the North  
43 Pacific Council and the International Halibut  
44 Commission on issues related to subsistence and I have  
45 to agree with what Mr. Littlefield, who also has worked  
46 on this at length.

47

48 We really had to fight to get to where  
49 we're at. We had to fight against even the commercial  
50 sector that's offering to protect us at this stage.

1 And while I don't have anything against that or against  
2 the charter, realize that there are issues that are out  
3 there, but I think just echoing what Mr. Littlefield  
4 said, I think first and foremost this organization  
5 needs to focus on subsistence and we see the  
6 divisiveness of this issue in the communities and I  
7 just don't know if that's wise to start down that road  
8 from this Board with such little testimony. I think it  
9 would be -- if the issue was really brought up you'd  
10 have hundreds of people on each side coming here, so I  
11 don't know if that's, at this time, advisable for you.

12

13 CHAIRMAN ADAMS: Mr. Douville.

14

15 MR. DOUVILLE: I have not seen the  
16 proposal so without seeing that it's hard for me to  
17 judge what it's doing. Taking your word for it, I  
18 agree with you. The only thing that may be of some  
19 concern would be if this proposal is impacting the  
20 subsistence portion of allocation.

21

22 CHAIRMAN ADAMS: That was maybe the  
23 thought that I was going to bring up, too, but Mr.  
24 Bangs, why don't you enter in here, too.

25

26 MR. BANGS: Thank you, Mr. Chairman.  
27 I'm of the way of thinking that this could be a  
28 conservation concern from the testimony we heard and as  
29 well as Mr. Douville said, this could be something that  
30 we could express concerns about, just the conservation  
31 of the halibut for subsistence uses, without getting  
32 into the details of a proposal to do anything. You  
33 know if we're talking about increasing in the catch in  
34 any commercial sector, whether it's charter or the  
35 commercial catch, I would think that we could, at  
36 least, express our concerns of conservation.

37

38 Thank you.

39

40 CHAIRMAN ADAMS: Do you have a  
41 response, Mr. Littlefield.

42

43 MR. LITTLEFIELD: Thank you, Mr. Chair.  
44 Mr. Bangs, I agree, that conservation is something that  
45 this Council needs to be concerned about.

46

47 One of the dangers of reducing the  
48 total allowable catch, in other words, what was in the  
49 cup before is it's now gone down to, I think there's a  
50 total of 41 percent or something reduction in the

1 commercial allocation and likewise I think they're  
2 below a million or something on the projected -- for  
3 the guideline harvest level for this year, and those  
4 figures are just off the top of my head.

5  
6 But what that has done, the danger I  
7 see in that and something that may be appropriate in  
8 the letter is years ago when we were testifying before  
9 the North Pacific Fishery Management Council, the  
10 subsistence catch was estimated at one to two percent,  
11 and what's -- and the Council said that they would  
12 revisit it if it became a problem, in other words, if  
13 it became five percent of the fishery, so I do not  
14 suspect that halibut subsistence amounts are going to  
15 change. They've been relatively stable by the SHARK  
16 reports and surveys. But what's going to happen is if  
17 the pie was only -- you know cut was only half filled  
18 and we still took the same amount of subsistence we're  
19 going to be getting up to the two to four percent. I  
20 would not like the North Pacific Fishery Management  
21 Council to take some action to reduce the existing  
22 subsistence. So I think that that's a valid concern  
23 that, the conservation concerns, while there's some  
24 that have been brought forward by the Council should  
25 not affect subsistence, and I think that's an  
26 appropriate letter, that you'd like to maintain  
27 subsistence at its current harvest levels. They've got  
28 pretty good records. They've been doing these surveys.  
29 There's another one out now, I just filled one out the  
30 other day. I want to continue to support the people  
31 that catch the fish that they've been doing the last  
32 few years and not trigger something that the North  
33 Pacific Fishery Management Council says, well, gosh,  
34 you guys are now four percent we're going to review the  
35 whole subsistence program. That's a possible danger.

36  
37 That's an appropriate letter from you,  
38 saying your in support of maintaining subsistence but,  
39 again, I think you should stay out of allocation issues  
40 and that's mostly where I'm coming from.

41  
42 CHAIRMAN ADAMS: Thank you, John.

43  
44 MR. KOOKESH: I have something.

45  
46 CHAIRMAN ADAMS: I saw his hand first,  
47 but.....

48  
49 MR. KOOKESH: I deferred earlier to Mr.  
50 Littlefield.

1 CHAIRMAN ADAMS: You did, so you're  
2 taking it back again, okay, go ahead and then Mr.  
3 Douville and then I think Bob would like to say  
4 something.

5  
6 MR. KOOKESH: I agree there's an issue  
7 there but I had a problem about us addressing it in the  
8 subsistence arena that we're in. I've never heard that  
9 there was a conservation concern also in subsistence so  
10 I don't feel we need to go there either. There's good  
11 to address that there's a conservation -- that --  
12 that's some of our big terminology but there is no  
13 conservation concern in the halibut. But like Mr.  
14 Littlefield said, you know, supporting the current  
15 harvest levels, that kind of -- I can support that.  
16 But I do know that from my years of being in the  
17 charter business, I will say that from watching the  
18 commercial flexing to the sport that someone's, to me,  
19 playing with the economics of the halibut price and my  
20 discussion with clients is if they're going to cut you  
21 back don't buy from them. That -- that's the only  
22 logic to give somebody, they say why are we going down  
23 to one halibut, because the commercial feels that  
24 you're taking their fish but that doesn't mean you have  
25 to buy their product either. You can -- it works both  
26 ways, the international can't be dictating the  
27 economics of the fishery and that's what I see.

28  
29 But I really believe that we need to  
30 just stick to our subsistence part and not get into  
31 that.

32  
33 CHAIRMAN ADAMS: Mr. Littlefield did  
34 you want to respond to what Mr. Kookesh has, because we  
35 have a couple other people here who want to make a  
36 comment, too, if it's in regards to what he is  
37 addressing, I'll allow it.

38  
39 MR. LITTLEFIELD: Thank you, Mr.  
40 Chairman. The comment was a conservation concern. And  
41 I think that's why you're seeing that the total  
42 allowable catch has been decreasing for the last two  
43 years for the commercial men because the new models  
44 that they have there is a conservation concern, and if  
45 you look at the IPC records, the catch per unit effort,  
46 as Mr. Douville said, is going down, the average weight  
47 of a halibut landed for the last 30 years has been  
48 going on a downhill trend, which means the spawners.  
49 So there is some conservation concerns that are  
50 triggering these actions, they're just not willy-nilly

1 taken 20 percent one year and 27 or whatever the next  
2 year, so conservation is a part of it, but subsistence  
3 at its such low value is not the problem. So there are  
4 some conservation concerns.

5

6 CHAIRMAN ADAMS: Mr. Douville.

7

8 MR. DOUVILLE: I agree that our focus  
9 should be subsistence, and I don't believe that this  
10 Council should be involved in any way in any political  
11 apportion of halibut allocation. You have the  
12 opportunity to do that as individuals if you so choose.

13

14 CHAIRMAN ADAMS: Mr. Larson, would you  
15 have something to add on to this.

16

17 MR. LARSON: Yeah, Mr. Chairman, I  
18 believe that I do. But first of all I would caution  
19 you that the issue before the North Pacific Fishery --  
20 or the International Pacific Halibut Commission is a  
21 reallocation between two gear groups, none of which is  
22 the responsibility or authority of this body. And if  
23 we were to enter that discussion, taking sides between  
24 those two gear groups, I would guess that there would  
25 be lots of discussion and people crowding the door.

26

27 None of the discussions that I'm aware  
28 of concern changing or addressing the subsistence  
29 harvest. So that's -- if, in fact, you are concerned  
30 about allocations, I would guess that's more of a  
31 personal issue in your case, as long as we're not  
32 talking about subsistence.

33

34 The other is that the International  
35 Pacific Halibut Commission is the body charged with  
36 conservation of the halibut resource. They have a very  
37 good and long track record in that regard.

38

39 So that is my caution.

40

41 CHAIRMAN ADAMS: Any other comments  
42 from.....

43

44 MS. O'CONNELL: Do I have to clarify  
45 myself.....

46

47 CHAIRMAN ADAMS: anyone.....

48

49 MS. O'CONNELL: .....for what I asked  
50 for. Can I clarify what I think.....

1 REPORTER: Wait.  
2  
3 MS. O'CONNELL: .....that I asked for  
4 when I.....  
5  
6 REPORTER: Wait. Wait. You need  
7 to.....  
8  
9 MS. O'CONNELL: .....when I was  
10 asking.....  
11  
12 REPORTER: Wait, please, wait just.....  
13  
14 MS. O'CONNELL: What I was asking for  
15 is.....  
16  
17 MR. MILLER: Are we done, Mr. Chair?  
18  
19 MS. O'CONNELL: I want to -- can I.....  
20  
21 REPORTER: Wait a second. Wait a  
22 second, hold on.  
23  
24 MS. O'CONNELL: .....I just don't want  
25 to -- I just don't want them.....  
26  
27 REPORTER: Wait. Wait.....  
28  
29 MS. O'CONNELL: But I want.....  
30  
31 REPORTER: .....wait, you have to wait  
32 a second and let him.....  
33  
34 MS. O'CONNELL: I'm sorry.  
35  
36 REPORTER: Okay, thank you.  
37  
38 MS. O'CONNELL: All right.  
39  
40 REPORTER: All right, go ahead.  
41  
42 CHAIRMAN ADAMS: Thank you, Tina. See,  
43 we're not done with these people here yet, so, okay.  
44  
45 MS. O'CONNELL: Okay. Yes.  
46  
47 CHAIRMAN ADAMS: Mike, were you going  
48 to say something and then John.  
49  
50 MR. MILLER: I just wasn't quite sure

1 if we were getting shooshed out of here or not. I'll  
2 just continue with questions, I guess, I do have at  
3 least one closing remark.

4

5 CHAIRMAN ADAMS: Okay.

6

7 MR. LITTLEFIELD: Thank you, Mr. Chair.  
8 This is in response to Mr. Larson's comment. I agree  
9 with this allocation issues are not something that you  
10 should be involved in. I just -- I know that they said  
11 they were going to revisit this if it became a higher  
12 percentage so that's something that I think that the  
13 Council could definitely go on record saying that we  
14 support the current harvest levels of subsistence,  
15 something like that.

16

17 And another thing you talked about, in  
18 allocation, this Council represents all of the rural  
19 communities of Southeast Alaska as this board, this  
20 diverse board shows, you have rural users who are on  
21 both sides of this. You have some that are charter  
22 captains and make their living off it. You have some  
23 that are commercial halibut fishermen. And it's not a  
24 fight that this Council should be getting involved in  
25 because I think it would be, as Mr. Larson alludes to,  
26 probably a lot of discussion going on if you took that  
27 action.

28

29 CHAIRMAN ADAMS: Thank you. So what do  
30 you think, Council members, do you want to draft a  
31 letter or do you want to not fool with it.

32

33 MR. BANGS: Thank you, Mr. Chairman.  
34 The reason that I felt that we might consider drafting  
35 a letter of concern, not necessarily have anything to  
36 do with the allocation issue before us or what was  
37 presented to us, but at every meeting in the last few  
38 years, we've had Council members and members of the  
39 public say that it's getting more and more difficult  
40 for them to catch their subsistence halibut and with  
41 that coming to us every meeting, I just thought that if  
42 the Council wished to express their concerns or maybe  
43 it would be something we would do on an individual  
44 basis, but it is something that keeps coming back  
45 before us, so that's all I have.

46

47 Thanks.

48

49 CHAIRMAN ADAMS: Okay. Anyone else.

50

1 MR. KOOKESH: The lady was coming from  
2 the audience and.....

3  
4 CHAIRMAN ADAMS: I know. Mike.

5  
6 MR. DOUVILLE: Thank you, Mr. Chairman.  
7 As I said before unless it directly involves  
8 subsistence which it hasn't been shown that there is  
9 any issue that concerns subsistence in what we've been  
10 discussing that I would not support going there.

11  
12 CHAIRMAN ADAMS: Mr. Littlefield.

13  
14 MR. LITTLEFIELD: Thank you, Mr. Chair.  
15 My own personal thoughts are now -- you have authority  
16 to look over the Makhnati Island submerged lands area,  
17 and there are halibut in there. Years ago when that  
18 halibut subsistence came up, the halibut subsistence  
19 EIA came out, I noticed there was a statement in there  
20 by the Commission that said there were several areas in  
21 Alaska where they did not have authority to manage the  
22 halibut fishery. Some of those areas were in the  
23 northern area where they have the boundaries from  
24 headland to headland and some other areas and they said  
25 those were the purview of the Federal Subsistence  
26 Board. I think that rationale also applies to the  
27 Makhnati Island. So there are no proposals written yet  
28 but it's possible that you could allow some fishery to  
29 occur there.

30  
31 When I was a young man right next to  
32 that black rock and in that area in there and right off  
33 Battery Island, we used to set our old two hooks on a  
34 -- two hooks on an alder stick and an old five gallon  
35 metal bucket that kerosine came in, that's where we  
36 jigged, right inside those waters, so there may be some  
37 point where you become involved in the halibut  
38 subsistence program because you do have submerged lands  
39 that you can do that in. But right now on one's  
40 written a proposal on it. I would just like to say for  
41 the record I believe you have the authority if someone  
42 were to write a proposal to regulate or in some way  
43 allocate halibut to subsistence users in that area I  
44 think that would be appropriate.

45  
46 CHAIRMAN ADAMS: Well, we're not trying  
47 to do anything to regulate the subsistence take, I  
48 think we're concerned about the amount and size of  
49 halibut that are coming from the other user groups.  
50 And I really agree with you, John, that, you know, that

1 we shouldn't be involved in allocation issues but it  
2 does involve subsistence in that little bottom of the  
3 cup that you indicated was subsistence, you know, it  
4 does affect us. And I'm sure that -- I'm not fully  
5 convinced that we should do the letter, but if we do  
6 that it has to be really carefully crafted, you know,  
7 so that it doesn't get into the allocation issue but  
8 addresses the subsistence part of it.

9

10 And, you know, I'm concerned also that  
11 maybe the letter won't be strong enough to get  
12 attention, if it goes in that direction. But, anyhow,  
13 that's how I feel about it.

14

15 But anyway Mr. Douville did you have  
16 something to say or someone over here have a comment.

17

18 (No comments)

19

20 CHAIRMAN ADAMS: Nope, well, thank you.  
21 Thank you for coming down -- oh, Mike it was you.

22

23 MR. MILLER: One of the Mike's over  
24 here, right.

25

26 CHAIRMAN ADAMS: I'm afraid I'm going  
27 to get fined another \$5 here.

28

29 (Laughter)

30

31 MR. MILLER: Mr. Chairman. Yeah, I  
32 just want to echo what John said here so far and agree  
33 with Mike, that, you know, there is the mechanism at  
34 the North Pacific Council to talk about subsistence,  
35 they review it each year, we do give a report there,  
36 typically in December every year at the Anchorage  
37 meeting. I do believe that there is cause for concern,  
38 conservation wise, it's coming anyway. So I'd be kind  
39 of mixed on that.

40

41 What I'd really be afraid of, though,  
42 is that I don't think there's any way at this point,  
43 with the information that's before you, you could write  
44 a letter and not have it be taken as an allocation or  
45 an attempt at recommending one form of allocation over  
46 another. And, again, I think the backlash, at this  
47 stage, not worth the -- what you'd get out of it. So  
48 I'm glad that you guys are really interested in looking  
49 at that but I just don't think that's the right action  
50 right now.

1 CHAIRMAN ADAMS: John.

2

3 MR. LITTLEFIELD: Thank you, Mr. Chair.

4 I don't believe, as Mike said, we weren't prepared to  
5 come down here at all, we thought this was just being  
6 an informational report from Tori, but she did ask for  
7 support and so we figured we had to come down here.  
8 And you mentioned something about the size that I  
9 wanted to respond to because as a conservation concern  
10 that's one of the actions they've taken, to keep the  
11 guideline harvest under -- well, 32 inches is  
12 meaningless. It really has no bearing biologically, but  
13 Tori's a biologist, I'll let her address this, but the  
14 old 32 inch limit came about because the processors  
15 couldn't make a useable fillet out of these 12 inch  
16 fish. Personally, I would say the charter people  
17 should catch two 12 [sic] inch fish a day and that  
18 would be good, because that's what's happening, the  
19 older spawners are disappearing and that's why your  
20 average weight is going down.

21

22 So the 32 inch one, I wouldn't get too  
23 hung up on that, the ping pong paddles and there's a  
24 lot more of those little fellows running around and if  
25 they catch those and get those for their two a day,  
26 that increases the amount of halibut as far as I'm  
27 concerned. Because if they catch a 200 pound female  
28 they've really taken a big whack at the fishery.

29

30 CHAIRMAN ADAMS: Mr. Kookesh.

31

32 MR. KOOKESH: I didn't want to go there  
33 but we might as well, if we're going to.....

34

35 CHAIRMAN ADAMS: By the way, Mr.  
36 Kookesh, when you talk to me, would you turn on the  
37 other microphone and speak to me directly.

38

39 MR. KOOKESH: Sorry about that.

40

41 (Laughter)

42

43 CHAIRMAN ADAMS: Tina hasn't taken that  
44 extra microphone away yet.

45

46 (Laughter)

47

48 MR. KOOKESH: Sorry about that.

49

50 (Laughter)

1 MR. KOOKESH: I didn't really want to  
2 go there but I've been watching this fishery for years  
3 and if we're going to go down to this ping pong size  
4 species, this little ping pong paddle, we might as well  
5 have a Bambi season, you know, we might as well have a  
6 Bambi season, probably right after they're born or  
7 something, that's -- that's the way I'm looking at  
8 this.

9  
10 MR. LITTLEFIELD: In their dens.

11  
12 MR. KOOKESH: Yeah.

13  
14 CHAIRMAN ADAMS: In their dens.

15  
16 (Laughter)

17  
18 CHAIRMAN ADAMS: Yeah, in their dens.  
19 Okay, well, you know, I think we've belabored this  
20 enough I would like to know what the Council feels  
21 about this, so, Mr. Douville would you go ahead.

22  
23 MR. DOUVILLE: Thank you, Mr. Chair. I  
24 already made my voice clear about how I feel about it.  
25 But going to numbers, subsistence has been relatively  
26 stable, X percent, and one of the things you mentioned,  
27 if they see that this percent going up -- but being  
28 that we have a reduced quota, certainly that's going to  
29 show a higher percent even though the catch rate is not  
30 any higher. And I just thought I'd mention that,  
31 probably for no good reason.

32  
33 CHAIRMAN ADAMS: John and Mike,  
34 gunalcheesh.

35  
36 MR. KOOKESH: That lady would like to  
37 talk now.

38  
39 MR. LITTLEFIELD: Gunalcheesh, thank  
40 you for the time.

41  
42 CHAIRMAN ADAMS: Uh-huh.

43  
44 MR. KOOKESH: That lady would like to  
45 talk now.

46  
47 MR. MILLER: Thank you, Mr. Chair.

48  
49 CHAIRMAN ADAMS: Okay, Tori, you have  
50 an opportunity now. Sorry, I was rude to you and had

1 to have Tina.....

2

3 MS. O'CONNELL: I apologize for my.....

4

5 CHAIRMAN ADAMS: .....have you stop, we  
6 were in the middle of.....

7

8 MS. O'CONNELL: No, no, I was rude, I  
9 just felt like it was getting -- I didn't want  
10 everybody to -- I must have misspoken because clearly  
11 the longliners are worried about the reallocation, what  
12 I came here to request today, which I must not have  
13 been clear about, was that this Council address the  
14 North Pacific Council to seriously consider the  
15 subsistence issue in any reallocation they do. So I'm  
16 not asking you to take a side on allocation and I  
17 wanted to make that clear and I don't think I did in my  
18 testimony. So it wasn't my intent to say you guys  
19 should support the commercial users over the charter  
20 users, but that subsistence in Southeast is going to be  
21 affected by whatever the Council does.

22

23 CHAIRMAN ADAMS: Great. I think that's  
24 pretty much in line with what John Littlefield and Mike  
25 Miller were at the table -- who were at the table  
26 before you, were about, too, so, again, you know, it's  
27 an individual thing, you can go and testify on your  
28 organization's behalf. I think Mike Miller said the  
29 same thing. And maybe that would be a good approach as  
30 well. But I think if we're going to draft a letter  
31 it's going to have to be, as you just outlined to us,  
32 clarified and deal with subsistence only and not get  
33 into the allocation part of it.

34

35 MS. O'CONNELL: And that was my intent,  
36 I'm sorry for that.

37

38 CHAIRMAN ADAMS: Okay.

39

40 MS. O'CONNELL: Thank you.

41

42 CHAIRMAN ADAMS: All right, so would it  
43 be okay if the Council authorized a letter to that  
44 effect and not get into the allocation part.

45

46 MR. KOOKESH: No.

47

48 CHAIRMAN ADAMS: Okay, Mr. Douville and  
49 then Harvey.

50

1 (Laughter)  
2  
3 CHAIRMAN ADAMS: Mr. Douville. Geez,  
4 another \$5 is going to go into that thing up there.  
5  
6 (Laughter)  
7  
8 CHAIRMAN ADAMS: Yes, you.  
9  
10 (Laughter)  
11  
12 MR. HERNANDEZ: Thank you, Mr.  
13 Chairman. Just point, it's easier that way.  
14  
15 (Laughter)  
16  
17 MR. HERNANDEZ: I guess given all the  
18 testimony we hear, you know, meeting after meeting  
19 about the, you know, impacts of the sport charter  
20 fishing has on the subsistence fishing, it does seem  
21 that the sport and charter fishing has a greater impact  
22 on the subsistence users because of the fact of where  
23 it takes place, you know, it tends to take place in the  
24 same areas that subsistence fishing takes place. It's  
25 a greater impact due to the local depletions that we  
26 all see and we all hear about, you know, meeting after  
27 meeting so if we could craft a letter that would  
28 address those impacts to subsistence by that segment of  
29 the catch, I would support such a letter if we thought  
30 we could do it carefully without talking about the  
31 greater allocation issues. But I don't know if that's  
32 possible.  
33  
34 CHAIRMAN ADAMS: Anyone else.  
35  
36 Harvey.  
37  
38 MR. KITKA: Thank you, Mr. Chair. I  
39 guess everyone spoke about it up to a point. At this  
40 point I don't think I would even want to see a letter  
41 written.  
42  
43 Thank you.  
44  
45 CHAIRMAN ADAMS: What was your name  
46 again?  
47  
48 (Laughter)  
49  
50 MR. HERNANDEZ: Just point.

1 (Laughter)  
2  
3 MR. HERNANDEZ: Mr. Chairman. Maybe  
4 just to end the -- maybe to just settle it all, I'll  
5 make a motion that the Council draft a letter to the  
6 North Pacific Council expressing our concerns with the  
7 increase in bag limit to charter halibut fishing and,  
8 you know, if we have a vote on it we can settle it  
9 maybe right now so I'll make such a motion.  
10  
11 MR. STOKES: I'll second it.  
12  
13 CHAIRMAN ADAMS: So what you're doing  
14 then is you're asking the Council to get into an  
15 allocation issue.  
16  
17 MR. HERNANDEZ: I'm asking that the  
18 Council be able to express their opinions on the impact  
19 to the charter -- increases to the charter fishery on  
20 subsistence users.  
21  
22 CHAIRMAN ADAMS: Okay. Any further  
23 discussion.  
24  
25 (No comments)  
26  
27 CHAIRMAN ADAMS: Okay, hearing  
28 none.....  
29  
30 MR. KOOKESH: Over.....  
31  
32 CHAIRMAN ADAMS: .....I think we can --  
33 pardon?  
34  
35 MR. KOOKESH: Mr. Bangs.  
36  
37 CHAIRMAN ADAMS: Mr. Bangs.  
38  
39 MR. BANGS: Thank you.  
40  
41 CHAIRMAN ADAMS: Thanks for helping me  
42 out with the name.  
43  
44 MR. BANGS: I would agree with Mr.  
45 Hernandez as far as a letter, but I don't feel  
46 comfortable with the Council getting into it. I would  
47 suggest that, as individuals, if we feel that way, it  
48 would be a good thing to write a letter yourself as a  
49 subsistence user and that's -- I don't know, I agree  
50 with what he's saying, but after listening to everyone,

1 I don't think the Council should go there.

2

3 Thank you.

4

5 CHAIRMAN ADAMS: Okay. Mr. Douville.

6

7 MR. DOUVILLE: So what I'm gathering,  
8 this is not a reduction from what we have now. I mean  
9 we've already -- the quota's been cut, period. This is  
10 an issue between sport and commercial on allocation. It  
11 has nothing to do with subsistence, and I would have to  
12 vote against your motion.

13

14 CHAIRMAN ADAMS: Okay, thank you. You  
15 know it goes along with what Mr. Littlefield was  
16 saying, you know, is that if we are going to do a  
17 letter of such that it has to deal with subsistence  
18 only and not get into the allocation part of it.

19

20 John, do you have something else to  
21 add. You know, I'm sure glad -- you know, Mr. Larson  
22 was going to leave at 5:00 o'clock this afternoon, but  
23 I'm glad he changed his reservations.

24

25 (Laughter)

26

27 MR. LITTLEFIELD: As I mentioned before  
28 in our rural community, if you miss tomorrow's plane  
29 you may be here a week. So, anyway, Tori was afraid to  
30 raise her hand when she heard the motion because I  
31 think that needs to be clarified that that motion  
32 wasn't not quite what she was asking for so she wants  
33 to explain that because the motion didn't speak to what  
34 she asked you to do and she was afraid to come down her  
35 by herself.

36

37 (Laughter)

38

39 MS. O'CONNELL: Because I was so rude  
40 before. I guess that wouldn't have been how I would  
41 suggest that this body phrase a motion, if you were  
42 going to send a letter and your concern is about  
43 subsistence, I guess I -- the language I thought I had  
44 said earlier was to consider carefully the impacts of  
45 any allocation to the subsistence fishery in Southeast.  
46 So that right -- this is the initial review for them to  
47 look at and it is an allocation issue, the quota's been  
48 set by the Commission, the Council is the one then  
49 that's going to look at how they're going to  
50 redistribute or if they're going to redistribute the

1 catch but because they're looking at the charter  
2 fishery and the commercial fishery, unless there's some  
3 pressure put there I think it's worthwhile to say,  
4 whatever you do with this allocation, you need to be  
5 considering the subsistence and subsistence impacts, so  
6 that would be what I was recommending. And also, you  
7 know, what John is saying is that the level of  
8 subsistence harvest not be affected by this, which also  
9 goes to the allocation issue. If you can't catch your  
10 fish it is going to affect your level of subsistence.

11  
12 So that's a more general term, are you  
13 comfortable with that John.

14  
15 CHAIRMAN ADAMS: Okay. I don't think  
16 your motion addressed that, you know, in the way that  
17 it was explained to us, Mr. Hernandez. Would you  
18 please give us a read back on that, have you got it  
19 written down?

20  
21 MR. LARSON: Mr. Chairman. I would  
22 greatly appreciate it if he would restate his motion, I  
23 have things written down but I'm not so sure anymore  
24 that it's exactly what he said.

25  
26 CHAIRMAN ADAMS: Do you think you can  
27 remember what you said Donald.

28  
29 (Laughter)

30  
31 MR. LARSON: Or what you should have  
32 said.

33  
34 (Laughter)

35  
36 MR. KOOKESH: That's why he's the  
37 coordinator.

38  
39 MR. LARSON: Yeah.

40  
41 MR. HERNANDEZ: I'm having trouble  
42 remembering what everybody's name is.

43  
44 (Laughter)

45  
46 MR. HERNANDEZ: I think the intent of  
47 the letter was to express our concerns with how  
48 changing allocations to other user groups can affect  
49 subsistence users in the localized areas.

50

1 CHAIRMAN ADAMS: Okay. What we're  
2 going to do here, Donald, is I'm going to get you and  
3 Bob together here, we're going to take a five minute  
4 recess and see if you can craft up some language and  
5 then we'll come back and pick it up again.  
6  
7 (Off record)  
8  
9 (On record)  
10  
11 CHAIRMAN ADAMS: Okay, we're back in  
12 session. The language, the letter that we were talking  
13 about, it went -- so that's done and over with but we  
14 need to move on. Is there a motion on the floor, Tina?  
15  
16 REPORTER: (Nods affirmatively)  
17  
18 MR. BANGS: He has to withdraw it.  
19  
20 MR. KOOKESH: Remarks.  
21  
22 CHAIRMAN ADAMS: Oh, we need to do  
23 something with that, okay. Mr. Hernandez.  
24  
25 MR. HERNANDEZ: Mr. Chairman. With the  
26 help with the court reporter I was able to review my  
27 motion and take a look at the wording and I was unable  
28 to really craft a motion with proper wording, it's just  
29 too complicated of an issue here, so I would like to  
30 withdraw my motion with the permission of the second.  
31  
32 MR. STOKES: I'll withdraw my second.  
33  
34 CHAIRMAN ADAMS: Okay, that's fine.  
35  
36 But we do need to move on. I just want  
37 to ask Tori, you know, to let Linda know just what she  
38 caused here when she called me up after the interview  
39 at the radio station today.  
40  
41 (Laughter)  
42  
43 MS. O'CONNELL: I'm sure she'll be  
44 really happy she sent me down here. Thank you.  
45  
46 (Laughter)  
47  
48 CHAIRMAN ADAMS: But it cause Bob  
49 Larson to cancel his reservation for leaving this  
50 afternoon.

1 (Laughter)

2

3 CHAIRMAN ADAMS: But we are trying to  
4 accommodate some people who will be leaving this  
5 afternoon so we're going to try to move the agenda  
6 along as quickly as we possibly can. I would ask your  
7 indulgence, you know, to help us with that matter as  
8 well.

9

10 I would like to call Cal Casipit up  
11 now, and did you want Terry to help you with something.

12

13 MR. CASIPIT: The next one.

14

15 CHAIRMAN ADAMS: The next one, that's a  
16 Unit 4 discussion, okay, go ahead.

17

18 MR. CASIPIT: Thank you, Mr. Chair. My  
19 name is Cal Casipit, I'm the subsistence Staff  
20 fisheries biologist for the Forest Service in Juneau.  
21 This will be a short presentation.

22

23 I do want to thank the Chair and the  
24 Council accommodating me. I do need to get back to  
25 town tomorrow and.....

26

27 CHAIRMAN ADAMS: Well, then I guess  
28 you'll probably accommodate us, I'm going to maybe put  
29 a five minute time limit on your presentation and  
30 together with Terry as well.

31

32 MR. CASIPIT: You bet, I can do that.

33

34 CHAIRMAN ADAMS: Okay.

35

36 MR. CASIPIT: Right now we're in the  
37 middle of our call for proposals for subsistence  
38 fishing regulations for the regulatory dates of 2009 to  
39 2011 regulatory years. The open period ends March 27th  
40 so I just wanted to make the Council aware of that.  
41 I'm not aware of any public proposals that have come in  
42 yet regarding Southeast Alaska but there may be, and I  
43 also wanted to volunteer me or my staff, Terry, Bob and  
44 Ben and Jeff, who aren't here, that Staff was  
45 available.....

46

47 CHAIRMAN ADAMS: Did you say that you  
48 were volunteering them?

49

50 MR. CASIPIT: They can help with

1 preparing proposals that the Council wants to sponsor  
2 so we're available.

3

4 CHAIRMAN ADAMS: Okay.

5

6 MR. CASIPIT: That's my presentation.  
7 That's it, I told you it was going to be five minutes  
8 or less.

9

10 CHAIRMAN ADAMS: It wasn't even two  
11 minutes, but, okay. Any questions of Cal.

12

13 MR. KOOKESH: Yeah.

14

15 CHAIRMAN ADAMS: Albert. Albert.

16

17 (Laughter)

18

19 CHAIRMAN ADAMS: Geez, Albert, that's  
20 another \$5.

21

22 (Laughter)

23

24 MR. KOOKESH: Are you Bert Adams from  
25 Kotzebue.

26

27 (Laughter)

28

29 CHAIRMAN ADAMS: Fisheries proposals,  
30 Mr. Kookesh, go ahead.

31

32 MR. KOOKESH: Volunteer means for free,  
33 by the way, is that correct, if you volunteer that's  
34 for free, okay. Well, I just -- I don't know where  
35 we're going to go with this but there was some  
36 discussion brought up about herring and I was wondering  
37 how this fishery proposal process would work for issues  
38 that were brought up by Mr. Nielsen this morning, yeah,  
39 this morning.

40

41 CHAIRMAN ADAMS: That's a fishery issue  
42 so, you know, we'd be happy to take any comments that  
43 they might have during this time but, you know, nothing  
44 will happen until the next meeting that involves  
45 fisheries.

46

47 MR. CASIPIT: And like I said we're  
48 happy to help the Council prepare proposals.

49

50 CHAIRMAN ADAMS: Okay. Any other

1 comments.

2

3 (No comments)

4

5 CHAIRMAN ADAMS: Questions.

6

7 (No comments)

8

9 CHAIRMAN ADAMS: All right, thanks,

10 Cal. Next.

11

12 MR. SUMINSKI: Mr. Chairman. Council  
13 members. Terry Suminski, fisheries biologist with the  
14 Forest Service. I guess I'm charged with starting off  
15 the discussion on Unit 4 deer. And it's going to be a  
16 little awkward for me since my counterpart with Fish  
17 and Game is home with a sick child. He's got some  
18 information that he'd like me to present for him so I'm  
19 going to be jumping back and forth from being Phil  
20 Mooney to myself.

21

22 So there's a packet, hopefully all of  
23 you have that, with Phil's information, have you all  
24 been able to find that?

25

26 CHAIRMAN ADAMS: Yeah, earlier there  
27 was Phil's paper that was distributed to all of the  
28 Council members so you should all have copies.

29

30 MR. SUMINSKI: Yeah, at the top of the  
31 page it says ADF&G Phil Mooney, area management  
32 biologist, Sitka. Okay.

33

34 So what Phil wanted me to present was  
35 mainly the first page and then the following pages are  
36 more details on the type of surveys he conducted and  
37 some of these were in conjunction with the Forest  
38 Service, and just a little more detail on some of the  
39 management actions that were taken by the State in Unit  
40 4 this fall. But Phil met with his group in Juneau.  
41 They discussed strategy for the upcoming year, you  
42 know, given the way this last year went.

43

44 And some of the things that they're  
45 dealing with are under the current regulations ADF&G  
46 can open a season, close a season or close a season to  
47 a sex of species. They cannot change a bag limit.  
48 They have some survey available from December 2006 to  
49 October 2007 regarding snow depth, deer condition,  
50 winter kill and fawn presence. And they have deer

1 pellet surveys up through the spring of 2007. Also  
2 Phil had considerable public input regarding deer from  
3 November 2006 to December 31st, 2007. And if you'll  
4 remember -- I think you went over quite a bit of this  
5 yesterday, but their general strategy for the upcoming  
6 season is to continue to monitor weather conditions and  
7 snow depth through the spring. Replicate as many types  
8 of the deer condition related surveys that were  
9 conducted last year as possible and to conduct deer  
10 pellet surveys this spring. Continue to collect  
11 information from the public afield and look at the  
12 hunter survey results from the past season when  
13 available. Work to develop some deer research projects  
14 such as deer density in logged and unlogged stands.  
15 And possibly get a hold of some collars to demonstrate  
16 deer movement in certain water sheds. And to maintain  
17 the focus and the biology of deer to address management  
18 goals and look to develop a proposal to the Board of  
19 Game for the November 2008 meeting to give biologists  
20 -- this would be the Fish and Game biologists, the  
21 authority to regulate bag limits within season.

22

23                   And what I would like to say, at least  
24 from the Forest Service side, you know, Phil and myself  
25 and other biologists in our office work very closely  
26 together, we coordinate, I would say -- well, during  
27 this last deer season very often and generally we're on  
28 the same page when it comes to the biology of the deer,  
29 you know, what we're looking at, the types of indices  
30 that we're trying to track. Phil's basically a one man  
31 shop in Fish and Game and we don't have much more at  
32 the Forest Service so we have to combine our resources  
33 whenever possible. Where we differ is based more on  
34 agency -- sorry.

35

36                   MR. LARSON: That's the one minute  
37 warning.

38

39                   MR. SUMINSKI: Oh, one minute, oh, okay,  
40 did you want me to just jump into public comment or  
41 something.

42

43                   (Laughter)

44

45                   MR. SUMINSKI: Okay, I'll make it  
46 really short. So as far as the biology of deer and  
47 what we're looking at as far as indicators of how to  
48 manage the herd, we're very similar, we depend on each  
49 other. Where we differ is with our different mandates.  
50 So how we implement conservation actions, it's going to

1 vary and the timing of those actions will vary some and  
2 sometimes they're on purpose.

3

4                   And also the thing to remember, the big  
5 difference between what Phil is dealing with and what  
6 we're dealing with is Phil has a much larger group of  
7 hunters that he's having to consider, the Federally-  
8 qualified group is smaller so we can act differently  
9 than what the State may.

10

11                   Well, I think I'll just stop there and  
12 if there's any questions I'd be happy to try to answer  
13 them and if I can't, I think I have some back up in the  
14 audience.

15

16                   Thank you.

17

18                   CHAIRMAN ADAMS: Questions anyone.

19 Harvey.

20

21                   MR. KITKA: Thank you, Mr. Chair. In  
22 looking at your paper here, the snow line figures, the  
23 deer pellets and all that, from my point of view, from  
24 Sitka north is what it took care of, there was nothing  
25 from Sitka south on the outside coast or down through  
26 -- and the closure was kind of almost like a blanket  
27 type closure and I know Mr. Kookesh had some concerns  
28 with some of the inside waters there where they didn't  
29 have near the snowfall as some of the places that were  
30 further and to close the whole thing completely to some  
31 places where it was kind of detrimental to some of the  
32 subsistence people. So I was wondering whether there  
33 was any way that they could regulate these things in  
34 different areas. Because I know Unit 4 is broken up  
35 into different sections and so I assume that they can  
36 close down sections without closing the whole works  
37 down.

38

39

40                   MR. SUMINSKI: Mr. Chairman. Mr.  
41 Kitka. That's exactly one of the things we're going to  
42 be looking at because I had the same concerns about  
43 closing the whole unit when snow conditions were not  
44 the same through the unit. They were spotty. Just  
45 like Mr. Moreno testified earlier, from just south of  
46 Sitka down to the end of the island, other than way up  
47 in the very heads of the deep bays like Whale Bay, the  
48 deer were not as affected as they were farther north  
49 and especially over on the other side of the island and  
50 the Admiralty area. So, yeah, I think that's something  
we want to look at.

1                   And since there was already the kind of  
2 defined area in that northeast Chichagof controlled use  
3 area, that was separated out in an earlier action for  
4 the closure of does and that had some different  
5 conditions that were addressed by that separate  
6 closure. But I think you're right on that we do need  
7 to look at dividing up the unit a little bit when it  
8 comes to these actions.

9

10                   Thank you.

11

12                   CHAIRMAN ADAMS: Cal, did you have  
13 anything to add or you were just getting up there for  
14 moral support?

15

16                   MR. CASIPIT: Yeah, I though that Terry  
17 could probably use some moral support. The Council may  
18 be aware that I was the person that was tagged with  
19 doing that special action analysis for that closure  
20 that happened in January, you know, we were thinking  
21 about the same thing and knowing that there were  
22 differing snow conditions throughout the unit, that  
23 there were differing mortalities throughout the unit  
24 but we were kind of under a time crunch too. I was  
25 under an incredible amount of pressure to get that done  
26 and get it out the door. The special action request  
27 from the Department of Fish and Game was for us to take  
28 action immediately and they gave us that request --  
29 well, I didn't get the request until the week before  
30 Christmas. And of course the week of Christmas had to  
31 do work on it, too, and we did the best we could under  
32 the conditions that were there. But in the future I  
33 think we will take a look more at being a little more  
34 regional in our -- you know breaking it up to where the  
35 problem really is.

36

37                   CHAIRMAN ADAMS: Thanks for that  
38 observation, Cal. I think we do need to look at that a  
39 little bit more closer in the future. Mr. Hernandez,  
40 do you have a question.

41

42                   MR. HERNANDEZ: Yeah, a little more  
43 clarification on that ability to close a section of a  
44 unit. Is that -- you mentioned the controlled use area  
45 northeast Chichagof, are you saying that because that's  
46 a designated controlled use area that it's possible to  
47 deal with that as a separate area?

48

49                   MR. SUMINSKI: Mr. Adams. Mr.  
50 Hernandez. That was actually created as a defined

1 area, but I think it had more to do with bears but it  
2 was in regulation, it was defined in regulation so it  
3 was easy to deal with as far as doing a very quick  
4 special action on that. So what I think we'd be  
5 looking for is trying to break the unit up into other  
6 smaller areas that make sense, like outside coast,  
7 inside kind of thing. And that way when we did have to  
8 do something fairly quickly those would already be  
9 defined areas hopefully in the regulation book even,  
10 almost like subunits that we could just work with  
11 really quickly.

12

13 MR. HERNANDEZ: Follow up.

14

15 CHAIRMAN ADAMS: Mr. Hernandez, follow  
16 up.

17

18 MR. HERNANDEZ: And then also am I to  
19 understand that both the Federal and the State systems  
20 both have that same constraint, there's no difference,  
21 right, Federal has to consider the whole unit, not just  
22 portions?

23

24 MR. SUMINSKI: Mr. Adams. Mr.  
25 Hernandez. I don't think there's any constraint that  
26 we'd have to do it that way, I think it was just a  
27 matter of expedience, that we didn't really have time  
28 to break it up and really study, you know, snow  
29 patterns and different things that we'd be able to  
30 break it out into logical, justifiable areas so we just  
31 tried -- we just ended up applying it over the whole  
32 area. But I think with more lead time and -- like Cal  
33 mentioned, we were doing it over Christmas and the  
34 reason why I got so involved is I was the only one left  
35 in the office and, you know, we had to basically focus  
36 on just getting some action done and get it to the  
37 Board and things like that.

38

39 CHAIRMAN ADAMS: Follow up, Donald.

40

41 MR. HERNANDEZ: Okay, so then it is  
42 possible given enough forethought to make special  
43 actions in designated areas within the unit, so I guess  
44 I'm thinking more about for next year, you know, if we  
45 know this situation might occur again and we do have  
46 some time to make those considerations and plan ahead  
47 and if it's necessary to do it in a different way, it  
48 is possible that it could be done that way, right, just  
49 close a portion of the area if necessary?

50

1 MR. SUMINSKI: Yeah, exactly. And  
2 that's mainly what I was focusing on is next year, try  
3 to do some of this work ahead of time.

4  
5 Thank you.

6  
7 CHAIRMAN ADAMS: Okay, with that, I  
8 think I'm going to excuse you guys, thank you for your  
9 time.

10  
11 MR. KOOKESH: Well, I didn't know we  
12 were done, a comment.

13  
14 CHAIRMAN ADAMS: Do you have a  
15 question?

16  
17 MR. KOOKESH: Yeah.

18  
19 (Laughter)

20  
21 CHAIRMAN ADAMS: One question more and  
22 then we'll let you go.

23  
24 MR. KOOKESH: This is actually a real  
25 long question, it's just broken out in sentences.

26  
27 (Laughter)

28  
29 MR. KOOKESH: Mr. Chairman. I happen  
30 to have been involved in this whole process from the  
31 very beginning and like Mr. Casipit said, you know, he  
32 felt under the gun and so did I. And having lived in  
33 -- or having been -- or being a resident of Unit 4 and  
34 residing in Angoon and hunting out of Angoon, I was  
35 very aware of what was going on out there, and the  
36 problem that came out in all the dialogue as this  
37 scenario played out was just that the State was running  
38 around the sky is falling, the sky is falling, we all  
39 looked up but I don't believe that's how we should  
40 really address this whole process. If there was a  
41 concern, it is our opinion -- it is our opinion that if  
42 there was a concern it should have addressed -- because  
43 of the heavy snowfall it should have been addressed  
44 last spring, it shouldn't have been addressed December  
45 14th and if somebody starts running around yelling that  
46 the sky is falling, the sky is falling, it doesn't --  
47 it shouldn't -- it doesn't need to go like that. So I  
48 took the time and it was -- it there -- there was a lot  
49 of phone calls in discussing with Glenn Chen from BIA  
50 making sure that we weighed in heavily on this closure

1 because they really needed to consider this and where  
2 the source of their data was coming from to call for a  
3 closure. Because coming from -- and I'm looking at  
4 your -- but coming from the community of Angoon, the  
5 dialogue that came out there was -- was if we're going  
6 to do this and I know that in this process -- I was  
7 reading the dialogue -- the material that was coming to  
8 me and it stated that the majority of the Council  
9 requested the closure of Unit 4 and I swear that there  
10 was only seven people who were consulted and one  
11 abstained and one wasn't sure and I voted against it  
12 myself so there was not a majority of the Council in  
13 favor of the closure. But the idea was that the -- I'm  
14 glad that the Federal Subsistence Board backed us,  
15 because I believe that we really need to go back and  
16 look at this seriously. We're coming into another  
17 season now and if there was a conservation concern, you  
18 know, we should have shut the whole thing down, not  
19 just does and let the bucks -- or they should -- the  
20 State should have shut the whole thing down if there  
21 was a conservation concern for this upcoming year. I  
22 believe that Mr. Moreno mentioned us getting some hard  
23 data, how about looking at the deer on the beach in the  
24 springtime and start looking at those kind of numbers  
25 instead of walking around and counting pellets where  
26 one deer didn't want to move and deer pellets, and one  
27 deer just wanted to stay in one area and consider that  
28 valuable data which a lot of people would agree it is,  
29 but I'm not one of them.

30  
31                   But I think we need to plan for this  
32 August 1st opening and we either need to decide if  
33 there was a conservation concern, like they said, let  
34 -- we need to shut this whole thing down and just leave  
35 it shut down if that's -- if that was such a -- if that  
36 was such the issue then we should just close this whole  
37 thing down, consider a closure altogether and see how  
38 the stocks look, don't just wait until the middle of  
39 December when a lot of us -- a lot of us have different  
40 styles of hunting. A lot of guys wait for the snow to  
41 come and just -- and for December 14th to come along  
42 and say we're going to close it, I mean here's guys  
43 sitting there waiting for the weather to change and  
44 knowing that with December and January comes -- comes  
45 the weather, the snow, and a lot of guys were waiting  
46 for that, so we all have different tactics.

47  
48                   But one of the things that was  
49 mentioned is breaking out Unit 4. And the discussion  
50 that I've had with all of these people, who are very

1 knowledgeable about subsistence, said that the unit  
2 system is arbitrarily designed, that we need to go back  
3 -- and the way it was laid out, maybe we need to go  
4 back and rethink Unit 4 and breaking it out, like it  
5 was mentioned, into Units A, B, C, D, you know, 4A, 4B,  
6 4C, 4D. We have a couple C's in Unit 4, Catherine  
7 Island and Chichagof, but break it out and don't -- and  
8 try not to combine -- try not to combine a road system  
9 hunt decision with a boat hunt, break them out. If  
10 everybody on the road system can't get out of their  
11 truck and they say there's no deer on the road, don't  
12 be closing Admiralty Island, because they don't have  
13 any roads on Admiralty Island, those guys all learned  
14 how to call their own deer and walk for them.

15  
16 But that's something that we need to  
17 work with.

18  
19 And I think that the State and the Feds  
20 need to do a better job of working together. There's  
21 no reason just because one guy's running yelling the  
22 sky's falling everybody panics along with him, so you  
23 don't know what's going to happen this year, we had a  
24 mild winter, we should have all known that with the  
25 heavy snow that something was bound to happen to -- to  
26 the populations. But we do need to establish a  
27 program, we either need to have a shorter season but we  
28 need to make sure we give everybody a head's up, people  
29 need to know that there's not going to be a January  
30 hunt, and if the logic was, as this No. 16 it says  
31 discussion of the 2007 Unit 4 deer special actions  
32 restricting the harvest of does -- I scratched it out,  
33 restricting the harvest in Unit 4 is basically what I  
34 ended up with. Because I don't know the science or the  
35 logic behind closing does. I do know does, in my  
36 opinion, are carrying Bambi's in January, that might be  
37 reason to close doe season in January and allow for it  
38 and getting a buck in January is sustenance, anyway, so  
39 -- but there is some things we need to do and we need  
40 to do a better job about it.

41  
42 That was my one question.

43  
44 CHAIRMAN ADAMS: Okay, thanks Floyd.  
45 And, you know, my involvement in this, you know, it  
46 required the Chair to help with the decision and a  
47 bunch of emails came into me and I looked at the  
48 analysis and all that and I studied, you know, the  
49 effects of snow on -- heavy snowfall on deer and then  
50 some of the information that came from other user

1 groups, like Hoonah, you know, I -- it seemed to me  
2 like they were looking forward to a poor deer season  
3 and so they were going out and getting fish and other  
4 subsistence resources to take care of the lack of deer  
5 they were going to have that year. And then the idea  
6 also that later in the year the bucks, you know, start  
7 losing their antlers and you can't even tell the  
8 difference whether it's a doe or not, those are some of  
9 the concerns that I was really dealing with and, you  
10 know, I had to make a decision that we needed to close  
11 it. I didn't want it closed at the end of December.  
12 We talked about maybe giving it through the first week  
13 of January, that would give, you know, the subsistence  
14 hunters an opportunity -- or, you know, the hunters in  
15 general an opportunity to get -- receive the  
16 announcements and so forth and prepare them, you know,  
17 for the closure, but unfortunately, you know, the Board  
18 decided to close it on December 31st.

19

20 But, you know, that's my explanation of  
21 my part in it, I was in it right from the beginning and  
22 I listened to the poll that Mr. Larson got from the  
23 Council and unfortunately you were out deer hunting,  
24 from what I understand, you know, and unable to get a  
25 hold of you, I was really interested in getting your  
26 input on it and I think the decision I would have been  
27 made probably would have been, you know, different if I  
28 had been able to talk with you about it. And then we  
29 did a lot of talking and discussing after the fact,  
30 which wasn't right at all, you know, so there's, you  
31 know, my part of the participation in this thing and my  
32 explanation.

33

34 So we do need to look at it a lot more  
35 closer and work out a better system for these kinds of  
36 emergency situations.

37

38 MR. KOOKESH: I did weigh in and I did  
39 make a difference. I did more than hunt. And in  
40 closing, I did see like 33 deer in two days of hunting,  
41 so I don't know what -- I got deer. I saw deer. You  
42 just have to get out there and work for it. And I did  
43 -- and that was like two miles of a beach, too, by the  
44 way. But we do need a plan.

45

46 CHAIRMAN ADAMS: Yeah, I agree. And  
47 I'm sorry that we didn't connect, Floyd, because I  
48 really would have taken your input a little bit more  
49 seriously because you live in that area but  
50 unfortunately that didn't take place.

1 Any other comments. Mr. Hernandez.

2

3 MR. HERNANDEZ: I have one more  
4 question for Terry. Terry, I'm really sorry that our  
5 member from Hoonah isn't here to be in on this  
6 discussion but I do recall when this was happening,  
7 hearing some fairly irate people from Hoonah who seemed  
8 to be upset that the subsistence priority -- they  
9 didn't feel that the subsistence priority was extended  
10 enough in this situation.

11

12 In Hoonah, apparently, there's a lot of  
13 hunter effort that comes from Juneau, non-subsistence  
14 hunters from Juneau and these people felt that that was  
15 a big impact on the ability of the Hoonah people to get  
16 their deer and they felt that the State really should  
17 have taken action, or maybe the Feds should have taken  
18 action to kind of limit that impact on the Hoonah  
19 people in a more timely manner. Is that something you  
20 have heard, and in your relations with Mr. Mooney, did  
21 you discuss that at all, I'd like to hear more about  
22 it.

23

24 MR. SUMINSKI: Mr. Chairman. Mr.  
25 Hernandez. There's actually quite a few parts to your  
26 question there and I'll see if I can hit them all, if  
27 not, just remind me.

28

29 But the action in Hoonah was -- if you  
30 look towards the back of this handout, describes Mr.  
31 Mooney going over to Hoonah and doing some -- nearly a  
32 week's worth of surveys and then they had a public  
33 meeting, and his feeling -- I didn't attend the  
34 meeting, but his feeling was that the overwhelming  
35 majority wanted action, they wanted some closure of the  
36 doe season. The State took that action. And this is  
37 one of the situations where I was talking about where  
38 sometimes we can delay our action a little bit to  
39 provide a little more opportunity for the subsistence  
40 users, the Federally-qualified subsistence users, and  
41 that's what happened in this case. There was -- i'm  
42 not sure, I could probably get the exact, but it's at  
43 least a couple weeks delay, where the residents of  
44 Hoonah could still, you know, shoot both sexes, you  
45 know, after the State hunters were restricted. So --  
46 and that was the situation in Hoonah.

47

48 Did that get towards your question?

49

50 MR. HERNANDEZ: Yes. I was just --

1 yeah, that was the question, whether there was some  
2 consideration for the rural subsistence priority, so  
3 apparently there was. I guess some of what I heard, I  
4 guess was some dissatisfaction that the State didn't  
5 take action even sooner to help that situation but I'm  
6 glad to hear that it was addressed, at least.

7

8 CHAIRMAN ADAMS: Cal.

9

10 MR. CASIPIT: Yes. And even in the  
11 larger Unit 4 closure that happened later in December,  
12 there was a period of time that Federally-qualified  
13 users could be harvesting both sexes while State  
14 hunters were restricted only to bucks.

15

16 CHAIRMAN ADAMS: Floyd.

17

18 MR. KOOKESH: And, Mr. Chairman, in  
19 talking -- in communicating the deer issue in Angoon,  
20 the dialogue was the guys just thought the deer would  
21 be there, they didn't want to go out and work for them  
22 and they put the price of fuel in front of them and  
23 start -- it's over \$4 a gallon, 4.25, 4.28 a gallon in  
24 Angoon in the winter, and those guys look at that and  
25 then the weather, so you have to balance those. So a  
26 lot of guys were waiting for the snow. But that was  
27 the dialogue from Angoon. And talking -- even up to  
28 last night, talking to a couple of gentlemen from  
29 Hoonah, they said, you know if you really want to do  
30 this right, close the doe season on the road system.  
31 I'm not saying close it altogether and if there's a  
32 concern about the non-Federally qualified, close that  
33 season early, we do need to work on addressing these  
34 issues and then go a little further. Talking to -- I  
35 have a Staff in Juneau that hunts in Hoonah and he  
36 says, you know, they're not the only ones that  
37 contributed the -- the non-Federally qualified are not  
38 the only ones that -- that contributed to the demise of  
39 the deer problem, the -- the people -- that other  
40 people in the Hoonah area that had vehicles also  
41 contributed to that so we really need to address this  
42 properly and not wait until December 14th.

43

44 CHAIRMAN ADAMS: Yeah, thank you.

45 Well, let's take into consideration, you know, for the  
46 next season and see if we can handle this a lot better,  
47 you know, we put a lot of trust in your guy's judgment  
48 and so forth but I also really, you know, emphasize  
49 and, you know, you brought it out in your report, you  
50 know, about local participation and so forth but I

1 think local knowledge is really an important part of  
2 the decision-making process as well.

3

4 So, you know, any other comments from  
5 the Council.

6

7 Nick.

8

9 MR. DAVIS: Thank you, Mr. Chairman. I  
10 am in agreement that we should be breaking up District  
11 4 for easier management but just to let everybody know  
12 what's happening in Kake, we do get a lot of our deer  
13 from Admiralty and August when it first opens there's a  
14 great amount of people working at different jobs but I  
15 know a few people that did go on the early hunt and  
16 they did get what they were after. And then before  
17 December, later in the fall, the weather wasn't  
18 cooperating with the small boats that were trying to  
19 get out and a lot of the boats went in January and I  
20 didn't check with everybody but it didn't seem like  
21 anybody was really complaining and I did take two guys  
22 out on my -- I went from a 58 foot boat to a 42 and  
23 it's kind of a fair weather boat now, but I did take  
24 two people out and we ended up with six deer like in  
25 four hours. I told them just to make sure that they're  
26 all bucks and that's what they did. And what we saw  
27 was the deer had a pretty good amount of fat on them  
28 yet.

29

30 So that's just to let everybody know  
31 what happened there.

32

33 Thank you.

34

35 CHAIRMAN ADAMS: Thank you, Nick. And  
36 that's real good information, you know, for the  
37 biologists to gather from so I strongly support, you  
38 know, community input and local knowledge.

39

40 Donald.

41

42 MR. HERNANDEZ: Thank you, Mr.  
43 Chairman. I just recalled another kind of important  
44 discussion we were having at the time of this action  
45 and that was when we get into January, there was some  
46 concern expressed about leaving the buck season open in  
47 January when, you know, some of the deer shedding their  
48 antlers and it gets more difficult to determine a buck  
49 from a doe and it seems like that was also part of the  
50 discussion and I was just wondering, you know, how --

1 between you and Phil, you know, what you kind of  
2 decided on that and is that something we need to  
3 consider for next year?

4

5 MR. SUMINSKI: Mr. Chairman. Mr.  
6 Hernandez. That late season is only a Federal season  
7 in January so that was pretty much our call. Yeah, and  
8 that was definitely a consideration because a lot of  
9 the deer are starting to lose their antlers in January.  
10 That's why we said bucks only, not antlered or  
11 antlerless. And I've been out hunting in January and  
12 have seen deer that have lost their antlers and if  
13 you're close enough to them and you get a good look at  
14 their head you can tell but it does make it more  
15 difficult, there's no doubt about that and that was one  
16 of the things that we considered but the idea was that  
17 we still wanted to allow some harvest during that  
18 season rather than just close it all, and at that time  
19 of year the bucks have already bred most of the does,  
20 they've done whatever they're going to do and they're  
21 somewhat more excess to the needs of the population  
22 than the does are. So that was the reasoning behind,  
23 you know, still allowing the harvest of bucks but,  
24 you're right, it makes it more difficult after they've  
25 lost their antlers.

26

27 CHAIRMAN ADAMS: You know I really  
28 appreciate everyone's contribution and I apologize to  
29 Floyd, you know, trying to get rid of you guys earlier,  
30 yeah, it's really important but I think we're going to  
31 need to move on here. And we got to finish up here,  
32 some people are going to have to leave at 5:00 o'clock  
33 and we want to get all of the testimonies that we have  
34 before us and finish off the agenda.

35

36 So what I would like to do right now  
37 and I've been trying to do this all afternoon is  
38 recognize Jeff Bryden, is he here. Would you come on  
39 down, please, the new enforcement officer, and like you  
40 to have you introduce yourself to the Council and see  
41 if you can offer us some enlightenment about law  
42 enforcement with the Forest Service.

43

44 MR. KESSLER: Mr. Chairman. Steve  
45 Kessler with the U.S. Forest Service. And I hope you  
46 don't mind that I came up with Jeff to introduce him,  
47 is that acceptable?

48

49 CHAIRMAN ADAMS: It's fine.

50

1 MR. KESSLER: Jeff has been the lead  
2 subsistence Forest Service officer for the northern  
3 part of the Forest Service region covering the Chugach  
4 National Forest for -- well, he'll tell you for how  
5 many years, and there's been sort of a reorganization  
6 of how they go about doing the law enforcement. I know  
7 the Council became very familiar with Ken Pearson, Ken  
8 moved into a different job and so the decision was made  
9 for Jeff to take over and do sort of a holistic look at  
10 the whole region. And, with that, we're really pleased  
11 to have Jeff with his vast experience in subsistence  
12 law enforcement here.

13

14 CHAIRMAN ADAMS: Great. Jeff, thank  
15 you, please feel free to say what you need.

16

17 MR. BRYDEN: Thank you, Mr. Chairman.  
18 For the record my name is Jeff Bryden. I'm the lead  
19 law enforcement officer now for the area as Steve said.  
20 I've been up here for approximately 16 years doing  
21 subsistence enforcement for the Forest Service in 1992.  
22 I lived in Yakutat for a couple years, worked this  
23 area. I've been the lead officer since 2000, I guess.  
24 There originally were three of us, we had one here in  
25 Sitka, one in Ketchikan and myself and as the officers  
26 retired or moved on I've stuck around and plan to  
27 continue doing that.

28

29 One thing I'd like to ask is if any of  
30 you all have any areas that you think law enforcement  
31 can help you out with, please let me know. One of the  
32 things I'm going to be doing is I'll be working with  
33 the local officers in the different areas doing some  
34 emphasis patrols on subsistence. Primarily what the  
35 law enforcement subsistence program is protect the  
36 subsistence users and their rights. What we're looking  
37 for is things that are going on that are being  
38 detrimental to the subsistence users. So obviously the  
39 individuals in the areas are out a lot more and they  
40 see things and if they could let us know if they're  
41 seeing things that are causing problems, we'll do our  
42 best to try and help out and try and work on those  
43 problems with the people.

44

45 CHAIRMAN ADAMS: Sure, thank you, is  
46 there any questions by any of the Council members for  
47 Jeff.

48

49 Mr. Kookesh. Albert.

50

1 MR. KOOKESH: \$5. Albert.

2

3 CHAIRMAN ADAMS: \$2.50.

4

5 (Laughter)

6

7 MR. KOOKESH: Sir, one of the things  
8 I'm curious about is what your budget allows for,  
9 whether you got cut, uncut, can you kind of give us an  
10 idea of where your budget's at. And also in addressing  
11 issues, one of the biggest issues that seems to come  
12 forward to me is the guys say I got to travel a lot  
13 further to get my deer because the night hunter range  
14 is -- has forced -- has forced -- and that seems to be  
15 a big issue in our area, there is a range, and the  
16 biggest complaint is these guys are forcing us further  
17 and further -- I don't hunt close to the community  
18 because I know better than that. But I just was  
19 wondering what your budget allows for, whether or not  
20 you're increased or decreased and how available your  
21 staff is, or flexible?

22

23 MR. BRYDEN: Regarding the budget, it  
24 was discussed earlier, for the next season we are  
25 zeroed out so we'll be taking a look along with  
26 everything else trying to figure out how to work that  
27 all back in and work on it.

28

29 For this coming season we're actually  
30 quite well for working through our fiscal year, which  
31 goes through October. I'm budgeted to do a number of  
32 patrols down here in Southeast working with the local  
33 officers. The emphasis that we've so far identified  
34 include Prince of Wales steelhead, Prince of Wales  
35 early season deer, Yakutat moose, early season  
36 subsistence hunts, working those areas, and the spring  
37 bear are the major areas.

38

39 As part of my normal position I also  
40 attend the Board meetings so I've been attending the  
41 Federal Board meetings and I'll continue to do that  
42 plus continue to attend the Southcentral RAC meetings.

43

44 CHAIRMAN ADAMS: Anyone else.

45

46 (No comments)

47

48 CHAIRMAN ADAMS: Welcome to the fold,  
49 Jeff, and didn't know you were in Yakutat, don't  
50 remember you. I was there. You must have been pretty

1 low profile.

2

3 MR. BRYDEN: I have a signed copy of  
4 your book Bert.

5

6 (Laughter)

7

8 CHAIRMAN ADAMS: Okay, well, geez,  
9 maybe that's worth another \$5 into the kitty up there.

10

11 (Laughter)

12

13 CHAIRMAN ADAMS: Well, anyhow thank  
14 you, Jeff and Steve for introducing him to us. You're  
15 excused.

16

17 MR. BRYDEN: Thank you.

18

19 CHAIRMAN ADAMS: I want to take care of  
20 the people we have who want to do testimonies now. And  
21 we do hope that you will respect our timeframe. I hate  
22 to crunch people, you know, but this is our last day  
23 and we need to get some important work done, I've got  
24 that set for 4:00 o'clock. So I'd like to call Mr. Ray  
25 Nielsen and then following him, Jeff, who talked to me  
26 earlier, and then we have a Ronald; in that order,  
27 please.

28

29 MR. NIELSEN: Thank you, Mr. Chair.  
30 Council. Yeah, my name is Ray Nielsen. I'm a lifelong  
31 resident. I live a subsistence lifestyle to the  
32 fullest extent. Most people in Sitka, they have a job  
33 or an income, money coming in and they benefit from  
34 being able to do subsistence but I live it. I trade,  
35 barter and sell. I exercise my rights. And many  
36 people think I make a lot of money, that's not true, I  
37 love to share and it's difficult, at best, making ends  
38 meet. I love to hunt, fish, gather, harvest, pick,  
39 advocating, very important, I've been doing that for  
40 years. And I try to pass it on to younger kids. The  
41 ones that performed for you last night, I donate my  
42 time for them. Teaching them what they're doing -- I  
43 do not teach them the song and dance, the language, but  
44 I prepare meals for them. I believe that comes in hand  
45 and hand with the lifestyle of learning the Tlingit  
46 ways, and they appreciate that. And the other part is  
47 I'm teaching them. I take them out, I catch them their  
48 sockeye, show them how to gather seaweed, prepare it,  
49 and they love doing it and they, in turn, distribute  
50 it, too. I do not believe in want and waste. Now,

1 when we go down to Sitka Sound near the plants, we take  
2 the king salmon heads, the backbone, utilize it around  
3 town and because we do -- we do real well. Mr. Guthrie  
4 and I in the summer time, we cut a lot of halibut  
5 cheeks, lots of it, we fill up the boat. My share,  
6 probably 2,000 pounds, we do it as much as we could,  
7 share it around, but I also make a little bit of money  
8 because you can't do this -- you can't give away all of  
9 it. And then in turn, you see what we do, when the  
10 boats come in, they're allowed 10 percent bycatch and  
11 the overage is ling cod, yellow eye and they call me  
12 because they know I will show up and fillet it out and  
13 share it out, I love doing that.

14

15                   And for Makhnati Island, I grew up on  
16 Spronski, that was part of our playground, we had the  
17 best playground in Sitka. We go up there picnicking,  
18 and I still harvest seal at Makhnati and sometimes hair  
19 kelp when the herring spawn in Whiting Harbor and at  
20 Makhnati there's a good macrosystic kelp bed, it's not  
21 every year that it's good. But Makhnati, along with  
22 all the other sites that have Military installations or  
23 armaromant there during the war should have reverted  
24 back to Sitka Tribe as a land base. John Littlefield  
25 started a process and I was quite taken aback by the  
26 city of Sitka trying to access it via the Sitka trail  
27 works, and I didn't agree with that at all, they were  
28 trying to sidestep Sitka Tribe and our ability to  
29 access that land.

30

31                   As far as Makhnati for herring, the  
32 south side of the causeway is not good at all, the  
33 fishermen do not want to fish there because of the  
34 pinnacles and the herring do not spawn there all that  
35 well. The substrate is not that good, it's low quality  
36 kelp, there's a lot of machinery on that side of the  
37 causeway. Same with Whiting Harbor. The herring are  
38 in there but they are transiting. Sometimes they get  
39 caught in there because of the juvenile sea lions which  
40 travel in big packs, and they're not in there holding  
41 to lay and spawn, they're moving.

42

43                   And as far as Sitka Sound sac roe  
44 fishery, I have no problem with it. Several years ago  
45 Sitka Tribe sent a delegation to protect Kasian Island,  
46 I was part of that. At that time I firmly believed in  
47 it to protect our spot. I did not want to get locked  
48 in there, herring swim, last year, they forced the fish  
49 manager to not allow the fishermen to fish that one  
50 opening there, they had to go somewhere else, well,

1 that's fine. But they were forced to fish on a smaller  
2 age class herring, which I do not agree with. I  
3 believe in full utilization of the big herring, eight,  
4 nine year olds last year, now we have eight, nine and  
5 10 year olds and we need to utilize those herring  
6 before they die. Those big herring compromise two-  
7 thirds of the biomass. If them herring were to die,  
8 it's like that, it'd be like 20 years ago, it wouldn't  
9 be very good. The managers, I feel have done a good  
10 job and the herring have helped out, too, ocean  
11 conditions, they got big.

12  
13 I would like to see the commercial  
14 fishermen be able to access them old herring as well as  
15 we do.

16  
17 In California there was an oil spill,  
18 there was no fishery there. The markets are not  
19 looking favorably to Bristol Bay herring, it's Sitka,  
20 our herring are big, herring -- they're quite large,  
21 it's going to be a very exciting fishery. I  
22 commercially fished for a number of years, it's the  
23 most exciting fishery I know of, I still love it, I go  
24 out as an observer. And being able to see what's going  
25 on, I even go out with the Fish and Game flying, I go  
26 out in a big boat and they ask me questions and I  
27 answer, I have nothing to hide, I enjoy that aspect,  
28 too. I encourage tribal citizens to go on the boat as  
29 an observer, to go on the other side, walk in their  
30 shoes, see what it's all about. I'm not trying to take  
31 it away from subsistence, I'm part of that too. But  
32 I'm concerned about the way things may come.

33  
34 And as far as deer, well, we have the  
35 beach combers which go quite fast and we have the  
36 hunters that beach comb through the hunting grounds. A  
37 lot of the moaning is coming from the beach combers, we  
38 don't see the deer, but the guys that go climb in the  
39 woods that actually know how to hunt, the deer are up  
40 there.

41  
42 That's my testimony, thank you.

43  
44 CHAIRMAN ADAMS: Thank you, Ray. Is  
45 there any questions.

46  
47 (No comments)

48  
49 CHAIRMAN ADAMS: You're on record, Mr.  
50 Nielsen, so appreciate your coming here and talking to

1 us.

2

3 MR. NIELSEN: Thank you.

4

5 CHAIRMAN ADAMS: Jeff. Jeff is here to  
6 talk about halibut.

7

8 MR. BARBER: I'm going to bring up  
9 halibut again. Hello, Mr. Chair, members of the  
10 Committee. My name is Jeff Barber from Sitka. I also  
11 serve on the RAC here for Fish and Game, Regional  
12 Advisory Committee, but I'm not speaking as a member of  
13 that, I'm speaking as a citizen here.

14

15 I'd like to speak to the localized  
16 depletion problem of halibut here. I think you guys  
17 are really close to hitting it on the head there. I  
18 have a SHARK card, I subsistence fish here and it's  
19 becoming increasingly difficult to find fish here,  
20 especially in our LAMP, we have a really unique area,  
21 you guys familiar with the LAMP, maybe. And every year  
22 it seems like there's more and more impacts on that as  
23 there's more and more, mostly, not to pick on them, but  
24 non-residents, they're allowed to fish in the LAMP,  
25 fish close to town, most of the boats have limited  
26 range so there's only a limited amount of resource but  
27 ever increasing amount of pressure on it. It's a very  
28 finite resource. One of the problems I see is the lack  
29 of enforcement. They got two State Troopers for 8,000  
30 square miles, it makes their job really tough.

31

32 When the charter fleet was growing, it  
33 was a fully utilized resource, 100 percent allocated,  
34 and I fear that they're not getting the numbers --  
35 accurate numbers that they should be from some of the  
36 sport fleet from.

37

38 But one of the phenomena's that's  
39 happening is that you're seeing that the unguided --  
40 the business of the unguided fleet grow, people rent  
41 skiffs out, they give them GPS coordinates, even tie  
42 them up to buoys, talk them through the fish and it's a  
43 big business. It's sort of a bubble that's bursting  
44 there and they're not under the same regulations as the  
45 guided sport fleet are, yet, it's still a business,  
46 they make money on the extraction of that resource.

47

48 But I just wanted to be able to address  
49 that, too, and I really appreciate accommodating me and  
50 allowing me time to comment here, thank you much.

1 CHAIRMAN ADAMS: Thank you for being  
2 here. Is there any questions of Jeff.

3

4 Mr. Hernandez.

5

6 MR. HERNANDEZ: Yeah, thank you, Jeff.  
7 That last topic you mentioned, that's something I  
8 brought to the attention to the Council the last few  
9 meetings, is this growing segment of the sportfishing  
10 fleet, is the skiff rental, I don't know what they  
11 refer to it to, it's probably outfitting more than  
12 guiding but so would you say you're definitely seeing  
13 an increase -- you know I come from the small rural  
14 villages and we definitely see that happening there.  
15 Is that also a very growing segment of the  
16 sport/commercial segment here in Sitka, would you say?

17

18 MR. BARBER: Yes, I'd say that. You  
19 know we have about a third of the charter fleet effort  
20 in Southeast Alaska, a third of it's here in Sitka,  
21 half of the registered charter boats, and you are  
22 seeing that. There's a place in town that advertises  
23 on the side of their building that they sell everything  
24 but the fish, the boat, the fishing gear, everything,  
25 and it is a big concern there, and with the remote  
26 lodges as well. I know they're just trying to find  
27 other areas of economic opportunity but there is  
28 significant impacts as we all know, but, yeah, it is a  
29 concern.

30

31 Thanks.

32

33 CHAIRMAN ADAMS: Anyone else.

34

35 (No comments)

36

37 CHAIRMAN ADAMS: Thank you, Jeff. Your  
38 testimony is on record so we appreciate you coming.  
39 Thank you.

40

41 Ronald Porter. And then we're going to  
42 save the best for last, Mr. Bob Sam will follow Mr.  
43 Porter.

44

45 MR. PORTER: Mr. Chairman. Members of  
46 the Council. My name is Ronald Porter. I'm here as a  
47 representative of the Southeast Alaska purse seine sac  
48 roe permit holders. I thank you, Mr. Chairman, for  
49 giving me a chance to get here, I was having a little  
50 trouble getting out of Ketchikan, but I finally made

1 it.

2

3                   A couple items I'd like to bring to  
4 your attention, I believe there's a letter circulating  
5 among you guys asking for some support for the  
6 memorandum of agreement between the Sitka Tribe of  
7 Alaska and the State of Alaska. We do not like the  
8 agreement. We feel the agreement is overlooking big  
9 portions of the people that are involved in this  
10 fishery, strictly in a couple instances, one from the  
11 communication aspect, the public, the permit holders,  
12 the other people that are actively involved in the  
13 herring do not get the information from the State at  
14 the same time the Tribe gets it. I don't know how many  
15 of you had a chance to look at the memorandum of  
16 agreement but it calls for a week. By the time we, as  
17 permit holders, get the information to start the plan,  
18 other people in the organization have already filed  
19 protests about the quotas, about the fishery is run, we  
20 would very much like to be on that same level playing  
21 field. The document is becoming very controversial  
22 among commercial fishermen in Southeastern Alaska.

23

24                   Also part of the document calls for a  
25 State and Tribe run information process on how much  
26 subsistence product is taken from the State, that  
27 portion of the document is not working very well.

28

29                   At the present time, unless something's  
30 happened in the last few days, the 2007 information  
31 from that survey has not been made available yet. We  
32 feel that maybe a better method to handle that is some  
33 type of a permitting process or some type of a --  
34 something having to do with accountability, where you  
35 don't have to go through all the surveys and the  
36 databases that just come from the Department, there's a  
37 permit issued, that person goes out and does what -- he  
38 tells how many pounds he took and that's pretty much  
39 the end of it, it's pretty cumbersome what's going on  
40 and we need the information because the amount  
41 necessary provided by the Alaska Department of Fish and  
42 Game so, therefore, we very much -- we don't like the  
43 agreement and we would hope that you would not want to  
44 become a signatory to it.

45

46                   Also I'd like to just speak briefly, I  
47 know there's a lot of controversy about the new methods  
48 of assessment, the new quota, the large quota we have  
49 in Sitka for this year and some feel that their  
50 subsistence needs are not being met. I've been

1 involved in this fishery since its inception and it's  
2 been my experience that the older these herring become  
3 the faster they spawn and the shorter the major  
4 spawning time is. And we have that unique situation  
5 going on right now. These herring are eight, nine's  
6 and 10's in the year class. I think last year the  
7 major spawn was about three or four days. My guess is,  
8 is this fish gets older that time is going to get  
9 shorter. The spawn is going to be just as intense but  
10 this makes the subsistence use really difficult because  
11 it's tough to get ahead of it. The local people that  
12 I'm calling the mom and pop people that go out and want  
13 to do their own stuff, if that three or four day period  
14 isn't on the weekend or a certain time when they can't  
15 get away from their job, they have a real hard time  
16 getting ahead of the next spawns and at the present  
17 time that's precisely what we've got going on, is these  
18 older fish spawn quicker and harder and we got this age  
19 composition going on in the Sound right now. We had in  
20 excess of 50 miles of spawn last year, that's a lot of  
21 spawn, but still we had people that didn't get their  
22 subsistence needs and I believe it wasn't because of  
23 the commercial fishing or the amount of fish that was  
24 available, it's just the way these fish are spawning  
25 now.

26  
27                   One other item I'd like to bring up, a  
28 little bit of a history lesson, I guess you might say.  
29 During the '07 season we had a couple controversial  
30 proposals about the Makhnati Island situation. The  
31 first one was a proposal to shut down that area  
32 completely for the commercial fishery. In my  
33 estimation that did not meet the criteria to ANILCA to  
34 have a total closure. And the second proposal was to  
35 change the threshold level in that area. Just for your  
36 information that 20,000 ton threshold that is in place  
37 now for Sitka Sound, at the time that was put into  
38 place, 5,000 tons of that fish was for subsistence.  
39 The year that was put in place I believe that -- I  
40 believe the threshold was 7,500 tons. The Tribe wanted  
41 to double that threshold level and we were working in  
42 committee on that when Dan Baouy (ph), I believe, was  
43 the Chairman of the Fish and Game Board come to us and  
44 said, you know, there's probably some ways to do this  
45 but let's put some fish in there for the subsistence  
46 side of this and we all agreed that that was probably a  
47 good idea. And this was the time when the harvest  
48 level was going up and, of course, the biomass was  
49 going up. The data here shows that the Sitka Sound  
50 herring biomass is healthy, robust and doing well.

1                               That's pretty much the size of my  
2 testimony.

3  
4                               CHAIRMAN ADAMS: Thank you, Mr. Porter.  
5 Questions from the Council members. Donald.

6  
7                               MR. HERNANDEZ: I've been kind of  
8 interested in this age class of the Sitka Sound stocks  
9 which you talked about. You mentioned a heavy  
10 representation of eight, nine and 10 year old fish,  
11 what's the component of the younger age classes that  
12 are necessary to recruit into this fishery if it's  
13 going to stay strong in the future years?

14  
15                              MR. PORTER: Mr. Chairman. Mr.  
16 Hernandez. The 2008 Sitka Sound primary forecast shows  
17 that the three year olds, we've got 9,8 tons, the four  
18 year olds 2,175 tons, the five year olds 4,699 tons,  
19 the six year olds 8,221 tons, the seven year olds 9,033  
20 tons, and the eight year olds and older, 53,409 tons.  
21 The thing I might add here, if you look back at the  
22 data and the graphs, I don't know whether you guys have  
23 all this stuff from the preseason meeting we had here a  
24 couple weeks ago or not. Some of the people were  
25 around. But anyway every year we seem to -- when this  
26 forecast comes out, the three's, we don't seem to find  
27 them but the next year when we do the cast net samples  
28 and go fishing, the four's increase, so the three's are  
29 there but for some reason we're missing them. I don't  
30 know whether they move away from the rest of the  
31 biomass, they're at one of the Sound and we're on the  
32 other, I don't know, but if you look at the data and  
33 you can look back year after year and it kind of shows  
34 that but every year we say, uh-oh, there's no more  
35 three's but then the next year we start out, the four's  
36 have increased. So if the four's have increased there  
37 had to have been three's.

38  
39                              Does that kind of answer your question  
40 or am I just confusing the issue here?

41  
42                              MR. HERNANDEZ: Well, it was a little  
43 bit confusing but it does sound as though that the  
44 recruitment age classes do sound fairly weak this point  
45 so it does indicate that this fishery will probably be  
46 in decline. Is that your assessment?

47  
48                              MR. PORTER: No, that's not my  
49 assessment because these -- the five, six's and seven's  
50 will increase in size and fecundity and weight and

1 they'll lay down more eggs. So consequently -- that's  
2 why you've got the -- that's why you've got the big  
3 biomass this year and the big forecast and the big  
4 quota and we just got some information here the other  
5 day that when they did these fish on the test it was  
6 196 grams so there's some more fish in this older age  
7 classes. These fish get older and larger they're going  
8 to lay down more eggs so the biomass is going to work  
9 its way up. And I -- and, you know, the Sound has  
10 changed since -- I don't know what you want to call it,  
11 we've got pretty good data here from '79 to date and if  
12 you look at that stuff and you look at these age  
13 classes, they come along one behind the other, and one  
14 of them seems smaller but the very next year that thing  
15 normally increases in size.

16

17                   The older fish, no question about it,  
18 that's the biggest part of the biomass but you got  
19 eight, nine's and 10's and maybe some fish older than  
20 that so these fish are living longer. So if you  
21 project this thing out for a couple three years we're  
22 still going to have lots of old fish in this biomass,  
23 otherwise the eight, nine's and 10's aren't going to  
24 fall off the face of the earth in '08.

25

26                   CHAIRMAN ADAMS: Anyone else. Floyd.

27

28                   MR. KOOKESH: I have a couple  
29 questions. I've never met you before and I kind of  
30 wrote down -- well, I made it to write down Southeast  
31 Alaska sac roe, I don't know what you're all about so  
32 -- but.....

33

34                   MR. PORTER: We're an organization --  
35 excuse me, Mr. Chairman. Mr. Kookesh. We're an  
36 organization made up of permit holders who hold limited  
37 entry permits to purse seine sac roe herring in  
38 Southeastern Alaska. There are 50 of us that have  
39 permits to fish Southeast purse seine sac roe and I'm a  
40 representative of that organization.

41

42                   MR. KOOKESH: I have a few questions.

43

44                   CHAIRMAN ADAMS: Floyd.

45

46                   MR. KOOKESH: I was wondering what kind  
47 of relationship you have with the subsistence community  
48 here in Sitka, do you have a close working  
49 relationship?

50

1                   MR. PORTER: I believe we do, yes. I  
2 am the liaison person between the Tribe and the permit  
3 holders. And the Tribe, of course, has a fisheries  
4 committee and we try to keep them abreast of what we're  
5 doing, the test fish program, we try to get some fish  
6 to the community food fish program. And when you --  
7 I'm glad you brought this up. Up until recently, the  
8 high harvesters of the kelp products here have been  
9 mostly members that were permit holders and fish here  
10 but a lot of these older gentlemen have passed away or  
11 not in the fishery any longer so there's quite a number  
12 of these guys that used to haul this product out of  
13 here to the different communities they live in and  
14 that's not happening any longer because they're gone or  
15 they sold their permits or they've retired, various  
16 things. But a few years back that was, I thought, part  
17 of the biggest part of this whole thing here. Now,  
18 there's younger guys coming along, and they're locals  
19 here that are high harvesters but the permit holders  
20 themselves, there isn't many guys left in that group  
21 that high harvest and haul to the communities.

22  
23                   CHAIRMAN ADAMS: Another question.

24  
25                   MR. KOOKESH: Mr. Chairman, I just have  
26 two more. My first one is do you believe that  
27 subsistence herring on branches should be shared with  
28 other communities which is the tradition among the  
29 Native community?

30  
31                   MR. PORTER: Absolutely. And I think  
32 it's mandated by both the State and the Feds. I think  
33 the State program has a little more teeth in it than  
34 the Federal Program does, but, yeah, absolutely that's  
35 been going on forever.

36  
37                   CHAIRMAN ADAMS: One more question.

38  
39                   MR. KOOKESH: One more and then I'll  
40 allow Mr. Bangs. Some of the dialogue when I come to  
41 Sitka, I hear the dialogue, the community dialogue is  
42 that it's all right for us to sell all the herring and  
43 the roe to the Japanese but it's not all right for the  
44 Native community to have a small enterprise and I was  
45 wondering why the disparity exists where one user group  
46 has a legal right, maybe because they're the majority,  
47 but why one group has the ability or the right to sell  
48 the roe but the other one can't. It kind of -- what  
49 kind of -- well, it kind of goes back to the  
50 Constitution, you know, the State of Alaska is very

1 good at waiving the equality clause of our Constitution  
2 and yet when it comes to something like this it doesn't  
3 exist.

4

5 MR. PORTER: Well, I'm not a legal  
6 scholar here about the laws, of what this is all about.  
7 But the group of people that I'm here representing, I  
8 don't know how much of this stuff is sold, don't have  
9 any idea, you know, every now and then somebody sold so  
10 and so [sic], most of the stuff that I've been involved  
11 and around has been given away and I'm sure there's --  
12 you know with the change of the price of fuel if  
13 somebody's hauling this stuff a long ways they're going  
14 to probably going to get something out of it. I don't  
15 think there's anybody jumping up and down saying, you  
16 know, this little bit of product that's being taken,  
17 that some of it's being sold, in comparison to what  
18 we're doing, no, I don't see that as an issue.

19

20 CHAIRMAN ADAMS: Mr. Bangs. Mr. Kitka.  
21 You know I want to remind you all that we're getting  
22 pressed for time here to get done so that we can get  
23 some people on their way but go ahead and ask your  
24 questions.

25

26 MR. BANGS: Thank you, Mr. Chairman.  
27 Actually Mr. Porter answered most of my questions.  
28 When I had spoke to him in the past he explained some  
29 things to me about the high harvesters and how they  
30 shared and as Merle said, Mr. Joe Demmert used to do it  
31 when he was alive, and I was just wondering what your  
32 past participation in sharing, when you go back to  
33 Ketchikan.

34

35 MR. PORTER: Well, I have, in the past,  
36 been one of those when -- I was operating the boat but  
37 my crew pretty much all lived in Saxman so they kind of  
38 took care of themselves and everybody else but we haul  
39 lots of product back. But my situation has changed  
40 with IFQs and various things the boat stops here and  
41 goes fishing and then goes somewhere else, we don't go  
42 back to Ketchikan any longer.

43

44 The other two gentlemen that took kelp  
45 products back to Ketchikan, Joe Demmert and George  
46 Demmert, they're both out of the fishery.

47

48 In your situation, Al [sic], Peter Jack  
49 was over here all the time taking product. Ray Howard  
50 from Hoonah was here taking product all the time.

1 Ronald Johns from Juneau was hauling product. Greg  
2 Johns was hauling product back to Craig. Leo Woods  
3 hauling product back to Klawock. There was a lot of  
4 product went out of here from different guys.

5

6 CHAIRMAN ADAMS: Harvey.

7

8 MR. KITKA: Thank you, Mr. Chair. Ron,  
9 I heard you talk about many things over the times that  
10 we've met. There were times when you told us that the  
11 test fishery was handled with great care and I don't  
12 doubt that the test fishery was handled with great  
13 care. But the problem with a lot of us in the Tribe  
14 have is during the fishery is when the seiners round up  
15 these fish and sometimes they'll hold them for an hour,  
16 maybe two or three hours, and they won't be held the  
17 same as what they are in the test fishery. They are  
18 scooped up a little closer and a little tighter and  
19 when the product is said that they do not have enough  
20 eggs or the age quality is not right then they let them  
21 go and then we lose a lot of those herring because they  
22 die from the starvation, lack of oxygen. And this is  
23 something I know you guys don't really try to talk to  
24 us about because we know it happens because we're right  
25 there to see it all.

26

27 Thank you.

28

29 MR. PORTER: Mr. Chairman. Mr. Kitka.  
30 Well, number 1 that's against the law. You can't  
31 willfully destroy herring and left them fall to the  
32 bottom. Believe you me there's plenty of enforcement  
33 out here on the grounds to write us guys up for  
34 anything that kind of comes down the path. I have  
35 never talked to anyone that can actually tell me, hey,  
36 we seen so and so hold a set for two or three hours and  
37 have several tons of fish or a few hundred pounds or  
38 whatever, and decide he didn't want to take them and  
39 turn them loose. Now, maybe you have. Now, if that  
40 situation arises that's what the fisheries committee  
41 with the Tribe, the liaison guys with the Department.  
42 You know, I can honestly say that I've had nobody come  
43 to me with that problem, that's actually seen that  
44 happen. I've had a lot of people talk about it but  
45 actually seen it happen. And, you know, I'm not saying  
46 there's nothing that don't exist but we try very, very  
47 hard to be professional of what we do and the bottom  
48 line with this herring, it's under 10 percent it's not  
49 worth nothing. And so anybody that has something like  
50 that going on, when they get a sample of that, that's

1 why we do the extensive test fishery to keep that very  
2 thing from happening, syphoning through fish that  
3 there's no value to or fish are too small. Anybody  
4 that comes up with that, it's let go the minute that  
5 sample is taken and it -- the guys that are doing this  
6 stuff are pretty good at, you can almost tell what the  
7 fish is you see falling down through the block, what  
8 kind of percentage you got going on. So there's no  
9 need to choke them up, no need whatsoever, unless  
10 you're going to pump them.

11  
12 CHAIRMAN ADAMS: Thank you, Mr. Porter.  
13 I think we're going to stop the discussion on this  
14 issue right now. We do have a lot to do. I see Mr.  
15 Douville has a question, one more question and that  
16 will be it.

17  
18 MR. DOUVILLE: Not a question, an  
19 observation.

20  
21 CHAIRMAN ADAMS: Okay, an observation,  
22 observe, please.

23  
24 MR. DOUVILLE: Thank you, Mr. Chair.  
25 Some of what you even mentioned, what you touched on,  
26 is that there's a disruption in the -- they're spawning  
27 quicker, different places, subsistence users are having  
28 to chase them around, they try to get their eggs, I  
29 know that a couple of have told me they had to tow  
30 their branches from here to there trying to keep up  
31 with the herring. And I know if you have 50 boats out  
32 there chasing them around with a net that you're going  
33 to disrupt that cycle and stress the herring.

34  
35 As an example, we had a pile driver  
36 driving piling right during the herring spawn in Craig  
37 last year, and for the first time in anybody's memory  
38 they didn't spawn on fish egg (ph). Nobody got any  
39 eggs from there. They went 10 miles away to San  
40 Fernando and different places and it was a scattered  
41 thin spawn and the pile driver did it, there's no  
42 question about it.

43  
44 But it's just an observation.

45  
46 CHAIRMAN ADAMS: Thank you for being  
47 here, Ron, we appreciate it.

48  
49 MR. PORTER: Well, thank you for  
50 letting me come and testify. And I must apologize if

1 we haven't been too proactive with your organization  
2 but in the future we'll have somebody here.

3

4 CHAIRMAN ADAMS: You're welcome any  
5 time and your testimony is on record for posterity and  
6 so thanks again for being here.

7

8 MR. PORTER: Thank you.

9

10 CHAIRMAN ADAMS: Mr. Bob Sam. (In  
11 Tlingit)

12

13 MR. SAM: Thank you, Mr. Chairman.  
14 Board. Subsistence Board. My name is Bob Sam. I'm  
15 currently chair of the Southeast Alaska Indian Cultural  
16 Center located out at the National Park Service. I've  
17 been observing the last couple of days and I've learned  
18 a lot about your process here and I've been preparing  
19 myself for two days to testify here, getting the  
20 courage to sit here.

21

22 What I'd like to talk about is  
23 listening to subsistence, I'd like to talk about  
24 customary and traditional use. And I asked Teri Rofkar  
25 to join me because she's a master artist. And I felt  
26 it's very, very important for the artists to be here  
27 and to speak their concerns so -- particularly for  
28 access to resources and I've been observing the artists  
29 over the years and I do believe that we are in a  
30 Renaissance of the Northwest Coast Art Forum. You seen  
31 the screen that was behind you, that's covered up now,  
32 and the house posts outside, you know, the artists,  
33 Northwest Coast Art is thriving and I want to continue  
34 to contribute to whatever we can do to make the artists  
35 have access to their resources so that -- because  
36 Northwest Coast Art is the finest in the world. And  
37 what makes it the finest in the world is access to  
38 natural resources. So I asked Teri Rofkar to talk  
39 about her work and some of the concerns that she has  
40 with access.

41

42 This is Teri.

43

44 CHAIRMAN ADAMS: Sure, Teri, go ahead,  
45 enlighten us.

46

47 MS. ROFKAR: Well, thank you, Mr.

48 Chairman.

49

50 CHAIRMAN ADAMS: Bob, would you shut

1 yours off, please.

2

3 MS. ROFKAR: Thank you, Mr. Chairman.  
4 Council. Actually I brought some toys, I thought maybe  
5 I'd get Bob to pass some of these around. I believe it  
6 was 2003 you, as a group, gave a permit for educational  
7 for mountain goat. There's some wool going around,  
8 this is mountain goat yarn, and then some finished  
9 weavings. I brought small pieces. I think next year  
10 will be five years and it will be up for -- I will be  
11 submitting a final pictures, written, but it's nice to  
12 give you a progress report.

13

14 It was this group that allowed the  
15 permit to happen with a lot of people that helped out.  
16 I believe it went through the Forest Service, and then  
17 the permit went to STA and then we got involved with  
18 Terry Suminski and Phil Mooney with the Forest Service,  
19 and then there was the Cultural Center where I work,  
20 which is at the National Park, talk about weaving, it's  
21 a lot of organizations to put together. So we have  
22 been able to get some goat.

23

24 We got three goat the first year with  
25 the enthusiasm about the project. Two goats the second  
26 year. The thing that made it so important that your  
27 action, this is absolutely the fruit of the action that  
28 you took is that the wool that I get is most abundant  
29 in the season of the spring when hunting is illegal for  
30 goats. So there is some harvested, just shed wool  
31 that's useable. But, you know, we do eat the goats.  
32 And to be able to explain to people that not only did  
33 we use the wool off the animal but the toes you use in  
34 jingles for the regalia, the skin we turn into drums  
35 and then, you know, the meat went to the community with  
36 the traditional foods program. Everything gets used.

37

38 I just think it's a great direction and  
39 I don't know any other group of people that could have  
40 pulled it off, so, thanks, you guys.

41

42 I would also like to say that the last  
43 couple years for whatever reason, because of maybe so  
44 many organizations it's been real difficult, the timing  
45 has been bad for getting goats so the last two years we  
46 have not gotten goats. We've been allowed to get three  
47 billy goats in the spring and I guess I would think  
48 that perhaps some of you have communities that have  
49 relationships with goat populations near where you  
50 live, maybe it's something to pursue and maybe they

1 could get the three goats. I guess what I'm saying is  
2 it would be really nice to have other people to talk to  
3 and say what works and what doesn't, it's just a real  
4 small group working here. But it's well worth the  
5 endeavor and I look forward to giving you a full report  
6 next year, but just a progress.

7

8 Thank you.

9

10 CHAIRMAN ADAMS: Great. Thank you,  
11 very much Terry. And this is beautiful stuff and I'm  
12 rally amazed at the ball of yard that you have over  
13 there from the goat, fantastic.

14

15 Thank you.

16

17 Bob, you have anything else to say.

18

19 MR. SAM: I just want to say thank you  
20 for allowing us this time. It's been very busy, it's  
21 been an eye opener to watch the last couple of days  
22 with all the work that you have. Watching the artist I  
23 felt that it was very, very important for artists to  
24 come down and provide input here, and I just wanted to  
25 thank you for allowing us to do that.

26

27 Thank you.

28

29 CHAIRMAN ADAMS: And, gunalcheesh to  
30 you, and it's really enlightening to be able to see the  
31 results of some work that we had done and to see the  
32 product actually come out.

33

34 Gunalcheesh, thank you very much.

35

36 Okay, Council we do have a couple of  
37 issues that do need to be decided now, and we're going  
38 to jump over to those.

39

40 We need to go down to Item No. 17 and  
41 it's the bullet one, two, three, four, confirm special  
42 topics, meeting dates and the location for the fall  
43 2008 meeting. Is that 2008?

44

45 MR. LARSON: Yes.

46

47 CHAIRMAN ADAMS: Oh, this fall, okay.  
48 So, you know, you have a calendar in the back of your  
49 book; is that correct?

50

1 MR. LARSON: Yes, Mr. Chairman, if the  
2 Council could look on Page 123. You'll see the meeting  
3 calendar. And currently the Southeast Regional  
4 Advisory Council meeting is meeting in Juneau on  
5 September 23rd, 24th and 25th, the topic under  
6 consideration there are the fisheries proposals, it's a  
7 regulatory meeting.

8  
9 CHAIRMAN ADAMS: So that's already  
10 established for this fall. What we need to do then is  
11 maybe go over to the winter schedule and determine  
12 that.

13  
14 MR. LARSON: Yes, Mr. Chairman, the  
15 winter schedule, if you'll look on the next page you'll  
16 see the meeting window. One of the consequences of the  
17 even/odd year schedule for fish and wildlife is that  
18 winter meetings from now on will not be regulatory  
19 meetings, they'll be informational meetings. In some  
20 side bar discussions with Council members, I am  
21 suggesting that we establish a time and date for the  
22 meeting and if we could agree on a topic, a general  
23 topic of discussion, then we can use the time between  
24 now and next fall to flesh it out and have a report  
25 back on what would be the actual topics and  
26 presentations. But the suggestions that I've heard up  
27 until this date and it seems highly appropriate to the  
28 Forest Service would be a deer management workshop.  
29 Now, subsequent -- there's been one Regional Council  
30 meeting prior to this time, and they have already  
31 selected February 10th and 11th. But you can see the  
32 meeting window opens on February 10th and closes on  
33 April 3rd. So within that window.

34  
35 CHAIRMAN ADAMS: Mr. Bangs.

36  
37 MR. BANGS: Thank you, Mr. Chairman.  
38 Would it be appropriate to make a motion to choose a  
39 few days, I would move that we do it the week of the  
40 23rd through the 27th just as we're doing this year.

41  
42 CHAIRMAN ADAMS: The week of the 23rd,  
43 February 23rd.

44  
45 MR. LARSON: 24, 25 and 26th  
46 specifically.

47  
48 CHAIRMAN ADAMS: Yes, is there a  
49 second.

50

1 MR. HERNANDEZ: Second.  
2  
3 CHAIRMAN ADAMS: All right. It's moved  
4 and seconded. Discussion.  
5  
6 (No comments)  
7  
8 CHAIRMAN ADAMS: I think we need to  
9 establish where, too, somewhere down the line.  
10  
11 The workshop, deer workshop management,  
12 is that a good subject to cover at that time. I think  
13 it is, you know, with the issues that have happened  
14 over this past year and everything, I think it would be  
15 really good to address that and maybe come up with  
16 something more solid.  
17  
18 (Pause)  
19  
20 CHAIRMAN ADAMS: Yeah, anything with  
21 deer.  
22  
23 MR. LARSON: Yes, Mr. Chairman, I think  
24 what we need to do is take some time between now and  
25 the fall meeting to really decide exactly the topics  
26 that we need to investigate and I would hope that we  
27 could reflect maybe some of the discussions we have in  
28 our annual report concerning cooperation and co-  
29 management with the Alaska Department in a seamless or  
30 rationale management scheme, possibly even a first  
31 draft of a deer management plan would give us some  
32 goals and objectives and criteria for making in-season  
33 management decisions or customary and traditional use  
34 findings. So something we could work forward with and  
35 move, but we are willing to work on exactly the forum  
36 that that would take and have approval prior to the  
37 fall Council meeting, for your approval prior to the  
38 fall Council meeting.  
39  
40 CHAIRMAN ADAMS: What do you think,  
41 good subject.  
42  
43 (Council nods affirmatively)  
44  
45 CHAIRMAN ADAMS: Everyone's nodding  
46 their head, except Floyd.  
47  
48 MR. KOOKESH: Yeah.  
49  
50 CHAIRMAN ADAMS: Go ahead, Floyd.

1 MR. KOOKESH: One of the issues we tend  
2 to struggle with is amending a motion or making a  
3 motion to -- I mean we should look at Robert's Rules,  
4 it wouldn't hurt to take review a look at Robert's  
5 Rules because sometimes we get caught in certain  
6 dilemmas on Robert's Rules. Maybe there might be an  
7 ability to refresh or enlighten if we have questions.

8  
9 CHAIRMAN ADAMS: Well, you know, the  
10 motion was to use this window as an opportunity for the  
11 next meeting and so we're under discussion. Under  
12 discussion, you know, was what topics we should use for  
13 that meeting. And I don't know, unless you have an  
14 issue there I don't see anything that we've done  
15 inappropriate.

16  
17 MR. KOOKESH: Oh.

18  
19 CHAIRMAN ADAMS: So did you have  
20 something Bob.

21  
22 MR. LARSON: Just exactly what you  
23 commented on that the motion before us is the week of  
24 the 24th, what we need to be included in that motion is  
25 a location, time and location, but I believe that we  
26 could have adequate direction regarding a topic for  
27 that without a motion.

28  
29 CHAIRMAN ADAMS: Well, you know, I have  
30 to back peddle here, I do agree with you, I think maybe  
31 we need to consider the time, the place and the  
32 location and put it all into one motion so if we can  
33 work it that way maybe we can get this done a lot  
34 quicker.

35  
36 Mr. Bangs.

37  
38 MR. BANGS: Thank you, Mr. Chairman. I  
39 know we've spoke about this in the past about Yakutat  
40 as being a possibility. I just wanted to let the  
41 Council be aware that the Petersburg Indian Association  
42 has extended a welcome to come to Petersburg whenever  
43 there was an open meeting opportunity, so I just wanted  
44 to let you know that but I know that we had spoke about  
45 Yakutat. And that sounds like -- if you think that  
46 that will work, I would make that -- that's the motion,  
47 that we have the meeting during the week of the 24th in  
48 Yakutat.

49  
50 CHAIRMAN ADAMS: Okay.

1 MR. KOOKESH: No.  
2  
3 CHAIRMAN ADAMS: Yes.  
4  
5 MR. KOOKESH: Go ahead. Go ahead.  
6  
7 CHAIRMAN ADAMS: Okay. I just want to  
8 let everyone know that we have done some extensive  
9 repair work on the ANB Hall and we are going to do some  
10 more, you know, this summer and into the fall and, you  
11 know, by the time it's time for this meeting we should  
12 be pretty well done with the repair work but that's not  
13 including the real big project that we plan for the  
14 future but I think that we'll be ready to have a  
15 meeting up there in the near future.  
16  
17 MR. KOOKESH: Mr. Chairman. I know  
18 that we're going to talk about deer management and this  
19 would be a wonderful opportunity for Unit 4, Angoon, to  
20 be the site for the discussion.  
21  
22 CHAIRMAN ADAMS: So you're suggesting  
23 that, that's fine. And I fully agree since you guys  
24 are.....  
25  
26 MR. KOOKESH: Extending the offer.  
27  
28 CHAIRMAN ADAMS: .....more affected  
29 with the deer issues down in your area than probably  
30 anywhere else. Yakutat, you know, our deer population  
31 is small, we only have a one month season and you're  
32 only allowed one.  
33  
34 MR. KOOKESH: Moose soup.  
35  
36 CHAIRMAN ADAMS: We'll have moose soup,  
37 yeah. But Angoon is also a possibility.  
38  
39 You know Mr. Bangs, I would suggest  
40 that you take your first motion off the floor and let's  
41 talk about a time, place and location. I think we've  
42 pretty much gotten the subject down but maybe we can  
43 talk a little bit about that.  
44  
45 Mr. Douville.  
46  
47 MR. DOUVILLE: Didn't we have some  
48 issues with places that didn't have jet service in the  
49 wintertime as a.....  
50

1 CHAIRMAN ADAMS: Pardon?  
2  
3 MR. DOUVILLE: Didn't we discuss having  
4 meetings in places that had jet service in the winter,  
5 I mean that was an issue for some of us.  
6  
7 CHAIRMAN ADAMS: Yeah, that has an  
8 issue. Yakutat has jet service twice a day.  
9  
10 MR. KOOKESH: It's not an issue.  
11  
12 CHAIRMAN ADAMS: It's not an issue but  
13 it was a question that needed to be answered.  
14  
15 Bob.  
16  
17 MR. LARSON: Mr. Chairman. Yes, I've  
18 been in communication with the Office of Subsistence  
19 Management regarding which communities will be funded  
20 and have approval for a Regional Council and it is  
21 those communities with daily jet service, so that would  
22 include Yakutat but not include Angoon.  
23  
24 MR. KOOKESH: You should have said that  
25 in the beginning.  
26  
27 CHAIRMAN ADAMS: I think that has been  
28 the issue, that the OSM has been throwing around quite  
29 a bit, you know, with the budget cuts and everything,  
30 you know, they have to be pretty frugal and making sure  
31 that everyone gets to where they're supposed to be in a  
32 timely manner and back home as well.  
33  
34 So, Mr. Bangs, I think I was going to  
35 ask you to, you know, withdraw your first motion and  
36 maybe make a new one and, you know, include the time,  
37 place and subject.  
38  
39 MR. KOOKESH: You're wasting our time  
40 sitting here.  
41  
42 MR. BANGS: Mr. Chairman, I withdraw my  
43 original motion and I think the second would have to be  
44 withdrawn.  
45  
46 CHAIRMAN ADAMS: Is that okay with the  
47 second.  
48  
49 MR. HERNANDEZ: (Nods affirmatively)  
50

1 MR. BANGS: So now I guess I'd make a  
2 motion that we meet during the week of 24th, 25th, 26th  
3 in Yakutat, anything else we need to have in the  
4 motion?

5  
6 CHAIRMAN ADAMS: The subject. Include  
7 the subject that we're going to be covering.

8  
9 MR. BANGS: Well, at least and not  
10 excluding anything else that we might come up with, but  
11 I'd like to include deer studies.

12  
13 CHAIRMAN ADAMS: Okay. A motion's been  
14 made is there a second.

15  
16 MR. HERNANDEZ: Second.

17  
18 CHAIRMAN ADAMS: Second, thank you,  
19 Donald. Any further discussion.

20  
21 (No comments)

22  
23 CHAIRMAN ADAMS: Hearing none, all in  
24 favor please say aye.

25  
26 IN UNISON: Aye.

27  
28 CHAIRMAN ADAMS: Opposed.

29  
30 MR. KOOKESH: Nay. And a comment.

31  
32 CHAIRMAN ADAMS: And a comment. Motion  
33 carries. A comment.

34  
35 MR. KOOKESH: One of the -- one of --  
36 Mr. Chairman, I don't know this authority thing -- but,  
37 you know, one of the reasons why the Title VIII of  
38 ANILCA was created, you know, if you read the beginning  
39 of Title VIII, is a forum to allow for an opportunity  
40 to express -- for the expressions of opinions. So I'm  
41 wondering how we're going -- how you're going to weigh  
42 in -- the communities like Angoon and our brothers in  
43 Kake and Hoonah, how we're going to weigh in on that  
44 Unit 4 discussion. Is there going to be a process now  
45 that -- now that OSM has made this determination, I'd  
46 like for them to reach out to the communities that are  
47 going to be affected seriously by this type of action.  
48 Jet service shouldn't be -- what I'm saying is jet  
49 service shouldn't be a requirement.

50

1 CHAIRMAN ADAMS: Okay. Maybe we can  
2 have Larry or Steve come down and give us a little bit  
3 of a report on that.

4  
5 MR. BUKLIS: Mr. Chairman. Larry  
6 Buklis, Office of Subsistence Management. The move to  
7 alternate year cycles and the move to focus Council  
8 meetings in hub locations throughout the regions are  
9 necessary steps to live within the budget. And we see  
10 the Councils as representing the region and the various  
11 places in the region and there are other ways for  
12 Council members to receive information from the public  
13 rather than meeting in the outlying locations and it's  
14 just a reality of the current budget circumstances.

15  
16 MR. KOOKESH: So I have a question.

17  
18 CHAIRMAN ADAMS: Question, Mr. Kookesh.

19  
20 MR. KOOKESH: Aside from all of the  
21 language you just used, how does the average hunter  
22 speak? I mean I heard some real wonderful dialogue but  
23 I want to talk about subsistence, Angoon people want to  
24 talk about subsistence, Kake people, how do we -- how  
25 do we get their voice, that's what I'm asking. Why  
26 don't they have voice. This is a -- this is a rural  
27 preference and yet we're designated into an urban  
28 setting, it doesn't seem to, you know.

29  
30 CHAIRMAN ADAMS: Yeah, you know, I've  
31 always thought that, you know, we needed to reach out  
32 -- I feel the same way but, you know, with the way the  
33 budget is, you know, you've got to adjust it so that it  
34 -- that it fits and this is one of the things that they  
35 came up with. But I've always felt that -- and I feel  
36 strongly now that this is going to take the real issues  
37 away from the real people that are mostly affected by  
38 it. Like for instance, you know, you can't have this  
39 meeting particularly down in Angoon because you don't  
40 have jet service, but we're going to be talking about  
41 issues that, you know, in Unit 4 that actually really  
42 affect you, and who are the voices, well, you know, I  
43 think you and Nick, you know, are the voices for those  
44 people that can be heard, through your representation.

45  
46 But I also feel, you know, that it's a  
47 bad deal when we have to, you know, exclude those  
48 little communities, you know, that are not serviced by  
49 jets or proper transportation. We did experience some  
50 problems, you know, when we went to Kake but, you know,

1 it's a good example of how, you know, transportation  
2 was a real big issue of getting people down there and  
3 back home. And, you know, I think that's pretty well  
4 justified. But I just feel, you know, also that we're  
5 cheating out those communities that are not able to  
6 have it. And I think, you know, if we could provide  
7 transportation services to Angoon, for instance, then I  
8 would more likely to have it down there, you know I  
9 really would.

10

11 But that's the situation as Mr. Buklis  
12 explained. The budget is getting tighter and tighter  
13 and we have to do more with less, and I guess this is  
14 one of the ways that they have outlined it for us.

15

16 MR. KOOKESH: Well, Mr. Chairman, to  
17 properly address that then, in the context of what Mr.  
18 Buklis or Mr. Kessler might want to talk -- why don't  
19 we just go and do it the right way, let's just -- let's  
20 really help with this budget process and just put it  
21 right in the middle and let's just go to Juneau, let's  
22 not go to Ketchikan because it will cost more money to  
23 go down there. Let's just go to Juneau if we really  
24 want to address this properly, which we should be  
25 doing, let's just all go to Juneau. And if you live  
26 south of Juneau let's just teleconference them in. I  
27 mean if we're really talking that -- I mean if the  
28 budget cut is that serious we should just go to one  
29 central point, that way people can start making  
30 adjustments in their lifestyles to be able to make this  
31 process work for them. Because there is an in and out  
32 of Juneau for all of us, we don't all have jet service,  
33 but we do have marine highway service, which is our  
34 jet, by the way.

35

36 CHAIRMAN ADAMS: Yeah, and just hearing  
37 it from the grapevine, that was a matter that was under  
38 discussion, that why don't we just have them all in  
39 Juneau or -- yeah, I think the Juneau site was picked  
40 as to where we should have it.

41

42 MR. KOOKESH: During gold medal.

43

44 CHAIRMAN ADAMS: During gold medal.

45

46 MR. KOOKESH: At least.

47

48 CHAIRMAN ADAMS: Mr. Bangs.

49

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

1 like the idea of going to the smaller communities as  
2 well but I would like to point out that when we do go  
3 to the smaller communities that it basically excludes  
4 all the rest of the people that deal with the issues  
5 that have a tough time getting to those smaller  
6 communities. So if we go to Angoon to talk about Unit  
7 4 deer that means that the people in Sitka who are  
8 affected by this, the people in Hoonah, the people in  
9 Kake, it's more difficult for them to get to those  
10 meetings as well, so it's kind of a double-edged sword.  
11 I personally would love to go to Angoon for a meeting  
12 but I do think it makes it more difficult for all the  
13 rest of the subsistence users in Southeast to attend  
14 our meetings.

15

16 Thank you.

17

18 CHAIRMAN ADAMS: Any other comments.

19 Mr. Douville.

20

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

22 You touched on this a little bit. But part of your  
23 charge as a RAC member is to meet with your community,  
24 gather that information and represent it at these  
25 meetings and that's why it's structured that way, it's  
26 part of your charge. So in that sense most places are  
27 represented.

28

29 CHAIRMAN ADAMS: Yeah. Yeah, thank  
30 you, Mike. Anyone else.

31

32 MR. KOOKESH: Yeah.

33

34 CHAIRMAN ADAMS: Mr. Kookesh.

35

36 MR. KOOKESH: Mr. Douville does have a  
37 point but there's not enough representation on here to  
38 go back to your community and meet with them because  
39 who's they Hydaburg representative sitting here, there  
40 is no Hydaburg representative sitting here, so who's  
41 going to do that, is that -- I know that we all  
42 represent all of Southeast but a lot of these  
43 communities don't have representatives on this Council  
44 so they don't have a voice yet either and we do need  
45 that. And going to Petersburg, we all can't go to  
46 Petersburg. Angoon people -- you never hear of Angoon  
47 people going to Petersburg, I mean using an example.  
48 But there is not enough voices out there for -- and we  
49 don't represent every community.

50

1                   CHAIRMAN ADAMS: And unfortunately, you  
2 know, that's an unfortunate part of this process but,  
3 you know, if you look at the broad spectrum of people  
4 who are sitting around these tables here, it's covered  
5 all the way from Yakutat down to Wrangell and in  
6 between, you know, there's only 13 of us, maybe there  
7 should be 20 of us, you know, that represents every  
8 community but that's not the way the system is set up  
9 and we have to do the best with what we have. So you  
10 know there's a lot of flaws in this business right now  
11 but, you know, I just have to say that we got to do the  
12 best that we can with what we have.

13

14                   Do more with less, you know, less  
15 resources and that's a real big challenge for us.

16

17                   And, yeah, you know, we can take it the  
18 other way, too, Mr. Kookesh, you know, how easy is it  
19 going to be for people from Angoon or Kake, you know,  
20 who want to come and have their voices heard, you know,  
21 how is easy is it going to be for them to come to  
22 Yakutat next year to do that, and I think you were  
23 alluding to that earlier. But it's something that  
24 we're going to have to deal with and, you know, of  
25 course we represent all of Southeast Alaska and we  
26 should also represent those communities that we are  
27 from as well.

28

29                   MR. KOOKESH: It just kind of goes to  
30 what I've been hearing when I attended the BIA  
31 provider's conference, of the continued erosion -- the  
32 continued erosion of the subsistence priority for the  
33 -- for the rural areas, you know, if our -- if our  
34 urban Staff have a hard time going to rural communities  
35 maybe we need a rural Staff willing to go there. But,  
36 yeah, it's unfortunate to me, it -- it just -- it just  
37 doesn't say very much about Title VIII at the OSM  
38 level, it's -- it's unfortunate that we have to sit  
39 here and talk like this.

40

41                   CHAIRMAN ADAMS: Yeah, I agree. Okay,  
42 any more discussion on this issue.

43

44                   MR. KOOKESH: We're going to Juneau,  
45 right.

46

47                   CHAIRMAN ADAMS: The motion was made to  
48 go to Yakutat.

49

50                   What's the wish of the Council on this,

1 did we vote on it already?

2

3 MR. KOOKESH: Yeah, we did.

4

5 CHAIRMAN ADAMS: Okay, we did. So  
6 let's move on. Thank you, Larry for clarifying some  
7 stuff there for us. Okay, what's the other thing we  
8 needed to take care of, sir.

9

10 MR. LARSON: Yeah, Mr. Chairman, what  
11 we need to do now is we need to review the actions for  
12 this Council and put our final stamp of approval on it.  
13 If you were to look at the screen behind us, there's  
14 three actions that I think we need to look at. And  
15 actually there's only two.

16

17 One proposal and one action on a  
18 proposal.

19

20 The other action that we need approval,  
21 or that I'd like to note is that we've nominated Don  
22 Hernandez to serve on the TransBoundary River Panel.

23

24 We also have a proposal for a C&T  
25 determination for moose in 1C and we have adopted an  
26 amended -- or modified proposal regarding an extension  
27 of the deer season in Unit 3 remainder.

28

29 If you'd look on the screen we could  
30 have some approval. This is the deer proposal.

31

32 (Pause)

33

34 MR. LARSON: Mr. Chairman. This is the  
35 wording that will be submitted to OSM regarding Council  
36 actions. If you look where it says Council  
37 recommendations, support with modification:

38

39 Unit 3 remainder would be Unit -- you  
40 would have a season extension, December  
41 1 to December 31st, by announcement.

42

43 Unless we have a dissent, we can look  
44 at the next Council action regarding moose.

45

46 (No comments)

47

48 MR. LARSON: This is the proposal that  
49 would be submitted during the next regulatory cycle for  
50 wildlife and it would read:

1 Customary and traditional use  
2 determination for Unit 1C and that  
3 would be rural residents of Yakutat and  
4 Southeastern Alaska areas.  
5

6 And we would use the justification that  
7 we have down at the bottom of the screen. And if  
8 there's no objection we'll submit this to OSM as you  
9 see on the screen.  
10

11 (No comments)  
12

13 MR. KOOKESH: The visual is nice but  
14 it'd be nice to have a hard copy.  
15

16 (Pause)  
17

18 MR. KOOKESH: Will we see a hard copy.  
19 Because this is the first time I've seen it. I know  
20 you're a nice guy and everything but this is important.  
21

22 MR. LARSON: The Council will have an  
23 opportunity to review this again during their fall  
24 meeting this September. We will not be able to submit  
25 it prior to that. We don't have a hard copy for you  
26 right now but we will have then.  
27

28 (Pause)  
29

30 MR. LARSON: Do we have some Council  
31 discussion.  
32

33 CHAIRMAN ADAMS: Mr. Hernandez.  
34

35 MR. HERNANDEZ: Yes, maybe I was just  
36 going to suggest that for the actual wording there,  
37 where it says rural residents of the Yakutat and  
38 Southeast Alaska areas, maybe you could be more  
39 specific and say rural residents of Units 1 through 5,  
40 might be a little more specific.  
41

42 MR. LARSON: The language is that this  
43 is our -- we could do that, yes, absolutely. And that  
44 would be just the same, the area we're -- we are  
45 located, and our jurisdiction is actually described as  
46 Southeastern Alaska area. If you look at our  
47 regulation book that's how it's listed, but we could do  
48 Units 1 through 5 just as well.  
49

50 MR. HERNANDEZ: I just -- it seems like

1 in most of the other proposals we see it's kind of  
2 listed, you know, kind of specific units are listed so  
3 I thought just to be consistent.

4  
5 MR. LARSON: It's done.

6  
7 MR. BANGS: Robert.

8  
9 MR. LARSON: Yes.

10  
11 MR. BANGS: Thank you. Maybe it would  
12 be good to just include it in the wording, like at the  
13 end of your rural residents of the Southeastern Alaska  
14 area.

15  
16 MR. LARSON: It's perfectly clear  
17 either way, 1 through 5 is perfectly clear.

18  
19 (Pause)

20  
21 CHAIRMAN ADAMS: Okay.

22  
23 MR. LARSON: Mr. Chairman. That is the  
24 record of actions by the Council at this meeting.

25  
26 CHAIRMAN ADAMS: Okay. So is everyone  
27 satisfied with the language.

28  
29 Mr. Kitka.

30  
31 MR. KITKA: Yes, I believe the Sitka  
32 Tribe wanted one more action on the herring and I don't  
33 know where you're going to bring that up.

34  
35 CHAIRMAN ADAMS: Is that the letter  
36 that they gave to us, yeah.

37  
38 MR. MORRISON: Yes, I'd like to read  
39 the letter for the record, Mr. Chairman, and Council.

40  
41 CHAIRMAN ADAMS: Sure.

42  
43 MR. MORRISON: Bertrand J. Adams, Sr.,  
44 Chairman, and the address, of course, is included.

45  
46 This is regarding a memorandum of  
47 agreement between Sitka Tribe of Alaska  
48 and State of Alaska Department of Fish  
49 and Game.

50

1 CHAIRMAN ADAMS: Excuse me. Excuse me,  
2 would you, just for the record, you know, say your  
3 name.

4  
5 MR. MORRISON: Yes, sir.

6  
7 CHAIRMAN ADAMS: Yeah.

8  
9 MR. MORRISON: My name is Eric  
10 Morrison, I'm a staff member with the Sitka Tribe  
11 resources protection office. Thank you.

12  
13 CHAIRMAN ADAMS: Thank you. Continue.

14  
15 MR. MORRISON: Yes. The letter goes  
16 on:

17  
18 Dear Mr. Adams:

19  
20 The Sitka Tribe of Alaska, the  
21 Federally-recognized tribal government  
22 in Sitka represents over 3,950 tribal  
23 citizens. STA is responsible to  
24 protect the health, safety, welfare and  
25 culture of our citizens. With this  
26 responsibility in mind I write to  
27 request that the Southeast Regional  
28 Advisory Council to consider supporting  
29 our request that the Federal government  
30 be added to the memorandum of agreement  
31 between STA and Alaska Department of  
32 Fish and Game.

33  
34 STA believes that the greater Sitka  
35 Sound area has the last marginally  
36 healthy stock of hearing left in  
37 Southeast Alaska and that Alaska  
38 Department of Fish and Game has not  
39 managed other stocks in sustainable  
40 manner.

41  
42 Further although STA believes in the  
43 MOA and working with the Alaska Fish  
44 and Game in a cooperative manner. We  
45 believe that the Alaska Fish and Game  
46 has failed to meet a subsistence  
47 priority in the Sitka Sound commercial  
48 herring sac roe fishery that takes  
49 place every year. Information gathered  
50 from an annual subsistence herring roe

1 harvest survey shows that our  
2 subsistence needs have not been met  
3 three out of the past seven years, that  
4 is the amount harvested has been far  
5 below the amount reasonably necessary  
6 designated by the State Board of Fish  
7 as 105,000 to 158,000 pounds.  
8

9 Further, on the last survey 44 percent  
10 of those surveyed deemed that their  
11 subsistence needs were not met in 2007.  
12

13 We believe that in order to assure the  
14 subsistence users of Sitka continuation  
15 of an opportunity to enjoy the  
16 harvesting of herring eggs as the  
17 Natives of Southeast has done since  
18 time immemorial, the Federal government  
19 must be a party to the MOA to ensure  
20 the intent of the MOA is adhered to.  
21

22 The Sitka Tribal Council requests that  
23 the Southeast Regional Advisory Council  
24 support the addition of Federal  
25 membership to the MOA.  
26

27 Thank you for your time and  
28 consideration of this matter. If you  
29 have any questions, please contact  
30 Helen Dangle, resource protection  
31 director.  
32

33 Sincerely,  
34

35 Lawrence Widmark  
36 Tribal Chairman.  
37

38 CHAIRMAN ADAMS: Well, thank you, Eric  
39 for that letter. Mike, do you have a comment.  
40

41 MR. MILLER: Thank you, Mr. Chair.  
42 Again, Mike Miller. Just real briefly, there was other  
43 information that was presented that would seem to  
44 indicate there is no subsistence problem but I'm here  
45 to say that there definitely is. As the letter  
46 indicates there was a lack of needs being met, two out  
47 of the last three years, we're not asking for a  
48 particular stand on any fishery issue but we feel that  
49 due to your presence and the Federal waters in Makhnati  
50 area, that it would make sense for the Federal Board to

1 be a signatory to our agreement with the State and we  
2 would like this board to approve a motion exploring  
3 that possibility.

4  
5 CHAIRMAN ADAMS: All right. So what's  
6 the wish of the Council on this, they're asking that a  
7 Federal manager have a part in the MOU and we've talked  
8 a lot about it and we supported it and, you know, when  
9 we were considering the Makhnati Island issue and so I  
10 think, you know, it's -- what they're requesting, you  
11 know, to follow up on that and make it happen.

12  
13 Donald.

14  
15 MR. HERNANDEZ: Thank you, Mr.  
16 Chairman. The request that the Subsistence Board have  
17 a representative, would that representative be the --  
18 well, I guess who would actually be that representative  
19 of the Board?

20  
21 CHAIRMAN ADAMS: It'd be more likely  
22 Mr. Suminski sitting up there.

23  
24 (Pause)

25  
26 CHAIRMAN ADAMS: Do you want to do some  
27 particular action on this thing and have a motion to  
28 request that happen. Harvey, go ahead.

29  
30 MR. KITKA: Mr. Chair. I would so move  
31 that we move on this action that STA submitted and  
32 become signatories to the MOA.

33  
34 CHAIRMAN ADAMS: Thank you. Is there a  
35 second.

36  
37 MR. HERNANDEZ: Second.

38  
39 CHAIRMAN ADAMS: Did you second it?

40  
41 MR. HERNANDEZ: I'll second it.

42  
43 CHAIRMAN ADAMS: Okay. You have a  
44 comment.

45  
46 MR. BANGS: Yes. Thank you, Mr.  
47 Chairman. There's one thing that kind of bothers me, I  
48 don't see the MOA, I don't know what we're doing, or  
49 what we're signing on to. We did hear that there was  
50 problems with it, I don't know if it's a good thing to

1 have somebody -- or if this Council should go ahead  
2 with something that we don't -- you know we don't have  
3 our hands on, I don't know it just seems like  
4 something's missing here.

5  
6 CHAIRMAN ADAMS: Yeah, we don't have  
7 access, I don't believe, to the MOA. But it's pretty  
8 simple, Mr. Bangs, all they're asking, you know, is  
9 that we have a Federal representative as a signatory on  
10 the MOA. Mr. Mike Miller, please.

11  
12 MR. MILLER: Yeah, thank you, Mr.  
13 Chairman. Mr. Bangs. Obviously, you know, we're not  
14 asking you to sign on to something blind or something  
15 you cannot add or subtract and obviously the MOA would  
16 have to be changed somewhat to reflect the Federal  
17 presence there, so we're just asking that you actually  
18 follow through with what had been asked before and  
19 certainly just add your input and interpretation of  
20 things there so it's, I guess, a benefit both to us and  
21 to the State as well to have a Federal presence, since  
22 you do have identified Federal waters here.

23  
24 CHAIRMAN ADAMS: Mr. Hernandez.

25  
26 MR. HERNANDEZ: Thank you, Mr.  
27 Chairman. I guess something that's kind of bothered me  
28 as a result of our proposal being opposed by the  
29 Federal Board last year, that we're now in the  
30 situation where there are Federal waters here in Sitka  
31 Sound, you know, where herring spawn takes place and  
32 essentially the Federal agencies have no -- apparently  
33 have no regulatory authority over that area as of right  
34 now. Our request was denied to have that managed by  
35 separate threshold level for fishing, so with that  
36 denial we have no say over what happens there now, no  
37 ability to open or close or regulate in any manner. so  
38 I think it is important that we have at least some  
39 representation in this memorandum of agreement so at  
40 least we have some input into, you know, how this  
41 fishery is conducted.

42  
43 CHAIRMAN ADAMS: So I'm assuming that  
44 there will be a meeting between the State and Sitka  
45 Tribe, you know, to go over this MOA and when that  
46 happens, a Federal, you know, stipulation will be  
47 included in it. It would have to -- I don't know how  
48 you intend to handle it but maybe you can address it,  
49 Mr. Miller, as well as make your comment.

50

1 MR. MILLER: Well, the comment that  
2 there is no authority at all I don't think is entirely  
3 accurate, I think there still is the ability of the  
4 fishery manager, Mr. Suminski, to close the season if  
5 there is an emergency that occurs, or at least that's  
6 my understanding. But I mean we're really trying to  
7 avoid those situations and we're looking to that MOU to  
8 be the tool to help prevent those kind of things from  
9 happening. That was the intent, for the people to work  
10 together. And that's why I think it makes sense being  
11 that you do have a presence here, you do have Federal  
12 waters, that it makes sense that what happens there,  
13 that you should have final say on that, but you should  
14 be able to influence things prior to having an  
15 emergency. So it does make sense that you would have a  
16 representative with that MOA.

17  
18 And process, I don't think we've really  
19 figured it out, exactly yet, I think you still would  
20 have to get approval from the Federal Board and I mean  
21 that's really where we need to go eventually for  
22 overall in the state, is we need to get the Federal  
23 system and the State system to start working together  
24 so this is, I think, a step in that direction.

25  
26 CHAIRMAN ADAMS: All right, thank you.  
27 Any more questions.

28  
29 (No comments)

30  
31 CHAIRMAN ADAMS: Are we ready to vote  
32 -- Mr. Douville.

33  
34 MR. DOUVILLE: I guess I'd like to hear  
35 the motion to see just what it does and are we acting  
36 within our ability to take this action without going to  
37 the Federal system.

38  
39 CHAIRMAN ADAMS: We need to have the  
40 motion read. Mr. Larson.

41  
42 Mr. Kookesh, are you going out the door  
43 now.

44  
45 MR. KOOKESH: It just looks like that.

46  
47 CHAIRMAN ADAMS: Just looks like that,  
48 okay. Have a safe trip.

49  
50 (Laughter)

1 CHAIRMAN ADAMS: Okay, Mr. Larson.  
2  
3 MR. LARSON: Yes, Mr. Chairman. I  
4 think we need to hear the motion again, restate it,  
5 please.  
6  
7 MR. KITKA: Mr. Chairman. I would move  
8 that the Federal government be a signatory to the MOA  
9 with the Sitka Tribe of Alaska on the herring issue.  
10  
11 CHAIRMAN ADAMS: Okay, that was the  
12 motion and it was seconded. Mr. Douville.  
13  
14 MR. DOUVILLE: So then are we  
15 requesting that we have representation on here from the  
16 Federal Subsistence Board then or -- I don't think we  
17 have the ability to just point somebody to it and I  
18 guess that's where I was having trouble. Just is this  
19 a request to have representation?  
20  
21 CHAIRMAN ADAMS: Yeah, that's exactly  
22 what it is Mike. And most logically if that  
23 representative is going to be identified it would be,  
24 of course, Mike -- Terry Suminski -- there, I've got to  
25 put another dollar into the 'til. Terry would be,  
26 since he is the land manager here in Sitka, that he  
27 would be the person that would be on that MOU.  
28  
29 MR. LARSON: Mr. Chairman. I would  
30 like to note two things. One is that it would be  
31 inappropriate to mention a person's name, what we have  
32 is a Federal representative and that would be the  
33 prerogative of the Federal Program to have a  
34 representative or more. It would be a presence on this  
35 MOA.  
36  
37 And I believe that the correct method  
38 of forwarding a request like this would be in a form of  
39 a proposal to the Board of Fisheries. The MOA is a  
40 document that's approved by and through Board of Fish.  
41 And we could check with the State and the Board, but I  
42 believe that that's the correct avenue.  
43  
44 CHAIRMAN ADAMS: Mr. Bangs, please.  
45  
46 MR. BANGS: Thank you, Mr. Chairman.  
47 The way I read this, they're specifically looking for  
48 someone from the Federal Subsistence Board.  
49  
50 CHAIRMAN ADAMS: Yes, we are, go ahead,

1 you have a remark to make, I was reading this. Go  
2 ahead.

3

4 MR. KOOKESH: I heard the motion, but  
5 did it say other designee; is that in the motion.

6

7 MR. MILLER: Mr. Chair.

8

9 CHAIRMAN ADAMS: Mr. Miller.

10

11 MR. MILLER: You know I realize it's  
12 late in the day. I don't think we're asking you to  
13 appoint somebody right now to be on this board, I think  
14 what we want is to just start this process, and I think  
15 just so that if you could say that this is a goal  
16 that's consistent with what you want, is what we want  
17 and which you supported in the past, that you could  
18 start the process to forward that to the Federal  
19 Subsistence Board and ask that their presence be  
20 reflected, or that they could be supportive of this  
21 also. And obviously we're going to have to involve the  
22 State at some point with this. But I think at this  
23 state we're just asking you to start the process and  
24 not specifically appoint somebody right now.

25

26 CHAIRMAN ADAMS: Yeah, we weren't  
27 intending to do that.

28

29 MR. STOKES: Herman.

30

31 CHAIRMAN ADAMS: Herman, do you have  
32 something to say.

33

34 MR. KITKA: What I was going to say was  
35 information for that Board, I'm 93 years old and I've  
36 been observing our subsistence use of the herring roe  
37 and now when you're planting the branch in the spawn  
38 overnight, there's just enough for eating. Last year I  
39 have nephews that were planting branches, wherever it  
40 got milky they put branches down and the next day it's  
41 gone and you know those branches were only speckled,  
42 there was no eggs on them, hardly any. And all the  
43 different areas where the herring was spawning they  
44 planted branches and we got nothing. And I asked Fish  
45 and Game that the females stay separate from the males  
46 until they're ready to spawn, they never gave us an  
47 answer, because from my observance there was shortage  
48 of female in those spawn area, there was a lot of  
49 males, but no females.

50

1                   So last year was a poor subsistence  
2 year for herring roe for Sitka people and Southeastern  
3 people.

4  
5                   And when the Fish and Game increased  
6 the quota I brought this up and asked if the biologists  
7 would give us an answer to the female stay away from  
8 the males until they're ready to spawn because it  
9 looked like the sac roe fishermen wiped out the  
10 females. That was my observance from years back.  
11 That's the only time I saw it that way. Oh, yeah, once  
12 before too, the spawn from the boat harbor to Halibut  
13 Point, it stayed milky for a couple days and when it  
14 left there was no eggs on the beach. How do we account  
15 for that. So I wanted to find out from the biologist  
16 if the females stay separate, we have to do something  
17 about that. In that case we have to do something about  
18 the herring roe fishery. If there's a heavy  
19 concentration of female in the stock when they're  
20 testing, they should leave it alone.

21  
22                   And we were meeting about our  
23 subsistence use of the herring roe, some of the members  
24 talked about having Sitka Tribe bring action against  
25 the State Fish and Game, I objected, that's no way to  
26 solve anything, you should just talk it out and really  
27 correct the problem. But to bring somebody into court  
28 doesn't solve the relationship between the two. That  
29 was my theory on the whole thing.

30  
31                   It's just information for the Board to  
32 think about.

33  
34                   CHAIRMAN ADAMS: Well, thank you,  
35 Herman. Thank you.

36  
37                   Mike.

38  
39                   MR. MILLER: Mr. Chair. I think Mr.  
40 Littlefield had a good idea, which maybe could speed  
41 this along without -- and still meet what we're looking  
42 for. If it's consistent with the wishes of this group,  
43 you can forward this to the Federal Subsistence Board  
44 since they would be dealing with in's and out's of this  
45 anyway, with a positive recommendation, if you're  
46 favoring this. The reason I bring that up is because  
47 there were several comments that came out at the  
48 Federal Subsistence Board about whether that was a  
49 possibility or not, and it's not to say that it  
50 absolutely is but I think if you just were to do that

1 and then of course if you don't support it, then we'll  
2 probably send it up there anyway but we'd like to ask  
3 for your support for the concept.

4

5 MR. DOUVILLE: Mr. Chair.

6

7 CHAIRMAN ADAMS: Yes, go ahead.

8

9 MR. DOUVILLE: It's still unclear to  
10 me, let's see, how am I going to do this, how to deal  
11 with this is still unclear in my mind. We could  
12 request a -- certainly there's grounds to request  
13 presence in this situation because there is Federal  
14 waters that's involved in it, how to get there, I don't  
15 know.

16

17 And then the other thing I have is  
18 they've requested presence on the MOA, is the ADF&G  
19 going to give their blessing -- there's things we just  
20 don't simply know about this, you know, that are rasing  
21 questions in my mind, ADF&G may not even be agreeable  
22 to that. So I'm thinking a motion at this point is I'm  
23 not sure the best thing to do. I guess we need some  
24 guidance here as to what we can and can't do.

25

26 CHAIRMAN ADAMS: Does this have to do  
27 with this issue?

28

29 MS. PETRIVELLI: Excuse me, Mr.  
30 Chairman. But I was just wondering, you could just add  
31 it to your annual report, your 2007 annual report  
32 because you discussed this issue at the Haines meeting  
33 and that was in 2007. You made the recommendation even  
34 then when acting on that proposal on Makhnati Island  
35 and you could just add this to your 2007 annual report  
36 as a request for the Board to -- since they didn't  
37 follow through on it at the December Board meeting,  
38 because they didn't close the area and didn't feel a  
39 need to deal with this issue but you could just add it  
40 to you annual report saying that your disappointment  
41 that they didn't follow your recommendation that you  
42 made and that you want this to be dealt with and then  
43 they would have to respond to you when they answer the  
44 annual report. And then it would be up to the Federal  
45 Board to determine how to deal with the issue. They  
46 would have to contact the Board of Fish. They would  
47 have to decide who the representative is. But it's  
48 within the purview of the annual report to make  
49 recommendations to the Federal agencies about  
50 management strategies that would meet subsistence

1 needs.

2

3

4 And that's how I would frame it, is  
5 that, you're concerned about meeting subsistence needs  
6 through herring harvest at Makhnati Island and that's a  
7 recommendation that you feel that the Federal Board  
8 should have a stronger presence.

8

9

10 CHAIRMAN ADAMS: Ah, a sigh of a  
11 relief. Mr. Hernandez.

11

12

13 MR. HERNANDEZ: Thank you, Mr.  
14 Chairman. I would agree with that. I think that's  
15 what we should do, that was very helpful. That was my  
16 concern, that with the denial of our proposal we were  
17 essentially out of the discussion and I think that we  
18 need to have some way of having some input into this  
19 and I think we should put forward the recommendation  
20 that a representative from the Board be included and  
21 make that wish known and where it goes from there is,  
22 you know, it's up to them. And that suggestion of  
23 putting it in the annual report is probably an  
24 excellent idea, so that would be my recommendation.

24

25

26 CHAIRMAN ADAMS: It appears to me like  
27 that kind of solves our problem, Harvey, you know, if  
28 we just go with that suggestion of including it and  
29 making it strong enough in the annual report so that  
30 they have to respond. Maybe that will solve our  
31 problem here rather than, you know, going through a  
32 motion like we were trying to do right now. What do  
33 you think?

33

34

35 MR. KITKA: Mr. Chair. I would tend to  
36 agree. I feel strongly, though, that we should  
37 recommend that the Tribe go ahead and send their letter  
38 to the Board.

38

39

40 CHAIRMAN ADAMS: Yes, that would be  
41 appropriate. The Tribe should go ahead and send their  
42 letter to the Board as well, Mike, so let's do that,  
43 and then we'll go through the process of including it  
44 in our annual report and stressing, you know, that it  
45 needs to be addressed.

45

46

47 MR. MILLER: Thank you. Thank you,  
48 Board members.

48

49

50 CHAIRMAN ADAMS: So we need to withdraw  
the motion then.

1 MR. KITKA: Mr. Chair. I withdraw my  
2 motion.  
3  
4 CHAIRMAN ADAMS: Is that okay with the  
5 second?  
6  
7 MR. HERNANDEZ: Yes.  
8  
9 CHAIRMAN ADAMS: Okay, good, thank you.  
10 Thank you, Pat for coming up and straightening us out.  
11 It's a pretty late day for all of us to be trying to  
12 take care of heavy stuff.  
13  
14 Mr. Larson, you have something.  
15  
16 MR. LARSON: I hesitate to say  
17 anything, I just wanted to make clear that the Board of  
18 Fish would be acting on a proposal from the Sitka Tribe  
19 and not from the Regional Advisory Council, which very  
20 well might be appropriate, I don't know, but, yes, I  
21 will put that in the annual report and forward it on  
22 for Board action.  
23  
24 Thanks.  
25  
26 CHAIRMAN ADAMS: Great, thank you. And  
27 I think we're going to take Pat Petrivelli now on Unit  
28 2 deer.  
29  
30 MS. PETRIVELLI: I was wondering -- oh,  
31 I was thinking maybe you were just going to leave  
32 and.....  
33  
34 CHAIRMAN ADAMS: There is a performance  
35 taking place here at 6:30 so I hope we can get done  
36 with our agenda in the next half hour, at least.  
37  
38 MS. PETRIVELLI: It's really quick and,  
39 oh, yeah, Melinda's doing the PowerPoint, and in this  
40 PowerPoint, I'll be really quick, the majority of it  
41 was -- I made a presentation to the BIA provider's  
42 conference and the whole theme was the idea of  
43 subsistence use documentation. And what happened with  
44 the study is -- because half of my job with BIA is to  
45 assist tribes in carrying out documentation projects of  
46 subsistence uses and the Forest Service funded this  
47 project, Craig put in the proposal, and it came as a  
48 direct representation -- or direct -- from the direct  
49 recommendation from the Unit 2 deer subcommittee.  
50

1                   So if we could just keep going through  
2 these slide. So this PowerPoint just gave the  
3 background, the issue, research methods and in the  
4 research methods, because we're covering subsistence  
5 uses and needs as defined in ANILCA and then just a  
6 really quick summary of past research.

7  
8                   And the background, of course, because  
9 these were people that don't deal with ANILCA as we  
10 usually do, so I went over Title VIII and then I told  
11 who had C&T for Unit 2 deer, and then I explained why  
12 it became an issue, and that's because your Council  
13 identified subsistence uses and needs as a priority.

14  
15                   And then of course most people don't  
16 know what Unit 2 is or where it is and even as we're  
17 locally on the island I say, instead of a Unit 2 deer  
18 study, it's Prince of Wales Island. This, of course,  
19 is an overview of the whole Federal Subsistence  
20 Program, the five agencies involved, and how many  
21 people are involved in managing the Federal Program.

22  
23                   So the issue for Unit 2 and it's  
24 because, and of course as I spoke about it, since  
25 management began in 1991, I think a proposal has been  
26 submitted every year, or almost every year either to  
27 increase or decrease the Unit 2 deer limit until the  
28 subcommittee had its action, either a proposal  
29 submitted by Unit 2 residents or a proposal submitted  
30 by Ketchikan residents, and, of course, then I  
31 explained how the Unit 2 subcommittee was formed, and  
32 then I just said you had heard concerns about all of  
33 these things and of course some of the issues facing is  
34 the inter-island ferry access and then the competition  
35 with the non-rural residents and then just population  
36 trends of deer.

37  
38                   Of course here's the current  
39 regulations that I just described, you know, the  
40 Federal season's longer and it has a higher harvest and  
41 it allows the harvest of one doe and of course parts  
42 are closed.

43  
44                   And these are the three topics  
45 identified by the Unit 2 subcommittee with the need for  
46 more accurate deer harvest information, more biological  
47 information of population and trends, and then the  
48 subsistence uses of the need for deer better described,  
49 and that's why the study was funded.

50

1                   And the Forest Service had concerns in  
2 looking at our proposal and their concerns were that we  
3 involve all the communities in Unit 2 and not just the  
4 tribes because I worked with the tribes to develop the  
5 proposal, but we addressed all these concerns and, of  
6 course, that we would do scientifically valid  
7 methodologies and we would follow principles of  
8 research conduct about confidentiality and informed  
9 consent. And then, of course, following sampling  
10 consideration so we could say it's representative of  
11 the residents that we're studying.

12  
13                   So our goals, the study that was funded  
14 -- of course, the overall goal was the need for more  
15 accurate information on subsistence uses and needs,  
16 what are the subsistence uses and needs, what are C&T  
17 use patterns and how do they differ from the Ketchikan  
18 non-rural area. Those are the main research questions.

19  
20                   And the method that we're using is a  
21 literature search and then household and hunter  
22 surveys. And those surveys we'll be conducting over  
23 500 household surveys just of Unit 2 residents this  
24 year. Next year we'll be doing hunter surveys,  
25 hopefully just as many hunter surveys of all hunters,  
26 whether they're from Unit 2 or not. And then 50 key  
27 respondent interviews and as part of those key  
28 respondent interviews we're mapping deer hunting  
29 patterns on a generational basis. And that was the  
30 tribe's take on this study, is they wanted to look at  
31 the generational hunting, between 16 and 35 and 35 and  
32 60; to see how younger people are learning to hunt deer  
33 and what are the differences between the younger people  
34 and the older people and then just look at those  
35 patterns and see how they've changed and made different  
36 and see if there's any effect. And then the final  
37 method is to document the use of deer at community  
38 events.

39  
40                   So as we developed the survey questions  
41 the first -- one thing that kept coming up is how do  
42 you define uses and needs because sometimes that gets  
43 turned into a bunch of other things and need is, did  
44 you get the deer you need and then that turns into the  
45 effort, did you try hard enough to get the deer you  
46 need, you know, so we wanted to get away from that  
47 question because that's not what we were asked to  
48 describe, you know, and then that could be gotten  
49 through hunter reporting. So we looked at uses and  
50 needs and then, of course, as we were defining it,

1 because the Forest Service is funding this study and  
2 it's going to be used to implement ANILCA, that's what  
3 we went for, besides just the community being involved,  
4 they needed to know how the results were going to be  
5 used as they described their needs, that what this  
6 information will be used and hopefully it will be used  
7 by the agencies to make better regulations that will  
8 meet their needs.

9

10                   So when we look in ANILCA, the  
11 different uses described in ANILCA are food, sharing,  
12 barter, use of subsistence resources and making  
13 clothing and objects. Of course they say clothing,  
14 equipment, fuel, you know, subsistence resources, and  
15 then they also say customary trade. So those were the  
16 uses we decided to ask about. And then the way needs  
17 are defined in ANILCA, it says subsistence resources  
18 are essential to the physical, economic, traditional,  
19 cultural needs of Native people and physical, economic,  
20 traditional and social needs of non-Native people so  
21 those were the ones that we looked at.

22

23                   And then I put in my little graph and I  
24 put it together and I said, wow, this is great and, you  
25 know, people said, well, what, what does that mean, so  
26 then I made another graph and that's the next one. So  
27 some people like this one better, it's just the same  
28 thing only better, it's just whether -- and of course  
29 food could meet either a physical or economic need or a  
30 cultural or social, you know, because it's kind of hard  
31 to know which box to put it in. And then this one was  
32 just the Native because it said cultural, and then the  
33 next slide as non-Native and it has social. And then I  
34 had taken off the clothing objects and then customary  
35 trade because I didn't know exactly if people on Unit 2  
36 do use deer for those things. And at the first deer  
37 gathering or deer celebration I find out that they do,  
38 so this little graph is incorrect. So non-Native  
39 people do make deer stuff into objects and then they do  
40 sell them, you know, because they'll do it for dream  
41 catchers.

42

43                   So these questions got turned into the  
44 survey and so on the page about use and we've already  
45 hired people and they're going house to house to ask  
46 these questions and we said how many pounds of deer did  
47 your household use for food in 2007 and then we have  
48 them checking all the following types of uses of deer  
49 that apply to your household and then the pounds they  
50 gave away or received, I kind of just added them

1 together.

2

3                   And then with need, then when we asked  
4 them when thinking of deer how important is deer to  
5 your household in meeting your physical needs, such as  
6 dietary or nutritional and then we asked not important,  
7 important, very important and so then they have to rank  
8 it.

9

10                   The next question is social needs, such  
11 as sharing with other households.

12

13                   And then the next one, in meeting your  
14 cultural needs such as uses, food and potlatches and  
15 similar functions or in the making of traditional  
16 clothing and objects.

17

18                   And then the final question, how  
19 important is deer to your household in meeting economic  
20 needs, such as the sale of clothing and objects made  
21 with deer parts.

22

23                   So anyway those questions will be asked  
24 in household surveys.

25

26                   But then in the in-depth interviews --  
27 oh, in the household surveys we do ask them where they  
28 harvested deer and we did talk with Forest Service  
29 personnel and they said they only wanted the  
30 information down to WAAs, and so here are the WAAs on  
31 Unit 2 and Melinda Hernandez made this map for us.  
32 Melinda's working on this project. She's the Forest  
33 Service social science representative and she'll be  
34 doing some of the interviews. She'll be doing  
35 interviews in Point Baker, Port Protection and Kaukati.  
36 And then I'll be doing Whale Pass, Coffman Cove and  
37 Edna Bay. And then we hired people to do it in  
38 Klawock, Craig, Thorne Bay and Hydaburg and Kasaan.  
39 And here's just a synthesis of deer harvest information  
40 by WAA and those stars just had those core WAA's, the  
41 stars were in the WAAs, if you want to go back a  
42 minute, I put red stars where the most harvest  
43 occurred, harvest above 150 deer were harvested there,  
44 and over the past years 150 deer average every year --  
45 well, an average 150 harvest so it's -- I'll be taking  
46 a fresh look at all the existing data in trying to look  
47 at it in a different way to get at use and pattern.

48

49                   So if we go back to that graph, so,  
50 yeah, this is just like from the harvest ticket

1 information and I just have it up to 2003 now and as I  
2 talk more with Larry Dickerson and others, I'll be  
3 trying to get it updated to 2007, but it was just  
4 readily available there.

5  
6                   And then the next graph I think just  
7 shows even other ways of presenting the data. This is  
8 how many deer were harvested by everyone or I think  
9 just pure harvest levels. So you can see it's averaged  
10 anywhere from -- well, the lowest harvest was like  
11 1,800 and then the highest was 3,800, and, of course  
12 that was way back in 1987. But we'll just be taking a  
13 look at one of -- one of the goals of the project is to  
14 resynthesis -- or just take a fresh look at what's been  
15 done in the past.

16  
17                   So what we've done so far, we've formed  
18 a study committee member with local residents. We  
19 hired a research coordinator, Maricia Skinna, we've had  
20 our first community meeting. We handed out the project  
21 overview to the students at the deer gathering -- or  
22 the deer celebration and hopefully they took it home to  
23 their parents and then we announced the study at the  
24 potluck they had that summer. And then of course we're  
25 doing the ongoing literature search and household  
26 surveys are in progress, and I'm leaving tomorrow to go  
27 to Craig and start doing key informant interviews and  
28 start the mapping activities.

29  
30                   And once we start gathering more data  
31 then we'll start analyzing the data and writing some of  
32 the preliminary results and next fall we'll take the  
33 survey we've done for the households, that we're doing  
34 in all the households and adapt it to make it into a  
35 hunter survey and we'll hire people to catch hunters at  
36 the ferry station, at the boat harbors, and at the  
37 charter float plane operators, or wherever they catch  
38 planes, and we'll try to get all the hunters that come  
39 to the island and hunt deer and we'll ask them the same  
40 questions, along with locals and this strategy there is  
41 -- for increasing participation is a raffle prize of a  
42 new rifle, and so hopefully people will want to  
43 participate in the survey then, and we'll just keep the  
44 communities involved, because I promised them whatever  
45 preliminary results and draft reports, we would review  
46 with the community for accuracy before we submit it to  
47 the Forest Service, and that's just part of that  
48 informed consent, you know, in order to have public  
49 review of whatever data we gather about that community,  
50 we would hold a meeting in that community and review

1 the results in a draft form and then submit it to the  
2 Forest Service. And we've agreed in our informed  
3 consent to have everything confidential.

4  
5 So I guess if you have any questions  
6 I'd be willing to answer them.

7  
8 CHAIRMAN ADAMS: Questions, anyone.  
9 Mike.

10  
11 MR. BANGS: Thank you, Mr. Chairman.  
12 Real quick question. Is there going to be any  
13 educational information passed out to the households  
14 when you go there? Because I was on that Unit 2 study  
15 group and we found that education was key and there's a  
16 lot of misinformation out there.

17  
18 MS. PETRIVELLI: I prepared a handout  
19 about regulations that, you know, kind of did the  
20 summary of the difference between Federal and State and  
21 then I explained the designated hunter program and the  
22 difference between proxy hunting and designated  
23 hunting. Of course whether anyone cares about that  
24 little handout, but the workers have it and they can  
25 distribute it. But when I go there tomorrow and talk  
26 to the workers, I'll see, the handout that's available  
27 is not attractive, but I think -- I mean we're -- the  
28 study committee wanted us to do that also, they thought  
29 it was -- Tony Christianson's on the study committee  
30 and he really thought we should do educational and so  
31 we're trying.

32  
33 CHAIRMAN ADAMS: Okay. Any more  
34 questions.

35  
36 (No comments)

37  
38 CHAIRMAN ADAMS: As I mentioned  
39 earlier, there's going to be a dance performance taking  
40 place here at 6:30 so thank you Pat, appreciate it.

41  
42 MS. PETRIVELLI: You're welcome, and  
43 thank you for your time, and I'll keep bringing updates  
44 about the project and we really appreciate Melinda's  
45 help and all the help the Forest Service has given.

46  
47 CHAIRMAN ADAMS: What I'd like to do,  
48 members of the Council, is bring up the issue of the  
49 meeting in Yakutat. I think it's a poor choice at this  
50 point because we're dealing with deer. And I really

1 think, you know, that it'd be more appropriate, you  
2 know, to have it maybe in a place like Ketchikan where,  
3 you know, the Angoon and Kake people, you know, would  
4 have easy access, you know, jump on the ferry and go  
5 down there. So I had some people mention it as well  
6 and I thought it over and I think it's inappropriate  
7 right now to have it there. I really thank you for  
8 considering Yakutat but we can do it another time up  
9 there.

10

11 So I'd like to bring it up as a matter  
12 of issue and have that motion withdrawn and maybe  
13 choose another place but keep the same subject and the  
14 dates.

15

16 MR. BANGS: I'll withdraw the motion.

17

18 CHAIRMAN ADAMS: Thank you, Mike. And  
19 it's okay with the second. Who did the second, Tina.

20

21 REPORTER: Don.

22

23 MR. HERNANDEZ: Okay, yes.

24

25 CHAIRMAN ADAMS: All right. So let's  
26 go ahead and reconsider another area and I would highly  
27 recommend Ketchikan. It would be same topic, same  
28 dates, different place.

29

30 MR. KITKA: Mr. Chair.

31

32 CHAIRMAN ADAMS: Harvey.

33

34 MR. KITKA: I believe I heard Mike  
35 Bangs say Petersburg was ready.

36

37 CHAIRMAN ADAMS: Petersburg.  
38 Petersburg or Ketchikan, is it easy to get to  
39 Petersburg from Kake and other places, yeah, I think it  
40 is, okay, Petersburg, is that appropriate, can you  
41 guys.....

42

43 MR. BANGS: (Nods affirmatively)

44

45 CHAIRMAN ADAMS: Okay. So do we want  
46 to do that into a motion, Harvey, or someone.

47

48 MR. BANGS: I make the motion that we  
49 have the meeting the week of February 24th, 2009 in  
50 Petersburg and discuss the same topics we spoke to.

1 CHAIRMAN ADAMS: Sure. Do I hear a  
2 second.  
3  
4 MR. KITKA: I'll second it.  
5  
6 CHAIRMAN ADAMS: Seconded. Discussion.  
7  
8 (No comments)  
9  
10 CHAIRMAN ADAMS: Okay, we'll take a  
11 vote on it, hearing no discussion. All in favor please  
12 say aye.  
13  
14 IN UNISON: Aye.  
15  
16 CHAIRMAN ADAMS: Opposed, same sign.  
17 Merle.  
18  
19 MS. HAWKINS: Mr. Chair. Don't we have  
20 to do roll call since there's only six of us here, we  
21 need to have a quorum.  
22  
23 CHAIRMAN ADAMS: Yeah, we don't have a  
24 quorum.  
25  
26 MS. HAWKINS: If you did a roll call  
27 you would be able to vote.  
28  
29 CHAIRMAN ADAMS: Sure, let's do roll  
30 call on that Harvey, good point, thank you Merle.  
31  
32 (Pause)  
33  
34 CHAIRMAN ADAMS: Yeah, we're okay,  
35 we're okay with the motion, so hearing no objection the  
36 motion is carried.  
37  
38 What we did, Mike, while you were gone  
39 is reconsidered the meeting place for -- you know the  
40 wildlife meeting, and we just got through making a  
41 motion to have it in Petersburg rather than Yakutat  
42 because we think it will be a lot easier for, you know,  
43 the people from Kake and Angoon to get to that area a  
44 lot easier. We can consider Yakutat another time,  
45 okay.  
46  
47 MR. DOUVILLE: (Nods affirmatively)  
48  
49 (Laughter)  
50

1 CHAIRMAN ADAMS: We have a beautiful  
2 hall up there now and I just wanted to show it off and,  
3 you know, there'll be an opportunity to have that done  
4 maybe the next meeting.

5  
6 Okay, I think we're all done, uh?

7  
8 MR. LARSON: Yes.

9  
10 CHAIRMAN ADAMS: Okay. Thank you all  
11 and, you know, I want to particularly thank Herman, you  
12 know, for enduring with us every day and, you know, he  
13 spoke very little but what he did say, you know, is  
14 wise and profound. But I want to wish you all happy  
15 trips back home and get to your families and enjoy the  
16 rest of the week.

17  
18 So at this time we want to -- do you  
19 guys have something.

20  
21 MR. MILLER: We just want to thank you  
22 for coming to Sitka, and I know you're all racing your  
23 planes, we brought some hats and some pens and stuff  
24 from the tannery, we wanted to hand it out to you.

25  
26 CHAIRMAN ADAMS: How about that.

27  
28 MR. MILLER: We were going to give it  
29 to you earlier but we didn't want to try to sway your  
30 votes.

31  
32 (Laughter)

33  
34 CHAIRMAN ADAMS: Great, thank you.  
35 While they're doing that we'll just go ahead and  
36 adjourn, okay.

37  
38 Thanks, everyone.

39  
40 MR. KITKA: Mr. Chairman.

41  
42 CHAIRMAN ADAMS: Yes.

43  
44 MR. KITKA: Did you want to thank them  
45 for the meals and stuff, also.

46  
47 CHAIRMAN ADAMS: Yes. Please we need  
48 to acknowledge the fact that we had a real good meal  
49 last night, was it Sitka Tribe that provided it for us.  
50

1 MR. KITKA: (Nods affirmatively)  
2  
3 CHAIRMAN ADAMS: So thank you, Sitka  
4 Tribes for the fine food and entertainment, that was  
5 fantastic. So if you'll relay that, you know, Helen,  
6 to the tribe, we'd sure appreciate it.  
7  
8 Thank you much.  
9  
10 John, you got something to say.  
11  
12 MR. LITTLEFIELD: Thank you, Mr. Chair.  
13 Very short. The performance tonight is a practice from  
14 New Claim (ph) and they've invited any of you that are  
15 spending the night to go ahead and watch, they're just  
16 going to be doing a performance practice for  
17 celebration.  
18  
19 CHAIRMAN ADAMS: Sure.  
20  
21 MR. LITTLEFIELD: And you're certainly  
22 welcome to attend. Thank you.  
23  
24 CHAIRMAN ADAMS: Great, thank you. And  
25 I want to thank Tina for her fine work that she does,  
26 I'm still jealous in the fact that you gave, what's his  
27 name, two microphones. Okay, everybody see you next  
28 time, we're adjourned.  
29  
30 (Off record)  
31  
32 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 314 through 497 contain a full, true and correct Transcript of the VOLUME III, SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by Computer Matrix on the 28th day of February 2008, beginning at the hour of 8:30 o'clock a.m. at Sitka, Alaska;

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

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

DATED at Anchorage, Alaska, this 14th day of March 2008.

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