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11 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
12 REGIONAL ADVISORY COUNCIL MEETING

13

14

15 VOLUME I

16

17 September 30, 2002

18 ANS/ANB Hall

19 Hoonah, Alaska

20

21 COUNCIL MEMBERS PRESENT:

22

23 William C. Thomas, Chair

24 Dolly Garza, Vice Chair

25 Marilyn R. Wilson, Secretary

26 Bert Adams

27 Floyd Kookesh

28 Clarence "Butch" Laiti

29 Richard Stokes

30 Patricia A. Phillips

31 Michael Douville

32 John Littlefield

33 Harold Martin

34

35

36 Robert Schroeder, Coordinator

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1 PROCEEDINGS

2

3 (Hoonah, Alaska - 9/30/2002)

4

5 (On record)

6

7 CHAIRMAN THOMAS: Okay. We'll call the
8 meeting to order. We'll declare a quorum when my
9 secretary gets here. We'll get into the meat of our
10 agenda when our vice chair gets here. In the meanwhile,
11 I'll take care of some other things. I'd like to welcome
12 those of you that were able to make it, those of you that
13 traveled. Ironically, it's more difficult for people
14 that live here to get to the meeting. I don't allow
15 anybody to sit in the back row. Move up here. Move up
16 front. Move forward a little bit. Get up here or I'll
17 send my sergeant-at-arms back there.

18

19 Anyway, normally we have somebody from
20 the community that would like to offer comments. Is
21 there anybody here representing the community or a part
22 of the community? Okay. Is Albert here? Albert.
23 You're honorable. Come up and welcome us. Tell us how
24 happy you are to see us.

25

26 ALBERT: I'd like to welcome you folks.
27 I'm glad you're back and I hope that the conferences will
28 go real good.

29

30 CHAIRMAN THOMAS: Thank you. Our agenda
31 got modified a little bit, so I'm going to bring us back
32 to where it normally is. Usually the agenda has comments
33 from the Chair and the Council. This one doesn't, so
34 we're going to put it in there. How does number three
35 get modified? Well, we're going to use it at this
36 meeting like we always have. Those were our original
37 marching orders, so that's what we're going to do.

38

39 So I bid my welcomes to members of
40 Council, Staff, everybody, Wayne Howell, and the rest of
41 you that come all the way across the street to be with
42 us. I'll ask the members of the Council to introduce
43 themselves, but before I do that I'm going to ask members
44 of Staff and other agencies to rise and identify
45 yourself. This is part of the procedure we adopted 10
46 years ago. We're going to stay with that. So starting
47 with the back row, Staff. Whoever is the farthest back.

48

49 MR. KANEN: I'm Dale Kanen.

50

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1 MR. CAMPBELL: Rod Campbell.

2

3 MS. SEE: Marianne See with Alaska
4 Department of Fish & Game, Division of Subsistence.

5

6 MR. TUREK: I'm Mike Turek, Alaska
7 Department of Fish & Game, Division of Subsistence.

8

9 MS. GOULARTE: I'm Carol Goularte. I'm
10 the district ranger.

11

12 MR. SUMINSKI: I'm Terry Suminski. I'm a
13 subsistence fisheries biologist.

14

15 MR. BOYD: Tom Boyd, assistant regional
16 director for the Office of Subsistence Management.

17

18 MR. JOHNSON: David Johnson.

19

20 MR. THOMPSON: Ken Thompson.

21

22 MR. SCHROEDER: Bob Schroeder.

23

24 CHAIRMAN THOMAS: Are you a staffer?

25

26 MR. MORPHET: No. I'm Tom Morphet. I'm
27 a subsistence outreach coordinator for United Fishermen
28 of Alaska.

29

30 CHAIRMAN THOMAS: You're what?

31

32 MR. MORPHET: Subsistence outreach
33 coordinator for United Fishermen of Alaska.

34

35 CHAIRMAN THOMAS: Oh, okay. What did you
36 do with Steve?

37

38 MR. MORPHET: He sent me so he could stay
39 at home.

40

41 CHAIRMAN THOMAS: We're glad to see you.

42

43 MR. MATTER: My name is Paul Matter.

44

45 CHAIRMAN THOMAS: Paul, nice to see you.

46

47 MS. CARTWRIGHT: I'm Meg Cartwright,
48 Alaska Department of Fish & Game.

49

50 MR. HOWELL: Wayne Howell.

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1 MS. HILDEBRAND: Ida Hildebrand, BIA
2 Staff Committee member.

3
4 CHAIRMAN THOMAS: Okay. Glad to see you.
5 I see some regalia back there. Are you guys going to do
6 something? Who's your leader? Take me to your leader.

7
8 UNIDENTIFIED VOICE: Five minutes.

9
10 CHAIRMAN THOMAS: Five minutes? Okay.
11 It might be a little longer than that because we're
12 finishing introductions. I'll give you the gavel when
13 it's time. Now for Council member introductions. When
14 you introduce yourself, I want you to state what
15 community you're from, your name, any licenses or permits
16 or IFQ's that you hold. Start with Butch.

17
18 MR. LAITI: Butch Laiti, Juneau. I
19 gillnet fish all summer, hunt in the winter.

20
21 CHAIRMAN THOMAS: Is fishing your primary
22 income?

23
24 MR. LAITI: Used to be.

25
26 MR. DOUVILLE: Mike Douville. I'm from
27 Craig. I'm a full-time commercial fisherman. I've also
28 been a licensed fishing guide for several years. I also
29 have IFQ's for halibut and black cod. I sport fish, trap
30 in the winter, hunt.

31
32 MR. LITTLEFIELD: My name is John
33 Littlefield. I'm from Sitka. I'm an electrical
34 contractor, which is where I make my money. I have a
35 limited entry permit for trawling. I had an initial
36 avocation to IFQ. I participated in all the commercial
37 fisheries with the exception of gillnetting. I have held
38 a charter license for 10 years. Unused, I might add. I
39 don't take anybody out, but I held one. But I've been a
40 subsistence user all my life.

41
42 MR. MARTIN: I'm Harold Martin. I live
43 in Juneau. I'm originally from Kake. My ancestral home
44 is in Hoonah. I'm retired. I hunt and fish.

45
46 MR. STOKES: My name is Dick Stokes. I'm
47 from Wrangell. I'm a former government employee. Now I
48 think I just mostly hunt and fish. That's it.

49
50 MS. GARZA: My name is Dolly Garza. I'm

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1 a full professor with the University of Alaska. I have
2 been with the University of Alaska for 19 years. My job
3 is to help people with marine resources to carefully use
4 them, to conserve them and to enjoy them. In that
5 capacity, I sit on this board.

6

7 CHAIRMAN THOMAS: My name is Bill Thomas.
8 I'm the chair of this Regional Council. Born and raised
9 on Prince of Wales Island. Primary occupation commercial
10 fisherman. Retired federal employee. Retired state
11 employee. I have a lifetime sports and commercial
12 fishing/hunting license.

13

14 MR. ADAMS: Good morning. My name is
15 Bert Adams, Sr. I'm from Yakutat. I'm a commercial
16 fisherman and I'm also a hunter.

17

18 MS. WILSON: I'm Marilyn Wilson and
19 subsistence user.

20

21 MS. PHILLIPS: I'm Patricia Phillips.
22 I'm a fully licensed and permitted outfitter's guide. I
23 have area 2C and 3A halibut. I've been born and raised
24 in Southeast Alaska.

25

26 MR. KOOKESH: My name is Floyd Kookesh,
27 Angoon.

28

29 MR. CASIPIT: Cal Casipit.

30

31 MR. LARSON: I'm Bob Larson. I'm a
32 subsistence fisheries biologist.

33

34 MR. REEVES: I'm Jeff Reeves. I'm also a
35 subsistence biologist from Prince of Wales Island.

36

37 MR. GRIFFEN: Don Griffen, subsistence
38 biologist in Yakutat.

39

40 CHAIRMAN THOMAS: Thank you. I think
41 we're going to have a formal welcome from the community
42 of Hoonah. We all appreciate the effort.

43

44 (Performance)

45

46 CHAIRMAN THOMAS: On behalf of those of
47 us that are visiting, I really want to express our
48 appreciation for the special effort that you put forth in
49 greeting and welcoming us, making us feel at home. But
50 you don't fool me. I know you guys are warming up for

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1 Grand Camp. That's only three weeks away.

2

3 Anyway, this is my ancestral home as well as
4 Harold's. My father's family is from Hoonah. My mother
5 is Bessie Johnson Thomas from Kake. She was a sister to
6 Frank and Charlie Johnson. They're from the dog salmon
7 houses in Angoon. So all this is very special and we
8 want to thank you for sharing your heritage, your
9 stories, the traditions that you've kept alive for all
10 these years. Those are all very important and I
11 appreciate your sharing them with us. Thank you again
12 for your hard work in preparing to do this and for taking
13 the time to do this.

14

15 (Performance)

16

17 CHAIRMAN THOMAS: Thank you, again. That
18 took all the starch out of us, so we'll take a five-
19 minute break so we get kind of organized around here.

20

21 (Off record)

22

23 (On record)

24

25 CHAIRMAN THOMAS: Okay. The meeting is
26 back to order. In a second, I'm going to ask Marilyn to
27 establish a quorum. We bypassed that. We started
28 without her this morning. I did that on purpose just so
29 I could have something to remember.

30

31 Before we get started, Hoonah is a very
32 traditional community. They're proud to welcome the
33 guests that come to visit them. They're terrific hosts.
34 Everything that happens here happens as a community and
35 it's like a typical village. There seems to be
36 competition from one village to the next. They send
37 spies out so they can see who could do a better job. We
38 appreciate that because they really put a lot of effort
39 into making us feel at home.

40

41 I was here several years ago for another
42 function and the hall was in much disrepair by
43 comparison. It looks wonderful from top to bottom and I
44 want to commend and congratulate the community of Hoonah
45 and those that put the time and effort into making it
46 look like this and you can be sure that the Grant Camp is
47 going to help you remember this occasion.

48

49 So, again, thank you for the wonderful
50 welcome and we hope that our deliberations here will be

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1 enlightening to the members of the community, give you a
2 better understanding of what we try to do and be able to
3 lift some of your concerns at the same time, although
4 they are much of the time limited to the vocal process.
5 If they're not, I'll steer you a little bit and then
6 we'll make time for other concerns on another part of the
7 agenda. So, with that, I'll let Marilyn establish a
8 quorum.

9

10 MS. WILSON: Mr. Chairman. Bert Adams.

11

12 MR. ADAMS: Present.

13

14 MS. WILSON: Floyd Kookesh.

15

16 MR. KOOKESH: Here.

17

18 MS. WILSON: William C. Thomas.

19

20 CHAIRMAN THOMAS: Here.

21

22 MS. WILSON: Clarence "Butch" Laiti.

23

24 MR. LAITI: Here.

25

26 MS. WILSON: Richard Stokes.

27

28 MR. STOKES: Here.

29

30 MS. WILSON: Mary Rudolph. (No response)

31 Patricia Phillips.

32

33 MS. PHILLIPS: Present.

34

35 MS. WILSON: Michael Douville.

36

37 MR. DOUVILLE: Here.

38

39 MS. WILSON: Marilyn Wilson. Here. John

40 Littlefield.

41

42 MR. LITTLEFIELD: Here.

43

44 MS. WILSON: Harold Martin.

45

46 MR. MARTIN: Here.

47

48 MS. WILSON: Dolly Garza.

49

50 MS. GARZA: Here.

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1 MS. WILSON: Mr. Chairman, there is a
2 quorum present.

3
4 CHAIRMAN THOMAS: Thank you. I
5 appreciate that. That takes us now to Item Number 4 on
6 the agenda to review and adopt the agenda. As we go
7 along, I would recommend that we adopt the agenda.

8
9 MR. KOOKESH: I make the motion to adopt
10 the agenda.

11
12 UNIDENTIFIED VOICE: Second the motion.

13
14 CHAIRMAN THOMAS: There's a motion.
15 Question. All those in favor say aye.

16
17 IN UNISON: Aye.

18
19 CHAIRMAN THOMAS: Okay. Review and
20 adoption of the minutes.

21
22 MR. SCHROEDER: Mr. Chairman, it may be a
23 good idea to identify if there are minutes in there. I
24 don't see. Perhaps there are none.

25
26 CHAIRMAN THOMAS: Functioning under a
27 guide we can include the minutes in that. We just got
28 the minutes and haven't had a chance to review them. Is
29 there any objection? No objection. So ordered.

30
31 Okay. The chairman's report we have
32 Regional Council and some is very helpful behind B and C.
33 All had an opportunity to read that. Does anybody want
34 to again. Does anybody want those read? Okay. We'll
35 handle those like we did the minutes. Opportunity to see
36 anything in there we need to include agenda Federal
37 Subsistence Board meeting May 2002. Okay, for one thing,
38 I got a copy of the action taken at the meeting Mr.
39 Williams, so I would like that pointed out to the Staff
40 that I'm not Mr. Williams. The Staff duly advised.
41 Okay. It starts out with Proposal WP02-03, submitted by
42 the Hoonah Indian Association. taking of brown bear in
43 Unit 4. permit educational purpose. under the board
44 has adopted this proposal brown bear taking not count
45 against brown bear limit. Proposal No. 4 under the
46 proposed change for one number each family could only
47 have the board

48
49 Proposal No. 5, submitted by Mark
50 Armstrong of Wrangell, request changes in Units 1 through

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1 5 the person under state of Alaska could not also hunt
2 recommendation of Regional Council the Board rejects the
3 proposal posed and recommendation of Regional Council.
4 The Board did not find significant problems regulations
5 that reported modifications at this time and noted
6 subsistence users essentially the same those
7 recommendation are both by the RAC.

8

9 Proposal No. 6 submitted by the A
10 requested changes for deer in Units 1 through 5. Under
11 the proposed change it designated hunters could hunt for
12 an unlimited number of beneficiaries who are within the
13 secondary of no more than Sounds like the Larson
14 proposal. the Board rejected this proposal following
15 recommendations by the Regional Council. the previous
16 two I read before from Wrangell.

17

18 Proposal No. 8.

19

20 MR. LITTLEFIELD: Mr. Chairman.

21

22 CHAIRMAN THOMAS: John.

23

24 MR. LITTLEFIELD: I'd like to request
25 that we discuss 4, 5 and 6 under Item 19 due to some
26 actions taken by the state that circumvent the clear
27 action that we took in Juneau.

28

29 CHAIRMAN THOMAS: 4, 7 and 8?

30

31 MR. LITTLEFIELD: 4, 5 and 6.

32

33 CHAIRMAN THOMAS: Before you make any
34 requests again, let me finish with the report and then
35 we'll come back to them so I can mark my agenda to
36 reflect those requests. Okay. Number 8, submitted by
37 the Organized Village of Kasaan bag limit for residents
38 the bag limit for residents have Unit 1-A would decrease
39 the board rejected this federally would need to be
40 considered before discriminating among legitimate
41 subsistence users.

42

43 Proposal No. 9 submitted by Kake
44 Community Association, Hydaburg Community Association and
45 the Organized Village of Kasaan. Request closure of
46 hunting except by federally-qualified subsistence users
47 in Unit 2 during the periods of August 1 through August
48 31 and October 16 through November 14. The Regional
49 Council modified this proposal to call for a closure of
50 Federal lands to non-subsistence users during August 1

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1 through August 31 only. During the Board's meeting, the
2 Regional Council recommended to close Federal land during
3 the first part of the deer hunting season, August 1
4 through August 10. The Board rejected this amended
5 proposal. The Board did not believe that substantial
6 evidence was presented to indicate a conservation concern
7 which exists with deer population at this time and
8 therefore a restriction of non-federally-qualified
9 hunters was not warranted at this time.

10

11 Proposal No. 10 requests changes in the
12 designated hunting regulations of deer in a portion of
13 Unit 3. No hunting permits could be issued for
14 (indiscernible) or for that portion of Kupreanoff that
15 includes (indiscernible). The Board rejected this
16 proposal following the recommendation from the Regional
17 Advisory Council. The Board could not find significant
18 problems in the designated deer hunting regulation.

19

20 Proposal 11 submitted by Harold Bailey of
21 Wrangell requested opening of antlerless deer hunt in Unit
22 3 October 15 through November 30. The Board rejected
23 this proposal following the recommendation of the
24 Regional Council. The Board concluded that the deer
25 population does not support a doe harvest at this time.

26

27 Proposal 13 submitted by the Forest
28 Service requested establishment of proposals for
29 subsistence quota to be taken from designated areas in
30 Unit 5-A. The Board accepted this proposal as modified
31 by the Regional Council. The new regulation establishes
32 a quota for boats for each of the areas designated.
33 Federal permits will be issued for this hunt.

34

35 Proposal 14 submitted by Haines. Request
36 establishment of Federal subsistence hunts throughout
37 Unit 1 and the closure of Unit 1-C to non-federally-
38 qualified hunters. This establishment in Unit 1-B and
39 the customary use determination in establishment of a
40 hunt in 1-C. The Board rejected this proposal in 1-B
41 consistent with the Regional Council recommendations.
42 The Board declared action on the portion of this request
43 as recommended by Regional Council.

44

45 Proposal 15 submitted by the Hoonah
46 Indian Association requested use of motorized vehicles,
47 including the Northeast Chichagof controlled use area.
48 The Board concurred with the Regional Council and
49 deferred this proposal.

50

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1 That completes the actions for the
2 Southeast RAC in May of 2002.

3

4 MS. GARZA: Mr. Chair.

5

6 CHAIRMAN THOMAS: Dolly.

7

8 MS. GARZA: To make it clear, I move that
9 Items 4, 5 and 6 be placed under Action Item 19 for the
10 2002 annual report.

11

12 UNIDENTIFIED VOICE: Second.

13

14 CHAIRMAN THOMAS: Moved and seconded.

15

16 UNIDENTIFIED VOICE: Question.

17

18 CHAIRMAN THOMAS: Question has been
19 called. All those in favor say aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN THOMAS: Motion adopted. Dolly.

24

25 MS. GARZA: I would move that Item 9, the
26 Prince of Wales deer be brought up under Action Item 9.
27 Also proposal contains Federal subsistence wildlife
28 regulations.

29

30 CHAIRMAN THOMAS: Proposal 9?

31

32 MS. GARZA: Yes.

33

34 CHAIRMAN THOMAS: Is there a second to
35 that?

36

37 UNIDENTIFIED VOICE: Second.

38

39 CHAIRMAN THOMAS: It's seconded.

40 Question.

41

42 MS. GARZA: Question.

43

44 CHAIRMAN THOMAS: Question has been
45 called. All those in favor say aye.

46

47 IN UNISON: Aye.

48

49 MS. GARZA: Mr. Chairman.

50

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1 CHAIRMAN THOMAS: Dolly.

2

3 MS. GARZA: I would move that the report
4 on the Proposal 15 that we request that Hoonah Indian
5 Association or the state or whoever they have worked on
6 the Chichagof project report. I did not see that under
7 the minutes, so I'm not sure if that proposal will get
8 heard. If not, then it should come back to Item 9. Item
9 15, Hoonah Indian Association requested we use the
10 motorized vehicles. That was deferred pending creating
11 an ad hoc committee. I would like to either hear from
12 the ad hoc committee or bring them back after the request
13 for proposals.

14

15 CHAIRMAN THOMAS: Anybody. That's
16 another motion. Is there a second?

17

18 MR. DOUVILLE: I second it.

19

20 CHAIRMAN THOMAS: Question.

21

22 MS. GARZA: Question.

23

24 CHAIRMAN THOMAS: Question has been
25 called. All those in favor say aye.

26

27 IN UNISON: Aye.

28

29 CHAIRMAN THOMAS: 805(c) letter.
30 Somebody help me with that.

31

32 MS. GARZA: Mr. Chairman, before we get
33 to that, in response to the report from the Federal
34 Subsistence Board regarding the Southeast proposals at
35 their last meeting, there was further action on Proposal
36 9 and a request for reconsideration. I don't know if
37 this would be the place to report on it or if it would
38 have to be placed somewhere else.

39

40 CHAIRMAN THOMAS: I don't have a copy of
41 the request. Is a copy available?

42

43 MR. SCHROEDER: Mr. Chairman, the request
44 (indiscernible).

45

46 CHAIRMAN THOMAS: We did have a
47 teleconference because there was some interest by some of
48 the members of the Council in organized comments to this
49 process, so whoever was available via teleconference we
50 discussed this and did submit a letter requesting an

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1 extension on the comment period. I'm not sure how to
2 clarify the rest of that. Could you help me out with
3 that, Bob?

4

5 MR. SCHROEDER: Yes, Mr. Chairman. The
6 Council is not meeting as an organized body, so we did
7 submit a letter which outlines our concerns to the
8 Council members who participated in that. We were
9 fortunate that (indiscernible) was in Floyd Kookesh's
10 office during this fall conference and he said that he
11 would look carefully at the official comments that the
12 Regional Council might have after this meeting. Because
13 of that we didn't go forward and request the normal
14 extension of the comment period, which is a little bit
15 problematic. We have a suggestion for Agenda Item 14.
16 We will provide the Council the opportunity to discuss
17 that and to see if we should modify it. I've got a copy
18 of the letter from August 14th, but I didn't put them in
19 your packet. We'll also be arranging to have someone
20 speak.

21

22 MR. LITTLEFIELD: Mr. Chair.

23

24 CHAIRMAN THOMAS: John.

25

26 MR. LITTLEFIELD: Mr. Chair, I would like
27 to request that Staff have a copy of the three-volume set
28 on the SCIS for Item 14 so that we can review it, Council
29 members can review it if they need to.

30

31 MR. SCHROEDER: Mr. Chair, John, I've got
32 two copies right here this morning. I have two copies
33 here, which are available for review.

34

35 CHAIRMAN THOMAS: Okay. We'll do that
36 during a break. Anything else before we go on to self-
37 improvement? Where did these come from?

38

39 MR. SCHROEDER: Mr. Chairman, I don't
40 recall Culture Camp.

41

42 CHAIRMAN THOMAS: generated and that
43 shouldn't happen curious.

44

45 MR. SCHROEDER: I can comment most of
46 these agendas in order Office of Subsistence Management

47

48 CHAIRMAN THOMAS: Well, as the chairman
49 because that's you don't generalize when you have
50 divisions. under one format, so this RAC it's awkward

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1 for me to be bewildered Other correspondence. Number 7,
2 Council member reports. concerns from each Council
3 member. Mike, let's start with you.

4

5 MR. LAITI: Need something to straighten
6 them out.

7

8 CHAIRMAN THOMAS: Thank you. Mike.

9

10 MR. DOUVILLE: considerable concern as
11 you well know, consideration concern about steelhead and
12 the ability to practice C&T and there's a lot of concern
13 about customary trade and some commercialize it more want
14 the line drawn very clearly There also is a concern
15 about the upcoming.

16

17 CHAIRMAN THOMAS: John.

18

19 MR. LAITI: Thank you, Mr. Chair. Sitka
20 is also concerned about the Regional Advisory Council
21 membership designated seats representatives of the tribes
22 are here. rural determination process over the current
23 allowable amount. not been resolved to our satisfaction.
24 Redoubt, which we will discuss in an agenda item, we have
25 a meeting on the very large community turnout that
26 commented on that. That's it.

27

28 CHAIRMAN THOMAS: Harold.

29

30 MR. MARTIN: Mr. Chairman, thank you. In
31 my discussions with various Native organizations in
32 Juneau, there's much concern, first, about the
33 composition of the Regional Advisory Council, the
34 proposed 70/30 make-up, and also the customary trade. I
35 expect that these things will be discussed at a later
36 time.

37

38 CHAIRMAN THOMAS: Dick.

39

40 MR. STOKES: We've had quite a problem in
41 Wrangell where most of the commercial -- not commercial,
42 but most of the subsistence users would like to see an
43 area set aside for the crab, though not many of them want
44 to put their name on the line, so I took it upon myself
45 to do this, to introduce several proposals to the state
46 where we have an area set aside for the crab fishing and
47 also set aside for halibut. Also, on the Stikine River,
48 we ran into a brick wall, so to speak, on the Stikine for
49 a subsistence season.

50

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1 I met with the Talkan chief, who was
2 newly elected. He is a real sharp, educated individual.
3 His name is Jerry Asp (sp) and he's all for re-
4 establishing our old tradition so we would be able to go
5 back and forth or forth and back from sea water up into
6 the Telegraph Creek area. We'd be able to prepare our
7 fish where we used to, we'd be able to hunt sheep, goat
8 and moose and they could come on down like they used to
9 and get their clams and cockles and crab and whatever
10 saltwater fish that they utilized. I didn't get a chance
11 to meet with him too long. He was real busy getting
12 ready to go on a trip. But I would like to pursue this
13 to make sure that we do get that.

14 We would like to find the treaty. My
15 grandfather told me there was a treaty between the two
16 governments where this took place. My grandfather died
17 in early 1950 and he was in his 80's when he passed on.
18 So it was back during I don't know when the treaty was
19 written, but I know there's one existing and the Talkan
20 chief also knew that it existed but we didn't know where.
21 But that's where we're at. We haven't come to any
22 conclusions. This is the third year we haven't had
23 halibut. We set these skates out 30 miles apart in
24 different areas and all we got were one little bottom
25 fish.

26
27 With the season for the personal quota
28 open in April, they keep all the local halibut chained up
29 and we that depend on this fish are unable to get ny. As
30 far as the crab season, we're able to get a few crab
31 right now, but the crab season is going to open again in
32 a couple days and two days after the season is open we
33 can't catch a crab. With all the crab pots set out, you
34 can just about walk across them. I feel bad that we just
35 can't get a crab.

36
37 Thank you.

38
39 CHAIRMAN THOMAS: Thank you, Dick.
40 Dolly.

41
42 MS. GARZA: Mr. Chairman, it's
43 unfortunate that I'm middle down the line because I need
44 to add to my list, so you guys are going to have to
45 listen to me for a while. It has been a very disturbing
46 time since our last meeting in Juneau. With the change
47 in federal administration, I feel that we, as a
48 subsistence body, are continuing to lose ground. I feel
49 that there is major effort to continue to undermine any
50 actions that we have taken to continue to reduce our

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1 subsistence opportunities and what few benefits that
2 we've been able to garner and I think that we all need to
3 be on guard from here until administration changes.

4

5 It has been an incredibly busy summer and
6 I'm thankful that I have a computer because I continually
7 was getting messages about things that are coming through
8 the pipeline, things that are changing, things that this
9 Council should be taking action on and opinion on that
10 were happening during the time when we weren't meeting
11 and weren't aware of it unless we were able to get some
12 kind of a correspondence, perhaps from Bob Schroeder or
13 somebody else.

14

15 The SCIS was one clear example. I think
16 that that's been in the process for a while. However, it
17 was not brought to us at the Juneau meeting and while we
18 were able to pull together an audio conference, it did
19 not represent this Council. There were concerns that,
20 one, we didn't have the opportunity to take action as a
21 Council and that, two, because of who called in, that
22 perhaps the opinions that we voiced were slighted in one
23 direction and didn't fully represent the Council. That's
24 unfortunate. I think that there was enough time ahead
25 that we should have been able to take action in Juneau.

26

27 In terms of other issues, the hooligan in
28 the Wrangell area has been an issue to people in
29 Ketchikan. While we don't individually go up there and
30 fish, we absolutely depend on those hooligans in the
31 beginning of the year for good, new fish. It's just a
32 very important customary and traditional item for us to
33 be eating. It brings families back together. It's just
34 a marvelous food item that we're getting less and less
35 of. We don't feel like, as a Native community, we're
36 getting the reports -- and this is also non-Native. I
37 mean everybody in Ketchikan eats hooligans. We don't
38 feel like we're part of that process. People that are
39 involved in the fishery have no idea in terms of the
40 federal process and the state process. They hear
41 conflicting reports and they're not sure what to do about
42 it. We need to straighten that up. We need to get the
43 information out so that people fully understand what
44 their rights are as subsistence fishermen.

45

46 In that area, I think we have opportunity
47 for co-management. I think that Ketchikan Indian
48 Corporation could be involved with that resource
49 management process. They can be on the boats so that
50 they can report back to the people who are fishing or the

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1 people who are buying so that they understand what is
2 going on and what they as subsistence people can do.

3

4 In terms of the Stikine, I have worked
5 with Dick Stokes to try and re-establish a customary and
6 traditional fishery and I think that we have been used by
7 the process by state and by federal so that nothing has
8 gone forward. If you clearly read the Pacific Salmon
9 Commission and if you talk to commission members, there
10 is nothing that should prohibit us going forward. I
11 think that information has been misrepresented to the
12 Federal Subsistence Board such that they're taking
13 actions that are not to subsistence fishermen's benefits
14 and I think that is totally inappropriate and I think
15 that there's room for legal action in that area.

16

17 In other areas, such as on land, a
18 concern that Tlingit and Haida and Sitka Tribe have
19 talked about is the plants for medicinal uses of devils
20 club. I serve on the Alaska Science Technology
21 Foundation. There is research going to growing this
22 stuff, there is research efforts to patent pending the
23 chemicals so that they can make devils club commercially
24 and we're not involved with that process and I think that
25 we need to take action on it.

26

27 In terms of the rural determination,
28 Bill, myself and John sat on two of the meetings in
29 Ketchikan and Saxman and then we have not heard from ISER
30 again. If you look at the process that the Federal
31 Subsistence Board is going through, I don't think it's a
32 process that involves the community. I don't think that
33 it's a process that involves this Council. From the
34 community meeting in Ketchikan, which I was a bit
35 hesitant to attend, even though I'm a born and raised
36 Ketchikan girl, I walked into that meeting and they were
37 all non-Native people and ISER purposely set it up that
38 way and I thought, oh, man, we're going to get crushed.
39 Every single person in that meeting wanted rural
40 determination for Ketchikan.

41

42 Ketchikan has changed. They don't have a
43 pulp mill anymore. All of our jobs are low-income jobs.
44 We have people that are going to food banks, we have
45 people that are losing their houses, they're losing their
46 cars, they're losing their boats and they want rural
47 determination. They do not feel that they have any
48 avenue that they can go to to request this change. If
49 you look at the process, there's no real source of input
50 until the very end, so Ketchikan would like to see that

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1 change. Ketchikan would like to see rural determination
2 for Ketchikan.

3

4 In terms of the Federal Subsistence
5 Fishery funds, I think that the process has been going
6 very well and we will hear on that. In looking at the
7 proposals for this next year, I was really disappointed
8 that none of the tribes submitted any proposals for
9 traditional knowledge grants. Perhaps they don't know
10 that this Council has tried to target a certain percent
11 of those funds to go to traditional knowledge, but nobody
12 has applied. Those funds are sitting there and we would
13 like to see the tribes use it, so perhaps we, as a
14 Council, need to let our tribes know that they should be
15 applying in that direction.

16

17 Under the SCIS that I mentioned earlier,
18 what we had brought up from Ketchikan is that there's
19 still a lot of small logging going on in that area one
20 day at a time. Subsistence and recreational people are
21 very concerned that we're just losing day after day after
22 day and they need protection. Maybe logging isn't as
23 strong in other areas, but logging is strong in the
24 Ketchikan area and we are quite concerned about it.

25

26 In terms of the community of Ketchikan,
27 one of the major concerns is the lack of markets for
28 subsistence for salmon, for commercial salmon. We have
29 seiners that were not allowed to harvest because they did
30 not have anybody to sell to. Those are Native and non-
31 Native seiners that all of a sudden have absolutely no
32 income for the summer. I think that is happening in
33 other areas and I think that we need to be concerned
34 because it is community and it's our communities. I'm
35 not sure how to go forward on it, but I think that we
36 need to recognize that our commercial fishermen have
37 problems, especially the seiners. They're not sure
38 what's going to happen in the next couple years, but they
39 are very, very tough years for our captains who are not
40 even going to be able to make boat payments, they're not
41 going to be able to make permit payments, they're not
42 going to be able to pay their crew members. Those are
43 affecting our community members.

44

45 Thank you, Mr. Chairman.

46

47 CHAIRMAN THOMAS: Thank you, Dolly.
48 Bert.

49

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

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1 only had a couple items that I was going to address this
2 morning or this afternoon, but Dolly added a whole bunch
3 to my list as well. I'll just address the two that I was
4 going to bring up though.

5
6 I sit on the Subsistence Resource
7 Commission and several years ago there was a proposal to
8 submit that has been tabled over and over again and it
9 involves the use of ATVs in the Wrangell-St. Elias parks
10 and reserves and that's through the community of Yakutat.
11 The reason why it has been tabled is because we have a
12 council member who really thinks that ATVs are damaging
13 to the environment and to the resource and I'd kind of
14 like to see if this Council would help me, you know,
15 address this issue for the next meeting, which would be
16 in February of next year.

17
18 I was looking in ANILCA, under Section
19 80.11 that addresses access. It says that the secretary
20 shall ensure that rural residents engaging in subsistence
21 use shall have reasonable access to subsistence resources
22 on public lands and then it goes and addresses those
23 kinds of machines that could be used and it says snow
24 mobiles and motor boats and other means of surface
25 transportation traditionally employed by such purposes by
26 local residents subject to reasonable regulation. It has
27 nothing to say about ATVs in there and I'm just at a loss
28 as to how that would fit into the scheme of things. I
29 think the reason why ATVs weren't included in this is
30 because they're a fairly new machine, they came out only
31 recently and there are some good things about it as well
32 as some real damaging things.

33
34 The Forest Service in Yakutat put
35 together a video. They were doing a study on the effects
36 of ATVs on the Yakutat forelands and they put together a
37 real good video that addresses this. The Yakutat
38 forelands is one real big spawning bed for salmon.
39 People who have gone out moose hunting in the past have
40 used these vehicles in order to make it a lot easier for
41 moose hunting and so forth. We have seen through this
42 research that has been taken and particularly addressing
43 this video as they go through these marshes and so forth,
44 the salmon, the little fries that are in these little
45 pockets of water in the marshes are usually damaged by
46 use of these ATVs and a lot of them we think are actually
47 killed. Not only that but the damage to the environment
48 has had an adverse effect on those areas as well. So I
49 would like to be able to go back to the next meeting in
50 February and have an idea how I can address this because,

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1 like I said, it doesn't mention ATVs in the access
2 section of ANILCA.

3

4 The other thing is the cruise ship
5 situation in Yakutat in Disenchantment Bay. There has
6 been an increase of cruise ships over the past couple
7 years into the bays. This year I think we had over 200
8 ships go up into the glacier and view that magnificent
9 scenery up there. Yakutat's residents concern is the
10 effect the cruise industry has on the seals during the
11 pupping season and that's from May through June and the
12 middle part of July.

13

14 What the Yakutat Tlingit Tribe has done
15 over the past couple years has sat down eyeball to
16 eyeball with the cruise industry and we expressed our
17 concern about the effect that they are having on the seal
18 pupping. We've seen evidence of ships coming into the
19 bay, particularly during the pupping season, and going
20 right through these icebergs and they would separate the
21 mothers from the pups and the mortality rate of those
22 young pups was really high, so we sat down and we
23 negotiated with them protocol on how they should enter
24 into the bay and they should use caution, staying 500
25 yards away from icebergs that have seals on it and so
26 forth.

27

28 We've been monitoring them and we've also
29 negotiated a research study that began this year to take
30 over the next couple three years and they had the cruise
31 industry fund that. I think we got about \$75,000 this
32 year and then it's going to be about 35,000 for the next
33 couple years to study particularly those crucial months
34 when the seals are pupping to find out if the industry
35 is, indeed, having an effect on the seal population. We
36 have noticed in that area the populations of seal going
37 down more and more each year.

38

39 I noticed as a commercial fisherman
40 during that season as well that hundreds and hundreds of
41 seals, young seals, in the areas that I've never seen
42 them before and I think probably it's because of the
43 influx of these cruise ships going into the bay and
44 chasing them into areas where there are not traditionally
45 able to survive.

46

47 That's kind of the concerns that we're
48 working on in our community and a little bit later on
49 you'll hear a report on the proposed T-K proposal and
50 I'll probably have some comments on that. Like I said, I

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1 sit on the Subsistence Resource Council and I have a
2 report coming up and there's a couple other issues that
3 I'll address at that time.

4

5 Thank you, Mr. Chairman.

6

7 CHAIRMAN THOMAS: Marilyn.

8

9 MS. WILSON: Mr. Chairman. First of all,
10 I'd like to see if we could get a list of Dolly's
11 concerns that she brought up. She said so many things so
12 fast that I think it's important for all of us to get
13 this down on paper for us to look at and address. My
14 main concern that people have been asking about at home
15 is halibut, subsistence halibut. They asked about
16 halibut a lot, so I'd like to see us discuss that.

17

18 The other thing is the membership on the
19 SERAC, on them wanting to change the membership of the
20 SERAC to add two or three members from another user
21 group. Because I was on the State Fish & Game and
22 attended Council meetings and most of the State Fish &
23 Game Councils were made up of commercial and the other
24 user groups and very few had subsistence people
25 represented on there. Toward the end of 1990 or '89 they
26 were trying to take care of all the subsistence proposals
27 in the State Fish & Game Council. There was some members
28 in there that their interest was for commercial and they
29 would just get up and walk out and not even vote because
30 they were so against the subsistence proposals and they
31 didn't like it. I can almost see that happening on this
32 Council.

33

34 To me, when we take care of subsistence
35 or C&T, customary and traditional uses, we're not trying
36 to be selfish. We think of the impact of the logging, we
37 think of all the things that can impact these resources.
38 To us, it's our life, like everyone in all the villages
39 say, we're here to help protect it also. We're not
40 trying to be detrimental to commercial fishermen or
41 sports because many of us are in there also. So that was
42 one of my main concerns. That's about all I have, Mr.
43 Chairman.

44

45 CHAIRMAN THOMAS: Thank you, Marilyn.

46 Patty.

47

48 MS. PHILLIPS: Mr. Chair. What probably
49 is happening in other communities is that the true grass
50 roots of the community is getting really diluted. What I

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1 mean by that is we've had a turnover of properties in
2 Pelican, but most of those sales have gone to seasonal
3 residents, people that will be in Pelican a couple weeks
4 of the year and yet they're registered to vote in our
5 community and they're diluting the voice of those who are
6 there year round and will feel the impact in the
7 decision-making process at the local, state and federal
8 level. To me, that is a real concern, that we may not be
9 hearing from someone who has the community's interests at
10 heart, that we may be hearing more special interest based
11 opinions.

12

13 One of the other issues that I'm really
14 interested about is customary trade. As you have become
15 aware of, many of us represent different sectors of
16 making a living and you can't just divide someone off as
17 just subsistence, that they're linked in with commercial
18 fishing, they're linked in with sport fishing. There are
19 some individuals in our community who make a meager
20 living off of customary trade and I do not want to see
21 limits put on that customary trade and I voiced that at
22 earlier meetings.

23

24 One thing that I have personal interest
25 in is pollutions and emissions. In Pelican, we have a
26 landfill that burns items that should not be burned and
27 those emissions go in the air and because we're a rain
28 forest, those pollutions and emissions have toxins and
29 carcinogens that drop into our watersheds. It's
30 scientifically proven in the arctic that emissions from
31 the state side go up to the arctic, go into the food
32 chain and end up in the blubber of seals and what eats
33 seals besides polar bears except humans. As a result,
34 nursing mothers are giving toxins to infant children.
35 I'm just using that as a scenario. We have emissions,
36 toxins, carcinogens going into the air, falling into our
37 watersheds, onto our berries, onto our vegetation that we
38 eat, that the deer eat, that we eat the deer. To me,
39 that's a personal concern.

40

41 Thank you.

42

43 MR. KOOKESH: Mr. Chairman. I was kind
44 of talking to Patty just when you started this
45 discussion, but the first thing that came to me when I
46 saw those village concerns from each Council member was
47 that I've always took the position that we're a regional
48 council. Don't get me wrong, but what I'd like to do is
49 I'd like to hear what goes on in the villages in a
50 different forum. I believe the way we're supposed to

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1 represent ourselves here is to be done on a region-wide
2 basis.

3

4 I was talking to Mike this morning and he
5 asked me how come there isn't any proposals from Angoon
6 and I told him the way I read Title VIII it's not my job
7 to do proposals. We were talking about me doing
8 proposals. My job is to provide a forum and to review
9 and evaluate. I like to believe that our role here is to
10 represent all of southeast and I believe that when we're
11 speaking from a village point of view or a community
12 concern, I think we're leaving out a lot of people. Not
13 in all villages either. These are cities. I don't like
14 calling our communities villages. I think that tribal
15 councils can do that. I believe that we're all small
16 cities. I don't want us to get to a point where we talk
17 about our own individual community concern because that's
18 not what I believe I was appointed to fill this position
19 for. I don't have any problem listening to village
20 concerns. I think it kind of gives me an idea what's
21 going on in the community. I talked with Mike if I go
22 down the road you're going down. We don't have wildlife
23 enforcement in Angoon, so therefore we do what we've
24 always done to begin with, which I think is what we
25 should be supporting here in this forum. We should
26 continue to be allowed to practice our way of life we've
27 always been. We shouldn't have a regulation telling us
28 that we only can get 15 when you know you need 25. We've
29 always needed 25. That's what goes on in Angoon just to
30 keep in with what's going on here.

31

32 There were a few things that I saw. One
33 of them this morning was when I was walking towards this
34 building I noticed that you didn't see a sign that said
35 Southeast Regional Advisory Council meeting anywhere in
36 the building. You could walk by this building or go
37 outside and look outside and see if there's such a sign.
38 People don't even know. We're not even advertising
39 ourselves in the community that we're in. I'm not saying
40 that a poor job was done on the part of the community.
41 I'm just saying that you'd think for the forum that we're
42 providing, which is an ongoing thing, that something
43 would be put up that shows that we are here, that we are
44 a presence and that we are representing Southeast and we
45 are in your community. That was one of the things I saw
46 that I thought should be fixed.

47

48 I did hear some concerns and I think they
49 are Southeast concerns. I heard two of them while I was
50 in this building and although they're coming from Hoonah

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1 people, they're representative of Southeast. One of them
2 was talked about before about size limit on halibut. I
3 was being told that sport fisherman are bringing in
4 halibut this big here and that it was a shame. I know in
5 the commercial fisheries entry commission thing when we
6 do our RFQ's, we have 32-inch minimum and I'm talking
7 Southeast and that's what it should be about.

8

9 I also heard another concern that as a
10 council and the way we're conducting ourselves as
11 advisory, which is advisory to the Federal Subsistence
12 Board, we're dealing with a bureaucracy that's going to
13 ruin our way of life if we don't step up and fix it. We
14 can't allow them to keep knocking our proposals out. If
15 we have a legitimate concern and we believe our concern
16 is valid, the Federal Subsistence Board should honor
17 them. We shouldn't be dealing with something that waters
18 down what we're doing and rejects it and we have nothing.
19 What's going to happen is these are going to become of no
20 value. People like me are going to continue to live the
21 way I prefer, I've always done and you're not going to
22 stop me. You can't beat the early evening, you can't
23 beat the fog, you can't beat the Southeast. Fish and
24 Wildlife can only do so much. Their budgets don't hold
25 any water. They can't even come to Angoon to check on
26 us. I believe I've seen them twice this year. We always
27 like to say that the Tzar is in Russia.

28

29 Thank you.

30

31 CHAIRMAN THOMAS: Thank you, Floyd. Just
32 to address some of your concerns and we'll take them,
33 they're good concerns. Personally, I think it's helpful
34 for each Council member to hear concerns from different
35 communities because our charge is to take that
36 information from those communities through a proposal
37 process and we deliberate the merits of the proposal and
38 they come from the same communities we just discussed and
39 other communities that aren't represented here. We do
40 deal with them as a regional concern, so we're not really
41 straying away from the region concept by listening to
42 individual communities. I just wanted to point that out.
43 I'm not taking issue with your assessment, but I don't
44 want to hear it again.

45

46 MR. KOOKESH: I would like to make one
47 more comment that I kind of left out.

48

49 CHAIRMAN THOMAS: Uh-huh.

50

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1 MR. KOOKESH: If you go to Tab D, and I
2 asked Bob about it, if you look at it, if I'm not going
3 to go and help somebody fill out the proposal, who are
4 they going to go to? Read Tab D.

5
6 CHAIRMAN THOMAS: We're going to go back
7 to the way we've done things. There have been
8 substantial changes in our packets and they're not an
9 improvement. Historically, if you need help filling out
10 proposals, call the coordinator or call OSM and they'll
11 help you with filling out the proposals and if that's
12 omitted from the information we got, we will re-introduce
13 that.

14
15 Nobody else was interrupted while they
16 were talking and I'm not going to be either. Some
17 concerns from Ketchikan. The process. Just when they
18 thought they had a grasp for what's going on with federal
19 subsistence management and the things they read about and
20 the publications they've seen, the news releases, somehow
21 they don't feel it has a federal reflection and they're
22 kind of curious about that. I haven't been able to give
23 them any credible responses. But there is something very
24 noticeable. I've had the same concerns and I think we'll
25 be addressing those in the meeting.

26
27 Another one is with regards to harvesting
28 halibut for subsistence. Some say that you can get 20
29 halibut a day using so much gear and other times you'll
30 hear that it's being discussed through various agencies
31 for finalization so some people don't know whether
32 they're getting them legally or not. So a lot of things
33 we do in process in government when the community as a
34 whole is waiting for some direction on doing something
35 without breaking the law, there never seems to be an end.
36 It's kind of like writing regulations on a hoop. So I
37 think we need to be more careful on how we design things
38 and how we market the product that we come up with. So
39 we'll be addressing some of those at this meeting as
40 well. Who wanted to speak? Ida.

41
42 MS. HILDEBRAND: Thank you, Mr. Chairman.
43 I didn't really want to speak. I just wanted to note in
44 relation to Floyd's question about where can you seek
45 help. On Tab P on page two there's an 800 number.

46
47 MR. KOOKESH: It says if you have
48 questions.

49
50 MS. HILDEBRAND: If you have any

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1 questions regarding the proposal, yes, proposal process.

2

3 MR. KOOKESH: Not the same as if you need
4 help to fill out a proposal, call. It doesn't say that.
5 It just says if you have questions. I think it means two
6 different things myself.

7

8 CHAIRMAN THOMAS: We'll make it more user
9 friendly before we're done. Butch.

10

11 MR. LAITI: Mr. Chairman. When Fred
12 Clark was here, we asked a while back here for the
13 federal government to define what their jurisdiction was
14 on the river mouths. Have they ever done that? Like on
15 the Stikine River. Where does the federal government
16 jurisdiction begin and end?

17

18 MR. LITTLEFIELD: In Yakutat we
19 presented, I believe, about 10 different areas. Stikine
20 was one of them. I believe that we can have those right
21 to the regional forester, drew the lines, so I know some
22 of them have been done. I would like to see all of them
23 everywhere done.

24

25 MR. LARSON: Mr. Chairman, we do have a
26 small sample of maps. The maps that we presented back in
27 Yakutat were the ones that have been officially done and
28 signed. We have a wide-scale effort across the Tongass
29 to do that until now.

30

31 CHAIRMAN THOMAS: If you want to get the
32 answers now, during our break or sometime we're not doing
33 nothing, approach them and get it clarified. Marilyn.

34

35 MS. WILSON: Mr. Chair, I just wanted to
36 add that someone just asked if these meetings were for
37 public. I think we need to also put in here public
38 welcome. That way they will know for sure that these
39 meetings are open to the public and that they have the
40 right to speak if they want to.

41

42 CHAIRMAN THOMAS: Well, I put
43 restrictions on that last night. I said if they want
44 abrasive, offensive, ugly and belligerent, they weren't
45 welcome. They had to be cheery to be here to keep us
46 awake. But your point is well taken. Everybody's got
47 their game face on. We're going to take a break and come
48 back with no game faces.

49

50 MR. MARTIN: Mr. Chairman.

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1 CHAIRMAN THOMAS: Okay. Harold.

2

3 MR. MARTIN: Thank you, Mr. Chairman. In
4 regards to the proposed halibut regulations as a
5 subsistence resource, the regulations from the register
6 are calling for comments no later than September 25. I
7 think from what I've seen, we need to look into it
8 because some people may find something else. And in
9 regards to Bert Adams' concern about vessel disturbance,
10 the Alaska Native Harvester Commission is sponsoring a
11 vessel disturbance work shop in Yakutat on November 13th
12 through the 15th, so it's been a long-standing concern
13 for the Alaska Native Harvesting also.

14

15 Thank you, Mr. Chairman.

16

17 CHAIRMAN THOMAS: I appreciate all the
18 resources. Now we are taking a break. Five minutes.

19

20 (Off record)

21

22 (On record)

23

24 CHAIRMAN THOMAS: Call the meeting back
25 to order. Are there any comments before we get into the
26 proposals for review? John.

27

28 MR. DOUVILLE: Mr. Chair, for the benefit
29 of people here in the audience that are concerned about
30 Proposal 20, I would like to make a motion to postpone
31 the discussion of Proposal 20 until the first day of
32 business tomorrow morning.

33

34 UNIDENTIFIED VOICE: Second the motion.

35

36 CHAIRMAN THOMAS: The motion has been
37 seconded.

38

39 MR. DOUVILLE: Question.

40

41 CHAIRMAN THOMAS: Question has been
42 called. All those in favor say aye.

43

44 IN UNISON: Aye.

45

46 CHAIRMAN THOMAS: Motion carries.
47 Anything else? Mike.

48

49 MR. DOUVILLE: Mr. Chairman, thank you.

50 I just would like to make an added comment that's a

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1 concern with probably some of the RAC members and
2 certainly Craig community and myself. When we are
3 finished with our meeting, we are done with the process,
4 our recommendations and so on, and then it goes to the
5 OSM. ADF&G has a seat there and they are able to lobby,
6 make further comments and provide more paperwork, further
7 testimony and we are excluded from that process. So I
8 feel like the playing field is lopsided. I would like to
9 see the field more level so to speak. I don't know
10 exactly how, but I think it's an unfair situation,
11 especially when it's a close vote. I also know that some
12 of the biologists have people that they work for, which I
13 feel that may sway their thinking on both sides. So I
14 just would like to get that out and make my comments and
15 my feelings clear.

16

17 CHAIRMAN THOMAS: We're going to take
18 time to address those documents and I'll have them
19 formatted for presentation to the appropriate office.

20

21 MR. DOUVILLE: Thank you.

22

23 CHAIRMAN THOMAS: Dolly.

24

25 MS. GARZA: To make sure we do discuss
26 the issue of the process of proposals once they leave the
27 Regional Advisory Council, perhaps we need to add that to
28 our Item 19 under the annual report so we have Council
29 remember to bring it back up and make our concerns known
30 to the Federal Subsistence Board.

31

32 MR. MARTIN: Second.

33

34 CHAIRMAN THOMAS: Moved and seconded.

35

36 UNIDENTIFIED VOICE: Question.

37

38 CHAIRMAN THOMAS: Question has been
39 called. All those in favor say aye.

40

41 IN UNISON: Aye.

42

43 CHAIRMAN THOMAS: We're not so rigid that
44 we can't address the concerns as time allows, so we're
45 going to do that. Marilyn.

46

47 MS. WILSON: I would like clarification
48 on that last motion. You did it so fast I didn't hear
49 anything.

50

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1 CHAIRMAN THOMAS: Let's hear that motion
2 again.

3
4 MS. GARZA: The intent of the motion,
5 Marilyn, was to follow up on what Mike had said, that the
6 Council needs to discuss the process that the Federal
7 Subsistence Board goes through when they review
8 proposals, what is our influence on those proposals and
9 how is the Federal Subsistence Board influenced by the
10 people at the meeting. We're concerned that we don't
11 have an equal voice in that process and that something
12 needs to be done. Is that correct? He's shaking his
13 head yes, Marilyn.

14
15 MS. WILSON: Thank you.

16
17 CHAIRMAN THOMAS: Thank you. Mr.
18 Casipit, Proposal No. 1.

19
20 MR. CASIPIT: Thank you, Mr. Chairman.
21 The first proposal for your consideration will be
22 Proposal 27.

23
24 CHAIRMAN THOMAS: Before you read those,
25 I'd like Dolly to read the processes for the public.

26
27 MS. GARZA: Mr. Chairman, if you look at
28 the bottom of page one on the agenda there's a box that
29 says presentation, procedure for proposals, so it is
30 introduced by Federal staff. ADF&G may have comments,
31 tribal governments may have comments, Fish & Game
32 Advisory Committee may have comments. I have not seen
33 them on this list before. There is a summary of written
34 public comments and there's public testimony and the
35 Regional Advisory Council deliberation. So, if there is
36 public that wishes to comment on a proposal, they need to
37 fill out a form. I'm not sure if I've seen them in the
38 back. And submit that to Bob Schroeder and we will hear
39 your testimony on the proposal. You can submit your name
40 proposal by proposal or for all of the proposals or
41 whichever ones you're concerned about.

42
43 Thank you.

44
45 CHAIRMAN THOMAS: Thank you, Dolly.
46 Floyd.

47
48 MR. KOOKESH: Why are Fish & Game
49 Advisory Committees given a forum?

50

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1 CHAIRMAN THOMAS: John.

2

3 MR. LITTLEFIELD: I've reviewed the State
4 regulations before on the duties of the local Fish & Game
5 Advisory Committees and that's one of the duties that
6 they're charged with, is to make a report, if they wish,
7 to the Regional Council. I suppose somebody just picked
8 that up. As a forum, I think it's appropriate that they
9 be given that spot if they're here.

10

11 CHAIRMAN THOMAS: We will tolerate no
12 more interruptions.

13

14 MR. CASIPIT: Thank you, Mr. Chairman.
15 The first proposal for the Council's consideration today
16 will be Proposal F 2003-27. It is a proposal to provide
17 for fish for ceremonial and religious purposes. I guess
18 what I'll do is I'll turn it over from here to Bob
19 Schroeder to introduce the proposal and to talk about it.
20 After that point, we'll go to public comments and
21 deliberations.

22

23 MR. SCHROEDER: Thank you, Cal. People
24 who wish to comment on proposals need to fill out green
25 forms like this. These are on the table in the back of
26 the room. These can be submitted at any time during our
27 process.

28

29 The background on this proposal. A
30 number of years ago on the wildlife side the Regional
31 Council representation was instrumental in changing state
32 regulations concerning ceremonial harvest of wildlife for
33 traditional ceremonies, primarily for mortuary
34 ceremonies. Your chairman journeyed to Fairbanks, along
35 with an Angoon resident and testified to the Board of
36 Game, who then adopted regulations that allowed for the
37 ceremonial take of wildlife outside of normal seasons and
38 bag limits for use in traditional ceremonies and mortuary
39 rites. This regulation, with possibly some minor
40 adjustments, was adopted by the federal process for game.
41 We've been in the situation where there hasn't been
42 regulation for fish covering traditional ceremonial use
43 of fish for funerals or mortuary ceremonies.

44

45 What this proposal would do would be to
46 set traditions and procedures for allowing and
47 recognizing ceremonial use of salmon and steelhead in
48 mortuary ceremonies or traditional ceremonies.
49 Specifically, this proposal would allow the taking of
50 fish outside of published open seasons and harvest

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1 limits. The harvest of fish would be used for food in
2 traditional or religious ceremonies which are part of
3 funerary or mortuary cycles, including memorial
4 potlatches. It sets provisions that someone who is
5 organizing a ceremony contact a local manager and that no
6 more than 25 salmon or five steelhead could be taken.
7 That person who did the harvest would report as soon as
8 practical, within 15 days, to the Federal
9 Fisheries/Wildlife manager the number of fish taken and
10 other specifics. This would not be a permit requirement;
11 however, the harvester must be an Alaska rural resident
12 with customary and traditional use in the area where the
13 harvesting would occur.

14

15 Staff analysis. The reasons for changing
16 the regulation, Staff didn't believe that there would be
17 any long-term effect on fish and wildlife populations
18 from adoption of this proposal and it would recognize a
19 traditional use, which at the current time is not
20 recognized. Your draft staff analysis provides limited
21 background on the use of fish for this purpose.

22

23 The history includes some action on a
24 case-by-case basis, along with taking wildlife for
25 cultural, educational and religious programs and
26 ceremonies. So these provisions, as I've said, exist in
27 the wildlife permits. It sets out the specific
28 regulations that vary for wildlife.

29

30 As all of you well know, the organized
31 communal consumption of wild or Native foods is a central
32 feature of Alaska Native cultural gatherings. In our
33 region, of course, our Native foods figure in as central
34 items in potlatches in southeast Alaska. There are a
35 number of reports that have documented this use.

36

37 The preliminary conclusion of the Staff
38 analysis is to support this proposal and an attachment
39 for the proposed regulation is provided in your board
40 book. I won't bother reading the text unless you wish,
41 Mr. Chairman. That concludes my brief introduction of
42 Staff analysis of this proposal.

43

44 CHAIRMAN THOMAS: Thank you. Those that
45 wish to make comments on this proposal can take a sheet
46 at the table. Ida, did you have something?

47

48 MS. HILDEBRAND: Thank you, Mr. Chairman.
49 Ida Hildebrand, BIA Staff Committee member. There's just
50 a typo in the proposed language and it's replicated

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1 throughout the proposal. The second line on page 31 it
2 says publish open season and limits. It's supposed to be
3 open season or limits.

4

5 CHAIRMAN THOMAS: John.

6

7 MR. LITTLEFIELD: Mr. Chairman, this
8 brings up something I've always struggled with on these.
9 The language is correct on one page and it's not correct
10 on 31.

11

12 CHAIRMAN THOMAS: Well, what we're going
13 to do is go through the process and then we'll bring that
14 up in deliberation.

15

16 MR. LITTLEFIELD: Well, I'm just asking a
17 question of Staff. I would like them to present what was
18 written and tell us what page that's on and then what
19 action they're recommending and also tell us what page
20 that is on because the language is correct on one and I
21 don't know if we're voting on that or which one

22

23 CHAIRMAN THOMAS: This is an unfortunate
24 change that we're experiencing right now. We're not
25 going to continue with that. John, let's take a little
26 break and go over this.

27

28 (Off record)

29

30 (On record)

31

32 MR. SCHROEDER: I think we had a little
33 bit of confusion where there's a wording change. John
34 brought up the question that we need to be very clear as
35 to which version the Council is voting on. According to
36 the way our procedure is set up, the Council is voting to
37 support or not support the preliminary conclusion and the
38 wording that appears in the preliminary conclusion. I
39 think we had some confusion when we were dealing with
40 deer proposals last spring where we had to look around in
41 our text to figure out which version you were talking
42 about.

43

44 Thank you.

45

46 CHAIRMAN THOMAS: Well, between you and
47 me I don't have a clue right now and I'm hoping the Board
48 will understand it by the time they get through with
49 considering this proposal.

50

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1 MR. SCHROEDER: Mr. Chairman, I think the
2 only thing that's confusing here is the suggestion in
3 line one that taking of fish from Federal waters is
4 authorized outside of public open seasons and harvest
5 limits, et cetera. The change that needs to be made in
6 our text is open seasons or harvest limits. So, in
7 short, someone who would be fishing under these
8 provisions would be fishing out of either published opens
9 seasons or published harvest limits.

10
11 CHAIRMAN THOMAS: We're going to go
12 through the process anyway. I want to see how well our
13 presenters handle this. That being the case, does the
14 Department have any comments on this proposal?

15
16 MS. SEE: Thank you, Chairman Thomas. My
17 name is Marianne See with Department of Fish & Game. I
18 will reiterate here that our earlier comments remain the
19 same, that we are neutral. I will note, however, that
20 the provision that this speaks to does, in fact, address
21 some of the earlier points we made about being able to
22 track the information about the harvest and those are
23 included. We also note that we have felt, as the
24 analysis also states, that in many parts of the state
25 that existing regulations do provide for this
26 opportunity. So that concludes our comments.

27
28 Thank you.

29
30 CHAIRMAN THOMAS: Any questions? Thank
31 you very much. Tribal government, other agency comments.
32 Fish & Game Advisory Committee. Any written or public
33 comments?

34
35 MR. SCHROEDER: Mr. Chairman, we just
36 have one written comment from the Cordova District
37 Fishermen United. CDFU supports this modification with
38 some modification. They'd like to see a permit
39 specifying the harvester's name and address, the number
40 and species of fish taken and the date and location of
41 harvest, as well as the name of the decedent for each
42 person harvesting under this regulation. They would like
43 harvest reporting to be required within a reasonable
44 period of time and they also would like a limit of one
45 permit issued for each specific traditional or religious
46 ceremony. That's all we have for public comments, Mr.
47 Chairman.

48
49 CHAIRMAN THOMAS: Thank you. We have one
50 request for public comment. Wanda Culp.

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1 MS. CULP: I'd like to comment on the
2 issue of submitting a written report on when we do gather
3 fish for ceremonial purposes and religious purposes. I'd
4 like to say right now that it's never been the Tlingit's
5 job to ever answer to Federal agencies regarding our
6 customary and traditional activities and how they operate
7 within our ceremonies. Never have they been involved
8 before and I don't think it's up to us to begin involving
9 ourselves with answering to the Federal government on how
10 we handle our sacred potlatches and other sacred
11 ceremonies. I was real glad to see that this proposal
12 came up, but then, again, when they give, they take.
13

14 If we have to begin answering to these
15 written reports and if someone doesn't do it, then well
16 be faced with the same threats that we are when we don't
17 turn in our deer harvest reports. We can see the same
18 thing coming. We are not prone to do these written
19 reports. That is not part of the Tlingit way of living
20 and I don't think we're going to start now when it comes
21 to our potlatches. If there's going to be anything like
22 this allowing us to do what we do anyway, than I think
23 the Federal government needs to respect the fact that we
24 also are very conservative ourselves, more so than
25 anybody else around us. When we see the Federal
26 government or the State begin to insist that the sports
27 interest begin documenting their take of the state, maybe
28 we'll begin to feel like we should begin to be involved
29 in answering to anybody on our customary and traditional
30 activities, especially as they're sacred to us. This
31 part of it is not acceptable.
32

33 CHAIRMAN THOMAS: Questions, comments?
34 Any more public testimony? Okay. We're ready now for
35 Regional Council deliberation, recommendations,
36 justification. Bert.
37

38 MR. ADAMS: I just came back from
39 Regional Subsistence Commission last week and we
40 considered this proposal as well and we got a lot of
41 public testimony and one of the issues that came up was
42 that they did not feel that there should be a limit on
43 the amount of fish that we should be taking for
44 ceremonial purposes. They agreed that they could come in
45 and get a permit. Okay? Mr. Chairman, what the
46 consensus was there was that all a person needs to do is
47 come in and request a certain amount of fish or salmon
48 that they would want for this particular potlatch. Not
49 all potlatches are the same. You don't know if you need
50 25 or 30 or 50 salmon. So it was the consensus and the

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1 Subsistence Resource Commission struck out that last part
2 where it says no more than 25 salmon or five steelhead
3 can be taken. So they left it open and did not request
4 any limit. All you need to do is go in and tell them how
5 much and you're allowed to do that and report back.

6

7 CHAIRMAN THOMAS: John.

8

9 MR. LITTLEFIELD: Mr. Chair, a question
10 on protocol. Would you like a motion?

11

12 CHAIRMAN THOMAS: Yes.

13

14 MR. LITTLEFIELD: I'd like to make a
15 motion to improve the language as written on page 38
16 preliminary conclusions.

17

18 CHAIRMAN THOMAS: There is a motion. Is
19 there a second to the motion?

20

21 MR. ADAMS: Second.

22

23 CHAIRMAN THOMAS: Moved and second. Bert
24 seconded it. Discussion. John.

25

26 MR. LITTLEFIELD: Mr. Chairman, I have an
27 amendment. I'd like to amend Section A, the last
28 sentence, no more than 25 salmon or five steelhead may be
29 taken.

30

31 CHAIRMAN THOMAS: We have a motion to
32 amend. Is there a second?

33

34 MR. ADAMS: Second.

35

36 CHAIRMAN THOMAS: Seconded by Bert.
37 Discussion? John.

38

39 MR. LITTLEFIELD: Mr. Chairman, after
40 hearing Bert's comments, I agree entirely. I've been to
41 potlatches with 300 people and I've been with just a
42 small house, so the limit of 25, I originally thought 50
43 would be better, but I think it makes perfect sense to
44 delete that and be addressed because B says the manager
45 may restrict the number of the species already, so each
46 case should stand on its own without that limit of 25, so
47 I'm going to support the amendment.

48

49 CHAIRMAN THOMAS: Further discussion on
50 the amendment? Floyd.

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1 MR. KOOKESH: The second sentence under
2 B, can we delete that one?

3
4 MS. WILSON: Do them one at a time.

5
6 MR. KOOKESH: Do them one at a time?

7
8 CHAIRMAN THOMAS: Yeah. Further
9 discussion on the amendment?

10
11 MS. WILSON: Call for the question.

12
13 CHAIRMAN THOMAS: The question has been
14 called. All those in favor say aye.

15
16 IN UNISON: Aye.

17
18 CHAIRMAN THOMAS: Those opposed?

19
20 (No opposing votes)

21
22 CHAIRMAN THOMAS: Motion carries. John.

23
24 MR. LITTLEFIELD: Mr. Chairman, I'd like
25 to offer another amendment and that's to delete C in its
26 entirety.

27
28 CHAIRMAN THOMAS: There is a motion.

29
30 MR. ADAMS: Second the motion.

31
32 CHAIRMAN THOMAS: It's been moved and
33 seconded. Discussion. John.

34
35 MR. LITTLEFIELD: Mr. Chair, speaking to
36 the amendment, if you were to give a permit for 25 fish
37 or 50 or whatever, I think it's simple enough for
38 management to just assume that those people got 50 fish.
39 When we're looking at two million cohos coming into
40 southeast and we have four or five people that applied
41 southeast wide for a permit for a funeral, I think it's a
42 very simple matter that they just do that. There is no
43 need for a permit at all. I think it's kind of
44 insignificant when you look at it and there's no need for
45 it, so I'm going to support the amendment.

46
47 CHAIRMAN THOMAS: Further discussion on
48 the amendment.

49
50 MS. PHILLIPS: The motion is to delete C?

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1 MR. LITTLEFIELD: Yes, the motion is to
2 delete C, as in Charlie, entirely. That has to do with
3 the 15-day harvest ticket and all this other data.

4

5 MS. PHILLIPS: Mr. Chairman.

6

7 CHAIRMAN THOMAS: Patty.

8

9 MS. PHILLIPS: I'm going to vote against
10 the motion. In order to have good data to make
11 decisions, we need to know what the numbers are,
12 including subsistence.

13

14 CHAIRMAN THOMAS: Further discussion.

15

16 MS. GARZA: I guess I have concerns
17 similar to Patty's. My basic concern is that this
18 section will probably not be taken out. That ADF&G will
19 make sure it stays in. And that we should do to this
20 section what we need to to make it work for us. So, what
21 I was looking at was that each person who takes fish
22 under this section are encouraged to submit a report. I
23 think on the positive side of that, if we can demonstrate
24 that this is necessary because we use it every year
25 because it's used for 10 potlatches, that it will
26 demonstrate that it should never be removed. This
27 opportunity should never be removed.

28

29 CHAIRMAN THOMAS: Further discussion.

30 John.

31

32 MR. LITTLEFIELD: Mr. Chair, I agree 100
33 percent that we cannot do our job without correct
34 numbers. However, I will speak again that this is
35 insignificant. The Dog Point fish camp I believe got the
36 only permit last year. Maybe Staff could give us some
37 information on that. There was only one permit, is that
38 correct, statewide or southeast wide. We're not talking
39 huge numbers here. I can look at a calendar and tell you
40 how many funeral potlatches there are in southeast Alaska
41 if I had it with me and you can count them on two
42 handfuls. I think the number is insignificant and we can
43 live with it. If Staff has any comment on it, I'd like
44 to hear what numbers they're projecting.

45

46 MR. LARSON: Right now the only way for
47 any group to obtain a permit to harvest for ceremonial or
48 religious uses, they have to go directly to the Federal
49 Subsistence Board with a special action request. That's
50 the only way for any group right now at this point in

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1 time to harvest legally for funeral or mortuary purposes
2 unless they were to put them on their own personal
3 permits. The reason this proposal was put in was to
4 provide a way for people to provide for a funerary or
5 mortuary use and not have to take them out of their
6 permits that they're getting for themselves and a way for
7 them to do that without having to go to the Board every
8 time they want to do this. So Staff felt this was a
9 simplification if you will to allow people to harvest for
10 funerary or mortuary purposes without having to go to the
11 Board for a special action. This doesn't actually
12 require a permit, but how many times this may be used,
13 you guys would probably have a better idea of that than
14 we would. At least for the cultural education side of
15 things, your fish camp was the only one that applied for
16 a permit this year. That's all the information I have on
17 the issue of permits for ceremonial harvest.

18

19 CHAIRMAN THOMAS: Further discussion.

20 Ida.

21

22 MS. HILDEBRAND: Mr. Chairman, Ida
23 Hildebrand, BIA Staff Committee member. In reference to
24 John's question of how many times is this done, the
25 proposal is a statewide proposal and I believe it was
26 done on two occasions in the interior for mortuary
27 services and the proposal is to prevent it from going
28 through the process of going to the Board, that it will
29 just be done on a more immediate basis.

30

31 CHAIRMAN THOMAS: John.

32

33 MR. LITTLEFIELD: Thank you, Mr. Chair.
34 I agree with the process. It is cumbersome for us to
35 apply for a permit. Matter of fact, we got the permit
36 after the fish were already in the smokehouse. That's
37 how cumbersome it was. And I look forward to this
38 proposal passing so that doesn't happen again. The
39 Tlingit and Haida publishes a funerary potlatch memorial
40 calendar for southeast Alaska that I can get on the web
41 and if you just count how many are there, you will find
42 that every one of them went out and got 25 or 50 fish.
43 It's meaningless when you're looking at two million plus
44 fish coming in this year and I see no need statistically,
45 where if you just assume, like counting up the sockeye
46 permits, if you count them up, how many permits were
47 issued at a place and the limit, you will find that
48 invariably they're real close to multiplying the 10 fish
49 permit times the number of permit holders. It's just as
50 easy to do that in this proposal. If there were 10

00039

1 potlatches, just assume 500 fish out of two million were
2 taken.

3

4 CHAIRMAN THOMAS: Dolly.

5

6 MS. GARZA: Mr. Chairman, I'll support
7 the amendment. I understand the logic and I am swayed.

8

9 CHAIRMAN THOMAS: Patty.

10

11 MS. PHILLIPS: I am reconsidering what I
12 said. The reason why is that I appreciate that there are
13 regulations here that recognize customary and traditional
14 practices; however, some rural users or quite a bit of
15 rural users, harvesters, do not apply for those sort of
16 permits and they don't get documented anyway. For
17 instance, the designated hunter. We have a lot of
18 designated hunters, but you don't see them going in and
19 getting the permit that says designated hunter. It just
20 happens. We have potlatches. They go and get fish.
21 They're not asking the guy upstairs, you know, is it okay
22 we go do this. They just go do it and they provide for
23 the needs of the potlatch. It's undocumented. So I kind
24 of am changing my opinion. I'm thinking about it.

25

26 CHAIRMAN THOMAS: Butch.

27

28 MR. LAITI: On Section D, second
29 sentence, where it says Alaska rural resident, can we
30 take out that word rural? Point of order, Mr. Chairman.

31

32 MS. GARZA: We have to finish voting on
33 C, then we can take that up.

34

35 CHAIRMAN THOMAS: Harold.

36

37 MR. MARTIN: Speaking in favor of the
38 amendment, we always manage to get all the fish we need
39 for funerary and mortuary potlatches. I think, like he
40 says, the numbers are very insignificant.

41

42 MS. GARZA: Call for the question.

43

44 CHAIRMAN THOMAS: Wait a minute. The
45 chair's got something to say. I live in a subsistence
46 used community, but it's also a non-eligible community,
47 so I can almost get some, almost. It's frustrating. So
48 I just wanted to share that with you. The question has
49 been called. All those in favor say aye.

50

00040

1 IN UNISON: Aye.

2

3 CHAIRMAN THOMAS: Those opposed.

4

5 (No opposing votes)

6

7 CHAIRMAN THOMAS: The amendment is
8 carried. Dolly.

9

10 MS. GARZA: So the conclusion from that
11 is that Section C is eliminated. I would like to make a
12 further amendment, Mr. Chair, in the very first but long
13 sentence that is before A, B and C, the taking of fish
14 from Federal waters is authorized outside of published
15 open seasons and harvest limits if the harvested fish
16 will be used for food in traditional religious ceremonies
17 which are part of funerary and mortuary cycles, I would
18 like to change that mortuary to potlatching. So it would
19 read, which are part of funerary or potlatching cycles,
20 including memorial, and I would like to add and
21 ceremonial potlatches, provided that blah, blah, blah.
22 The intent there, Mr. Chairman, is to recognize that we
23 do have potlatches that are not memorial. We have
24 seedings of trees, we have raisings of poles, we have
25 those types of potlatches which are incredibly important
26 and much more enlightening because they are not as sad
27 and those types of ceremonies need this type of food.

28

29 MR. SCHROEDER: Would you repeat your
30 wording?

31

32 MS. GARZA: Sure. So it's all on the
33 very bottom sentence. Which are part of funerary or --
34 slash mortuary and replace it with the word potlatching.
35 So funerary or potlatching cycles, including memorial --
36 and here I add and ceremonial potlatches. As an example,
37 we had a potlatch in Hydaburg for Chief Richard Carl and
38 a pole was raised and it was packed. That potlatch
39 required a lot of fish. Maybe it was unreported fish,
40 Patricia, but it was a marvelous event. It was a great
41 event. It's nice to have something like that that is not
42 just for death, but is for celebration.

43

44 MS. WILSON: Did you strike the word
45 mortuary?

46

47 MS. GARZA: Yeah. Because I thought
48 funerary and mortuary are the same thing.

49

50 CHAIRMAN THOMAS: John.

00041

1 MR. LITTLEFIELD: I would just like to
2 ask if deleting the word memorial would accomplish the
3 same purpose. As you read that, part of funerary and
4 mortuary cycles, which we know what that is, including
5 potlatches and just strike the word memorial. I'm just
6 wondering if that would accomplish your purpose.

7

8 CHAIRMAN THOMAS: Let's back up and see
9 if we've got a second.

10

11 MR. LITTLEFIELD: She hasn't made the
12 motion yet.

13

14 MS. GARZA: I did.

15

16 MR. KOOKESH: I'll second it.

17

18 MS. GARZA: My good friend Floyd seconded
19 for me.

20

21 CHAIRMAN THOMAS: Okay. We're going to
22 take five minutes to settle this. Discussion on the
23 motion.

24

25 MS. GARZA: So just taking out mortuary,
26 in my opinion, doesn't do it unless we take out
27 including.

28

29

30 MR. LITTLEFIELD: Memorial. Taking out
31 the word memorial. Including potlatches and don't
32 identify what they are, just a potlatch.

33

34 CHAIRMAN THOMAS: Mike.

35

36 MR. DOUVILLE: Mr. Chairman, under
37 discussion, I don't see the need for all this religious,
38 funeral, mortuary. All we need there is traditional and
39 ceremony and strike all the rest. That would be my
40 opinion. Traditional and ceremony covers all of our
41 uses.

42

43 CHAIRMAN THOMAS: Are you offering an
44 amendment?

45

46 MR. LITTLEFIELD: There's an amendment on
47 the floor.

48

49 CHAIRMAN THOMAS: Okay. There's a motion
50 and an amendment.

00042

1 MR. GARZA: I thought we were at ease and
2 we were discussing.

3
4 CHAIRMAN THOMAS: I think Mike is right.
5 We're starting to sound like the State and the Feds now.
6 We're just messing around here. I don't think we need to
7 do that. I think Mike summed it up and it's very
8 understandable. Dolly.

9
10 MS. GARZA: So, under discussion, Mr.
11 Chairman, I certainly agree that that's the easiest and I
12 would be willing to withdraw my motion if my secondary
13 will withdraw his second.

14
15 CHAIRMAN THOMAS: Yeah, he withdraws.

16
17 MS. GARZA: Okay. But I would like to
18 make sure from Staff that this sounds right. Will
19 someone abuse it and say it's not a Native traditional
20 ceremony?

21
22 CHAIRMAN THOMAS: I have an objection to
23 that. In many cases, historically, that perception has
24 always been portrayed about subsistence users abuse.
25 That's not a positive characterization. I don't know if
26 anybody here knows of negative characterization that
27 would warrant that kind of consideration or regulation.
28 Ida.

29
30 MS. HILDEBRAND: Thank you, Mr. Chairman.
31 Ida Hildebrand, BIA Staff Committee member. In regards
32 to your discussion, some of the issues raised or some of
33 the concerns raised for Staff Committee also. Dolly's
34 latest comment that perhaps if it was just traditional
35 ceremony, it would be abused by non-Natives who would
36 claim this is their ceremony and this is their tradition.
37 By keeping the language as is, with the modifications
38 that were recommended, it would be in line with
39 regulations we already have for wildlife. The funerary
40 and mortuary celebrations are specific to indigenous
41 peoples. Although non-Natives also participate in them,
42 they participate in the context of local traditions.

43
44 CHAIRMAN THOMAS: John.

45
46 MR. LITTLEFIELD: One of the things I see
47 wrong with separating this, you could certainly make the
48 case that Octoberfest is a ceremony, the Little Norway
49 Festival is a ceremony and I see no end to this. I agree
50 with Ida. I think this should be tied to religious

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1 ceremonies because it's already in the book and I would
2 be opposed to opening it wide open because I don't
3 believe we'd ever get it passed. I think it's something
4 that needs to be done because I personally know how much
5 of a pain it is to petition for FSB to go out and get
6 enough fish for a party.

7

8 CHAIRMAN THOMAS: Marilyn.

9

10 MS. WILSON: Mr. Chairman, I concur with
11 Ida and what she said. I think we should leave the
12 language and the motion that Dolly made. It was a good
13 motion and she should make it again.

14

15 CHAIRMAN THOMAS: Harold.

16

17 MR. MARTIN: A comment on where it says
18 harvest of fish will be used for food in traditional
19 religious ceremonies. That covers everything. The last
20 sentence says how it's going to be used. I think it will
21 be okay with just traditional and religious ceremonies.

22

23 CHAIRMAN THOMAS: Marilyn.

24

25 MS. WILSON: I think the word potlatch is
26 very personal to our Native culture. I think it should
27 be kept in there.

28

29 CHAIRMAN THOMAS: Dolly.

30

31 MS. GARZA: Maybe we need an at ease so
32 we can word this. But another meaning would be, will be
33 used for food in traditional Native ceremonies and
34 potlatches, period. So it makes it clear that it's
35 Native. I would like to see the word potlatches in
36 there. If it's a memorial, if it's a celebration, blah,
37 blah, blah, who cares.

38

39 CHAIRMAN THOMAS: Floyd.

40

41 MR. KOOKESH: I'm kind of going back and
42 forth with the language also and one of the concerns I
43 have is when we provided this forum, we're supposed to
44 represent the rural areas, I thought that we should just
45 use the word all traditional ceremonies because it covers
46 the non-Native sector that we lay to rest when we do
47 these ceremonies. If we start using the word Native,
48 that wasn't allowed when the original language was
49 created. It was a rural preference, so it has to be all
50 traditional ceremonies, which can include whatever.

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1 MR. LITTLEFIELD: Five minutes at ease,
2 Mr. Chairman?

3
4 CHAIRMAN THOMAS: Five minutes.

5
6 (Off record)

7
8 (On record)

9
10 CHAIRMAN THOMAS: We're going to be done
11 with our deliberations for the day at 5:00 o'clock
12 regardless of what shape our visual aid is in and we
13 appreciate the attempt. Let's continue with our
14 deliberations. Those that have gray areas hopefully are
15 now either black or white. Dolly.

16
17 MS. GARZA: Mr. Chairman, I think we kind
18 of breezed through the public comment process and we do
19 have someone from STA Tribe who does want to testify. If
20 we could stand down from the process and allow the
21 chairman of the Sitka Tribe to testify on this proposal
22 before we go forward.

23
24 CHAIRMAN THOMAS: Actually, we didn't
25 breeze through because I made several calls for further
26 public testimony and if he wasn't here, I want him to
27 fess up. Get up here, Lee.

28
29 MS. GARZA: In Sitka, they like to be
30 asked three times, not twice.

31
32 CHAIRMAN THOMAS: I did call three times,
33 just like elections.

34
35 MR. WIDMARK: Thank you, Mr. Chairman,
36 Board members. I wanted to apologize for not coming up
37 earlier. My name is Laurence Widmark, tribal chairman of
38 Sitka Tribe of Alaska. I just want to let you know this
39 is my second one I attended and I see familiar faces and
40 it's good to see you again. Sitka Tribe does approve
41 Proposal 27, just for the record, with the amendments
42 that do provide fish for traditional religious
43 ceremonies.

44
45 Thank you, Mr. Chairman.

46
47 CHAIRMAN THOMAS: Thank you. That
48 doesn't change the outcome of our deliberation. Dolly.
49 No more excuses for the public.

50

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1 MS. GARZA: Okay. Mr. Chairman, we had
2 an amendment. The amendment was withdrawn. We had
3 another amendment. That amendment didn't have a second
4 because we went into a discussion. We now have an
5 amendment that I think will pass. It now reads, the
6 taking of fish from Federal waters is authorized outside
7 of published open seasons and harvest limits if the
8 harvested fish will be used for food in traditional or
9 religious ceremonies, including potlatches, provided that
10 blah, blah, blah. So the intent is that it is for
11 traditional or religious ceremonies and remembering that
12 subsistence is Native and non-Native and there may be --
13 well, first I'll ask for a second to that amendment.

14

15 MR. KOOKESH: Second.

16

17 CHAIRMAN THOMAS: Other discussion. What
18 would be wrong with striking the word if after the word
19 limits?

20

21 MS. GARZA: That's not part of my
22 amendment. You have to make your own amendment.

23

24 CHAIRMAN THOMAS: It doesn't belong
25 there. We're using the traditional language of the
26 company now. We've got to make it look good. If doesn't
27 do anything for it. It says limits the harvested fish
28 will be used for food in traditional and religious
29 ceremonies. So if is non-essential.

30

31 MS. GARZA: The amendment is on something
32 further down.

33

34 CHAIRMAN THOMAS: Okay. Point taken.

35

36 MS. GARZA: So the intent is that it
37 would be for traditional or religious ceremonies, which
38 include Native or non-Native, including potlatches, which
39 may be memorial or celebratory. So it's very basic. It
40 is broad enough to encompass what the needs of Southeast
41 are.

42

43 CHAIRMAN THOMAS: Did that have a second?

44

45 MS. GARZA: Yes.

46

47 CHAIRMAN THOMAS: Further discussion.

48

49 MS. WILSON: Question.

50

00046

1 CHAIRMAN THOMAS: The question has been
2 called. All those in favor of the amendment say aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN THOMAS: Those opposed same
7 sign.

8

9 (No opposing vote)

10

11 CHAIRMAN THOMAS: The amendment carries.
12 You guys lost me in the jungle of motions and amendments,
13 so I need some direction.

14

15 MS. GARZA: So far, Mr. Chairman, one
16 amendment that passed, we eliminated Section C. So the
17 second amendment was the one that we just passed, so that
18 is all that we have done.

19

20 MR. LITTLEFIELD: We also deleted the
21 last sentence of A.

22

23 CHAIRMAN THOMAS: So we're at the main
24 motion now as amended?

25

26 MR. LITTLEFIELD: Yes, but I think he has
27 an amendment.

28

29 CHAIRMAN THOMAS: Butch.

30

31 MR. LAITI: I'd like to bring up a
32 discussion on Section D, the Alaska rural resident. I
33 think we should drop the word rural. We'll start
34 violating people's religious rights here.

35

36 CHAIRMAN THOMAS: What's the wish of the
37 Council?

38

39 MS. GARZA: Is that a motion?

40

41 MR. LAITI: Yes.

42

43 CHAIRMAN THOMAS: There is a motion.
44 Anybody second?

45

46 MS. GARZA: Second.

47

48 CHAIRMAN THOMAS: Discussion.

49

50 MS. WILSON: Mr. Chairman, I need

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1 clarification on that. If we're going to strike this
2 rural resident, they might not even pass this proposal.

3

4 CHAIRMAN THOMAS: Dolly.

5

6 MR. GARZA: Mr. Chairman, I would speak
7 in favor of the amendment to strike the word rural
8 because it follows with customary and traditional use, so
9 it's redundant. I'm not sure whether I get what you want
10 by striking it, but as long as it follows with customary
11 and traditional use, we're still fine.

12

13 CHAIRMAN THOMAS: John.

14

15 MR. LITTLEFIELD: Mr. Chair, I'll also be
16 voting for this amendment. Mr. Martin had brought up
17 earlier the halibut subsistence and the proposed language
18 in that identifies customary and traditional residents,
19 not necessarily by where they live. Even if they live in
20 Juneau they're allowed to go participate in the halibut
21 fishery. I think this follows right along with that and
22 I think it's fair and I'll support it.

23

24 CHAIRMAN THOMAS: Further discussion.

25

26 MS. GARZA: Call for the question.

27

28 CHAIRMAN THOMAS: Question has been
29 called. All in favor say aye.

30

31 IN UNISON: Aye.

32

33 CHAIRMAN THOMAS: Those opposed same
34 sign.

35

36 (No opposing votes)

37

38 CHAIRMAN THOMAS: Motion carries. We've
39 got quarter to 5:00. We'll tackle the next one and see
40 where we get. Cal. Oh, we have the main motion left?

41

42 MS. GARZA: Yes, we still have the motion
43 left.

44

45 CHAIRMAN THOMAS: Any further amendments?

46

47 MS. GARZA: Mr. Chairman, I would call
48 for the question on the main motion as amended for this
49 proposal.

50

00048

1 MR. SCHROEDER: Mr. Chairman, since we
2 have the proposed wording on the screen, can we take a
3 moment to make sure we read it correct?

4

5 CHAIRMAN THOMAS: Okay.

6

7 MR. SCHROEDER: Mr. Chairman, the first
8 section reads, as on the screen, the taking of fish from
9 Federal waters is authorized outside of published open
10 seasons and harvest limits if the harvested fish would be
11 used for food in traditional or religious ceremonies,
12 including potlatches, provided that. The second section
13 is same as printed in your book, except the last
14 independent clause, no more than 25 salmon or five
15 steelhead may be taken, was deleted by amendment. In
16 Section B there are no changes. Section C was dropped in
17 its entirety. Section D drops the word rural. Is that
18 the Council's wish?

19

20 Thank you.

21

22 CHAIRMAN THOMAS: Thank you. Okay.
23 We're now voting on the main motion as amended. Further
24 discussion?

25

26 MS. GARZA: Question.

27

28 CHAIRMAN THOMAS: The question has been
29 called. All those in favor say aye.

30

31 IN UNISON: Aye.

32

33 CHAIRMAN THOMAS: Those opposed same
34 sign.

35

36 (No opposing votes)

37

38 CHAIRMAN THOMAS: Motion carries. Dolly.

39

40 MS. GARZA: In regard to when the
41 chairman takes this to the Federal Subsistence Board, I
42 am still concerned about C, that it will stay in based on
43 the Regional Council's and the wish of agencies in
44 general to regulate and I would like to suggest that we,
45 as a Council, direct the chairman to, if it stays in,
46 that somehow or another that section changes to are
47 encouraged and not a must. So the intent would be if
48 there's recording, it should be voluntary, not mandatory.

49

50 CHAIRMAN THOMAS: We're going to cover

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1 that in the plan for correspondence as well. It's a
2 quarter to 5:00. You guys are too long-winded and short
3 attention spans. We're going to knock off until the
4 morning. In the morning, we will start with Sitka Tribe.
5

6 MR. SCHROEDER: Mr. Chairman, Mr. Boyd
7 will be doing two things tomorrow morning in his time
8 with us. One would be concerning FACA and I have a
9 recent letter which you may not have received. I would
10 like to give that to Board members before they leave the
11 room. The second item, Tom will be covering meeting
12 locations as well tomorrow morning.
13

14 CHAIRMAN THOMAS: We'll stand in recess
15 until tomorrow.
16

17 (Off record)

18

19 (PROCEEDINGS TO CONTINUE)

00050

1 CERTIFICATE

2

3 UNITED STATES OF AMERICA)

4)ss.

5 STATE OF ALASKA)

6

7 I, Joseph P. Kolasinski, Notary Public in and for the
8 State of Alaska and Owner of Computer Matrix, do hereby
9 certify:

10

11 THAT the foregoing pages numbered 02 through 49 contain a

12 full, true and correct Transcript of the VOLUME I, SOUTHEAST
13 FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken
14 electronically by Meredith Downing on the 30th day of
September

15 2002, in Hoonah, Alaska;

16

17 THAT the transcript is a true and correct transcript
18 requested to be transcribed and thereafter transcribed by
under
19 my direction and reduced to print to the best of our knowledge

20 and ability;

21

22 THAT I am not an employee, attorney, or party interested
23 in any way in this action.

24

25 DATED at Anchorage, Alaska, this 15th day of October 2002.

26

27

28

29

30 _____
Joseph P. Kolasinski
31 Notary Public in and for Alaska
32 My Commission Expires: 4/17/04