

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE  
2 REGIONAL COUNCIL MEETING

3  
4 VOLUME IV

5  
6 Juneau, Alaska  
7 September 30, 2004  
8 8:00 o'clock a.m.

9  
10  
11 COUNCIL MEMBERS PRESENT:

12  
13 John Littlefield, Chairman  
14 Michael Bangs  
15 Michael Douville  
16 Dolly Garza  
17 Donald Hernandez  
18 Harvey Kitka  
19 Floyd Kookesh  
20 Richard Stokes

21  
22 Regional Coordinator, Robert Schroeder

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P R O C E E D I N G S

(Juneau, Alaska - 9/30/2004)

(On record)

CHAIRMAN LITTLEFIELD: Good morning ladies and gentlemen, I'd like to call the meeting back to order. This is hopefully our last day, unless we can't get through 28 and 30, because those are the two proposals we have left this morning. We have a lot of other items on the agenda as well as some presentations from members of the public.

There is one thing I'd like to take care of first here this morning. We talked yesterday about the FIS program and then we had a presentation on WIS which we have not finished the last little bit of WIS and we may well do that. But what I'd like to do is have the Council's comments on asking the Federal Subsistence Board at their meeting in January to consider the FIS strategic planning as well as the WIS strategic planning to be a subcommittee of the Regional Advisory Council and that way we're not bound by the FACA rules and we can meet and discuss with Staff and figure out how to take care of that. Dr. Schroeder is making a stab at some language here so that we can make that request.

Is there any comments on that idea at this time.

Dr. Garza.

DR. GARZA: Sounds good to me.

CHAIRMAN LITTLEFIELD: Mr. Boyd, could you please come forward and maybe let us know if we're going in the right direction or what your thoughts are on this.

MR. BOYD: Mr. Chair.

CHAIRMAN LITTLEFIELD: We'll put you on the table immediately.

MR. BOYD: As I understand, Mr. Chair, what you're proposing is that you create a subcommittee of this Council to discuss and deliberate and develop recommendations concerning the Wildlife Information program similar to the FIS program. Is that, in essence,

1 what you're proposing?

2

3 CHAIRMAN LITTLEFIELD: Actually it would  
4 be including. In other words we talked yesterday about  
5 strategic planning, we just want to make sure we don't  
6 get into trouble here and that's why I'm asking if that  
7 would be acceptable.

8

9 MR. BOYD: In general, yes, that would be  
10 acceptable in terms of the legal framework of Federal  
11 Advisory Committee Act. Subcommittees of parent  
12 committees that are already established pursuant to FACA  
13 are totally permissible under the law and do not come  
14 with all of the requirements imposed on the parent  
15 committee, this Council, for example, and it can be done.  
16 I think the administering agency has to approve that  
17 subcommittee, that has been done with this committee in  
18 terms of the Unit 2 deer subcommittee already with the  
19 Board, but it's totally within the framework of FACA and  
20 I think would be permissible.

21

22 Mr. Chair.

23

24 CHAIRMAN LITTLEFIELD: Okay, thank you,  
25 sir, appreciate it.

26

27 Any questions for Mr. Boyd, we can do  
28 this.

29

30 Are you ready with the language?

31

32 DR. SCHROEDER: Mr. Chair, I'm not sure  
33 we have final language for if the Council wanted to send  
34 something to the Federal Subsistence Board. There is  
35 some intent on the screen there and here's a copy of what  
36 we just typed up this morning.

37

38 CHAIRMAN LITTLEFIELD: Okay, so we're not  
39 going to wordsmith everything right now. We would expect  
40 that Staff would clean this up and make this look  
41 presentable to the Federal Subsistence Board but the gist  
42 of this is I would like to get a motion to approve this  
43 concept and the Staff would capture this intent and we  
44 would submit this letter at the next Federal meeting for  
45 permission to operate WIS as well as the fisheries  
46 planning.

47

48 Is there a motion.

49

50 DR. GARZA: Mr. Chairman.

1 CHAIRMAN LITTLEFIELD: Dr. Garza.  
2  
3 DR. GARZA: I would move that we work  
4 toward developing a subcommittee of this Council to  
5 review strategic planning goals for fisheries as well as  
6 wildlife information system grants.  
7  
8 CHAIRMAN LITTLEFIELD: Is there a second.  
9  
10 MR. DOUVILLE: Second.  
11  
12 MR. STOKES: Second.  
13  
14 CHAIRMAN LITTLEFIELD: It's been moved  
15 and seconded. Is there any discussion on this language  
16 up above, actually we're talking just intent because  
17 we're going to clean this up a little bit.  
18  
19 Discussion.  
20  
21 Ready for the question.  
22  
23 (Council nods affirmatively)  
24  
25 MR. KOOKESH: Mr. Chairman, first a  
26 change.  
27  
28 CHAIRMAN LITTLEFIELD: Excuse me, Mr.  
29 Kookesh.  
30  
31 MR. KOOKESH: This is just some  
32 housekeeping but to change the word we to the Southeast  
33 Regional Advisory Council that way it's more formal.  
34  
35 CHAIRMAN LITTLEFIELD: Good suggestion,  
36 yes, we'll make sure that's done. And, again, if anybody  
37 has any other comments, just make sure that they get to  
38 Staff, we'll make sure that this looks good, but the  
39 intent is captured.  
40  
41 Mr. Kookesh.  
42  
43 MR. KOOKESH: And then under the word,  
44 take the S off subcommittees, as a subcommittee.  
45  
46 CHAIRMAN LITTLEFIELD: Okay. Anybody  
47 else.  
48  
49 (Council shakes head negatively)  
50

1 CHAIRMAN LITTLEFIELD: All those in favor  
2 of creating -- or drafting this request to the Federal  
3 Subsistence Board please signify by saying aye.

4  
5 IN UNISON: Aye.

6  
7 CHAIRMAN LITTLEFIELD: All those opposed,  
8 same sign.

9  
10 (No opposing votes)

11  
12 CHAIRMAN LITTLEFIELD: We will take care  
13 of that. Staff, I suggest we get a look at that before  
14 it goes out but the intent will be captured.

15  
16 Dr. Garza.

17  
18 DR. GARZA: Just as a matter of record,  
19 and everybody can see it but we have lost Eric Jordan, he  
20 had to go back to Sitka. We have noted when other  
21 Council members have left.

22  
23 CHAIRMAN LITTLEFIELD: Thank you, Dr.  
24 Garza. I think I'm going to give you the Chair.  
25 Actually I am going to do that, we have Proposals 28 and  
26 30 before us. Let me give you a little background on  
27 these two proposals and why my name is at the top of  
28 them.

29  
30 At the last meeting we were, again, just  
31 like every meeting trying to shove everything in at the  
32 very last few minutes, I did ask that Proposals 28 and 29  
33 be considered SERAC proposals because people have asked  
34 me to put these in. I'm the proponent in but I'm putting  
35 them forward on behalf of other rural residents of  
36 Southeast Alaska. And my only reason to put them in was  
37 to flesh out all of the information from the State of  
38 Alaska, as well as Federal Staff and I was never hard way  
39 that these limits had to be exactly as shown but it was  
40 merely meant to flesh out the information.

41  
42 But in the interest of fairness my name  
43 is at the top so I would like to ask Dr. Garza to Chair  
44 the discussion on Proposals 28 and 29.

45  
46 Dr. Garza you have the con.

47  
48 DR. GARZA: Okay, we will start with  
49 Proposal 28 on Page 121 of our booklet and we start with  
50 Staff, is that Cal?

1 MR. CASIPIT: Thank you, Madame Chair. I  
2 just wanted the Council to know that I kind of saved the  
3 easy ones for myself.

4  
5 CHAIRMAN LITTLEFIELD: Yeah.

6  
7 MR. CASIPIT: As Dr. Garza has mentioned  
8 your Staff analysis for this proposal starts on Page 121  
9 of your book, that's the executive summary. As Mr.  
10 Littlefield stated he is the proponent on this particular  
11 proposal. This is a proposal that would establish a  
12 subsistence season and harvest limit for steelhead in  
13 Southeast Alaska management area except for Prince of  
14 Wales Island where there is already an existing Federal  
15 regulation for that fishery.

16  
17 The proponent is concerned that rural  
18 residents of Southeast Alaska are being denied the  
19 opportunity to harvest steelhead for subsistence purposes  
20 except on Prince of Wales Island and no longer can use  
21 steelhead as a source of fresh fish during months when  
22 other salmon are not available. The proponent is also  
23 concerned that the current catch and release -- the  
24 current 36 inch minimum size limit under the existing  
25 regulations are harming fish through the process of  
26 capturing, measuring and releasing the fish and  
27 subsistence fishermen are not looking for a play thing,  
28 just to fish for the table.

29  
30 As discussed before under Proposal 29,  
31 steelhead have been harvested throughout the region by  
32 indigenous people. Goldschmidt and Haas documented the  
33 use of steelhead by Tlingit from Skagway to Saxman.

34  
35 The existing Federal regulations are  
36 shown there for what we do have on the books for  
37 steelhead in other places than Prince of Wales Island.  
38 Proposed Federal regulations appear on Page 122 as  
39 proposed by the proponent and at the top of Page 123.

40  
41 I'm sure that the steelhead is quite  
42 familiar with the State regulatory history, we've  
43 discussed that over and over and over over the past three  
44 years. I'm not sure if I should go into that. If folks  
45 want me to go back to it they can ask me during the  
46 question and answer session.

47  
48 For the Federal regulatory history the  
49 only thing related to this was a proposal, FP01-30 that  
50 was submitted by the Organized Village of Kake in the

1 2001 fisheries regulatory cycle. This proposal would  
2 have restricted the harvest of steelhead trout in  
3 Hamilton Bay River and Kadake Bay River to Federally-  
4 qualified subsistence users. The Federal Subsistence  
5 Board in December 2000 acted on that proposal by  
6 rejecting the closure to non-Federally qualified users  
7 and instead created a Federal subsistence fishery for  
8 steelhead in those drainages, and that regulatory  
9 language is repeated there on Page 124, it's in italics,  
10 and you will notice that it basically parallels the  
11 existing State sportfishing regulation.

12  
13 For biological background, again, I will  
14 -- we've discussed biological background for steelhead a  
15 number of times over the past and I will -- I'm not going  
16 to go over that but folks are welcome to ask any  
17 questions at my question period.

18  
19 Subsistence harvest of steelhead are  
20 displayed on Page 126, this comes from the household  
21 surveys from the Alaska Department of Fish and Game. You  
22 can see that we have some harvest years for a few  
23 communities throughout Southeast Alaska other than Prince  
24 of Wales. I also threw Yakutat in there as a comparison.  
25 They've had a longstanding steelhead fishery on the Situk  
26 and Ahrnklin Rivers, as you know, and as you've heard  
27 from Ms. Ramos she feels pretty good about that data that  
28 was collected in 2000 as far as participation use of  
29 resources, so I threw Yakutat in there for comparison  
30 purposes.

31  
32 Table 3 displays the sport harvest and  
33 catch of steelhead in Southeast Alaska, you can see for  
34 the year 2002 under the sportfishing regulations of the  
35 State 94 steelhead were harvested in 2002 and 16,293  
36 steelhead were caught.

37  
38 I did want to make sure that folks on the  
39 steelhead knew that that first footnote underneath the  
40 table, I'll just read that into the record, in general  
41 catch estimates are more prone to error than the harvest  
42 estimates, harvest limits tend to constrain reported  
43 harvest but do not have the same affect on catch. People  
44 tend to round up versus down and literature indicates  
45 that people tend to exaggerate their catch, particularly  
46 for non-memorable fish caught in large numbers. All  
47 these tend to inflate catch estimates to varying degrees.  
48 So basically what that's saying is that even though the  
49 sport catch of steelhead from their surveys are listed as  
50 16,293 that may be a little high.

1                   The effect of this proposal would be to  
2 legalize harvest of steelhead from Southeast Alaska. It  
3 would have no effect on the existing Federal subsistence  
4 fishery for Prince of Wales. A year-round season could  
5 potentially expose the few fall run stocks to  
6 overharvest. The fall run steelhead stocks are generally  
7 smaller and not as widely dispersed as spring run stocks.  
8 Federal in-season managers would still have the ability  
9 to adjust regulations in close specific streams as needed  
10 for conservation and ensure the Federal subsistence  
11 priority.

12  
13                   The Staff's preliminary conclusion is to  
14 support the proposal with modification. That  
15 modification would provide for a season for steelhead in  
16 the Southeast Alaska area.

17  
18                   So the proposed regulation appears there  
19 on the middle of Page 129 in bold. Basically the only  
20 change there from the proponent's language would be the  
21 addition of the open season is March 1 through May 31st.

22  
23                   Allowing steelhead -- the justification  
24 is that for allowing steelhead harvest in Southeast  
25 Alaska will provide a subsistence fishing opportunity to  
26 all Federally-qualified users in the Southeast Alaska  
27 area. The proposed regulatory language is consistent  
28 with Federal regulations for steelhead on Prince of Wales  
29 Island, the harvest limits specified are less liberal  
30 than those on Prince of Wales Island and should reduce  
31 concerns for conservation. The documented household  
32 harvest surveys indicate that steelhead are being  
33 harvested in Southeast Alaska despite the very  
34 restrictive State sportfishing regulations. This  
35 proposal would not effect the existing Federal  
36 subsistence steelhead fishery on Prince of Wales. The  
37 modification for providing an open season provides  
38 consistency with the Prince of Wales Island spring season  
39 for steelhead and provides for conservation of smaller  
40 fall run stocks. The regulatory definition of steelhead  
41 greater than 22 inches -- rainbow trout greater than 22  
42 inches is consistent with State regulation.

43  
44                   That ends my presentation, be happy to  
45 answer any questions, Ms. Garza.

46  
47                   DR. GARZA: Are there any questions for  
48 Cal. Mike.

49  
50                   MR. DOUVILLE: Thank you, Madame Chair.

1 I notice the modification puts a season on it. I guess  
2 my question is is there any evidence of winter -- or what  
3 you call fall run in any of these areas that have ever  
4 been used for subsistence?  
5

6 MR. CASIPIT: Well, the household surveys  
7 don't make a distinction between whether the fish that  
8 were taken were fall run or spring run but there are fall  
9 run systems outside of Prince of Wales Island and other  
10 places in Southeast Alaska. But they still -- like  
11 you're aware of Prince of Wales Island there's fewer and  
12 there's less of them and so that's why the season that I  
13 propose there is only a spring season.  
14

15 Did I answer your question?  
16

17 MR. DOUVILLE: (Nods affirmatively)  
18

19 DR. GARZA: Mr. Hernandez.  
20

21 MR. HERNANDEZ: As of right now there is  
22 a steelhead fishery allowed on Kadake Bay and Hamilton  
23 Bay Rivers, it looks to me in the regulation that that is  
24 under a 36 inch or larger size restriction as of now,  
25 would this new proposal eliminate that 36 inch size  
26 restriction so all areas would have the same regulation  
27 now?  
28

29 MR. CASIPIT: Mr. Hernandez, yes, that's  
30 true. The particular language that pertains to Hamilton  
31 Bay and Kadake Bay Rivers would be struck from the  
32 regulations and those two particular locations would fall  
33 under this proposal of two fish during this spring  
34 season. Again, it wouldn't effect what's happened on  
35 Prince of Wales.  
36

37 DR. GARZA: Okay, I have a couple of  
38 questions for you Cal. And I'm just trying to figure out  
39 what I'm supposed to do as Chair so you might have  
40 reported and I wasn't listening, on Page 126 when you  
41 were talking about Table 2 and community harvest, I'm  
42 surprised to see high numbers there because the  
43 impression I got from the tribes when they were here,  
44 particularly from Sitka, is that they don't fish because  
45 there are no fish over 36 inches so two questions.  
46

47 Are these State subsistence caught  
48 steelhead or Federal subsistence caught steelhead? And  
49 are they ones that we are assuming meet the 36 and over  
50 requirement?

1 MR. CASIPIT: Thank you, Mr. Chair. If  
2 you'll notice the years of all the surveys they are 1996,  
3 other than the one from 2000 for Yakutat. If you'll  
4 remember 1996 was two years after the current State sport  
5 limit of 36 inches was put into place and the two fish  
6 annual limit. You know, I would have to defer to the  
7 traditional knowledge of the tribes that say that they  
8 don't find a whole lot of 36 inch fish so I would imagine  
9 that fish reported here for the most part are probably  
10 less than 36 inches.

11  
12 One thing on the Sitka number, there  
13 could be quite a bit of fish being reported there that  
14 are coming out of commercial catches.

15  
16 DR. GARZA: Okay. I saw Mike Turek walk  
17 in as I was asking the question so you might not be  
18 prepared but you might want to report on that either now  
19 or with the State.

20  
21 MR. TUREK: Good morning, I'm Mike Turek  
22 with Fish and Game. Through the Chair, Dr. Garza, you're  
23 asking about whether these fish are 36 inches or more?

24  
25 DR. GARZA: Right. Two questions. One,  
26 if they're likely 36 inches or more and I didn't realize  
27 when the cut off date was on that and whether or not they  
28 are also State subsistence caught, Federal subsistence  
29 caught or do they include incidental take in the  
30 commercial fisheries which I hadn't even thought of?

31  
32 MR. TUREK: Dr. Garza, I don't know if  
33 they were 36 or more, we didn't ask that. But it  
34 includes all steelhead that are brought into the house.  
35 And we do have, I think we do have it by, we do have it  
36 listed if it's taken on a commercial catch, I think  
37 that's in the data base.

38  
39 DR. GARZA: Okay, any other questions for  
40 Staff.

41  
42 (No comments)

43  
44 DR. GARZA: ADF&G.

45  
46 CHAIRMAN LITTLEFIELD: Don.

47  
48 DR. GARZA: Sorry, Mr. Hernandez.

49  
50 MR. HERNANDEZ: Just one more Dr. Garza.

1 On Table 3 where you have the Southeast Alaska sport  
2 harvest and sport catch, I guess I'm assuming the numbers  
3 for the sport catch, is that estimation of how many  
4 sportfishermen are releasing as opposed to the harvest is  
5 what they actually retained?  
6

7 MR. CASIPIT: Yes, thank you, Mr.  
8 Hernandez. Yes, the catch column refers to both fish  
9 kept as harvest and fish released. So you would have to  
10 subtract 94 from 16,293 to approximate the fish caught  
11 and released, but, again, that's with the caveat that  
12 people tend to overestimate catch.  
13

14 DR. GARZA: Mr. Littlefield.  
15

16 CHAIRMAN LITTLEFIELD: Thank you, Madame  
17 Chair. A question for Staff on that same Table 3, given  
18 that there's approximately 16,000 and we'll give them --  
19 I'll accept that it might be a little high but given the  
20 mortality of catch and release, do you have any kind of  
21 estimate of how many fish were killed as a result of that  
22 catch and release?  
23

24 MR. CASIPIT: Thank you, Mr. Littlefield.  
25 The calculation there would be something around -- if you  
26 believe the 16,000 number, that would be -- and if you  
27 use the five percent catch and release mortality that's  
28 commonly used by managers that would be five percent of  
29 16,000, that's a bit of fish.  
30

31 DR. GARZA: ADF&G.  
32

33 MS. SEE: Good morning. Thank you,  
34 Madame Chair and members of the Council and the public.  
35 My name is Marianne See with the Department of Fish and  
36 Game. We have some comments on Proposal 28.  
37

38 We note that a key consideration for this  
39 region-wide proposal is to look at the recent history of  
40 harvest restrictions that were needed in Southeast to  
41 rebuild steelhead stocks during the past decade. There  
42 is a regulatory history summary in the Federal analysis  
43 although the Federal Staff member did not go into much  
44 detail this morning it is there for your information.  
45

46 We do note that in the late '80s and  
47 early '90s, Department biologists became increasingly  
48 concerned that trout in Southeast Alaska were being  
49 overharvested.  
50 Angler based feedback, public comments all reported lower

1 catch rates. The Department then closed trout fisheries  
2 by emergency order in the period between '91 and '93 and  
3 around that same time there was an extensive literature  
4 review and consultation with researchers from the West  
5 Coast states and British Columbia to explore trout  
6 management strategies. There was a public review  
7 process, extensive public meetings, mail out  
8 questionnaires and the result -- and many of you may have  
9 been involved in some this, there was a revised set of  
10 regulations adopted by the Board of Fisheries in 1994 and  
11 these imposed certain restrictions because there was a  
12 conservation concern.

13  
14 Most steelhead stocks in the region are  
15 small and therefore susceptible to declines from over --  
16 potential declines from overharvest. And actually this  
17 is a point I could have made about many of the regulatory  
18 proposals before you during this meeting, but complexity  
19 of Southeast lands and waters with thousands of  
20 drainages, probably exceeds any other region in the state  
21 so it makes these kinds of discussions very challenging  
22 and these issues are very challenging because of the  
23 needs for data and the needs for understanding how people  
24 use the resource. We have some stock assessment programs  
25 since the time of the restrictions that were put in  
26 place, but clearly we don't have enough information about  
27 the stocks and we don't find that we have a clear trend  
28 in the abundance information that we get from those  
29 assessments, so we don't have the kind of new information  
30 that really paints a fairly clear picture one way or the  
31 other about what is happening with these stocks. We use  
32 indirect kinds of information to try to get at that in  
33 many cases.

34  
35 The regional harvest potential that we  
36 see that would be created for steelhead under the  
37 regulations recommended is a concern, especially for  
38 areas with small populations, because we know from the  
39 recent past that overharvesting can happen in these  
40 areas.

41  
42 We also note from limited studies such as  
43 the one that Mr. Turek's been doing that there is  
44 documentation of subsistence uses in those studies, but  
45 there are limited data to interpret the patterns, to  
46 assess how many fish, from which areas and we need more  
47 information on this.

48  
49 The reasons stated in the proposal for  
50 changing the regulation is that subsistence users needs

1 have not been met under existing regulations. The  
2 Department fully supports that subsistence harvest  
3 opportunity must be provided where the uses are part of  
4 the customary and traditional pattern and where stocks  
5 can support the harvest where a harvestable is  
6 sufficient, other uses can also be provided. However,  
7 the limited information that's reflected in the Federal  
8 Staff analysis leads us to believe there is a substantial  
9 need for community specific information about subsistence  
10 uses of steelhead. A more representative picture of  
11 local use patterns would help ensure that Federal and  
12 State resource managers can provide for the subsistence  
13 priority while also addressing other uses where that's  
14 possible.

15  
16 We commend the Council's support  
17 yesterday for FIS Project 05-604 for steelhead stock  
18 assessment which, of course, was on Prince of Wales, we  
19 hope that that can serve as a useful model, however, for  
20 other kinds of studies in the region that we think are  
21 really needed. Those could be done cooperatively with  
22 local involvement, there's lots of ways to try to look at  
23 getting those kinds of data but we think they're really  
24 key, and they're needed for crafting regulatory  
25 provisions that will address conservation concerns,  
26 conservation needs, customary and traditional patterns  
27 and also other uses where there's harvestable surplus of  
28 the resource.

29  
30 We also note that we think there's an  
31 important opportunity for educational outreach programs  
32 about steelhead that could provide information about  
33 management and conservation as well as encourage harvest  
34 reporting and other public involvement to help ensure  
35 that the regulations will be responsive to public needs  
36 and conservation measures. We'd encourage the Council to  
37 think about and support this idea as well as Federal  
38 managers and to look at potential for regional community  
39 involvement, collaborative partnerships for that purpose.

40  
41 We also note that we have -- again, we  
42 have Staff from our three divisions that deal with data  
43 about steelhead here to answer questions. We have a few  
44 additional points, however, that we want to offer at this  
45 time as well about the commercial harvest information  
46 because we know this Council's very interested in that,  
47 and although there's some in the Federal analysis it  
48 didn't really go as far as we'd hoped for some of the  
49 analytical points and current information so Bill  
50 Davidson will come up and join me for that additional

1 information.

2

3

4 MR. DAVIDSON: Madame Chair. Council  
5 members. Good morning, this is Bill Davidson with  
6 Commercial Fisheries Division of Alaska Department of  
7 Fish and Game. And knowing your interest in commercial  
8 harvest of steelhead and those patterns in past  
9 discussions before the RAC here I did get some  
10 information on commercial harvest and I have a brief  
11 summary which I think you might find helpful in your  
12 discussions so I'll proceed with that.

13

14 To put the commercial harvest in context,  
15 the 2004 commercial harvest in the region was just around  
16 60 million fish including about 45 million pink salmon,  
17 10.8 million chum salmon, 2.5 million coho, 1.9 million  
18 sockeye, and 426,000 king salmon. The current reported  
19 commercial harvest of steelhead this year is, as of last  
20 week or so, is 185.

21

22 You've been presented with Table 3 in the  
23 Federal Staff analysis showing historic patterns of  
24 reported harvest commercially of steelhead on fish  
25 tickets and the average of the years 1969 to 1994 for the  
26 harvest of steelhead commercial is 2,841 fish. And the  
27 range is 533 to 11,596, those numbers may not match  
28 exactly with Table 3 but they're very close. I did a  
29 recent fish ticket report to make sure that we have the  
30 most current information.

31

32 DR. GARZA: Could you say the range  
33 again.

34

35 MR. DAVIDSON: The range of the years  
36 reported between 1969 and 1994 was between 533 steelhead  
37 and 11,596 steelhead.

38

39 DR. GARZA: Thank you.

40

41 MR. DAVIDSON: Looking at the harvest by  
42 gear type, 65 percent of the commercial harvest is by  
43 drift gillnet gear, 30 percent is by purse seine, four  
44 percent of the harvest is by set net, which means that it  
45 occurred in the Yakutat area in river, and one percent of  
46 the commercial harvest is by troll gear. So those are  
47 the harvest patterns that come out of that data if you  
48 look at it a little more closely.

49

50 Looking at the harvest by geographical  
area by regulatory district, 37 percent of the commercial

1 steelhead harvest comes from District 1. District 1 is  
2 the area around Ketchikan against the mainland shore. 26  
3 percent of the harvest, which is the next highest one  
4 comes from District 4, and District 4 are the waters  
5 offshore of Doll Island and Noise Island. 16 percent of  
6 the harvest comes from District 6 and 8 in the vicinity  
7 of the Stikene River. And 13 percent of the harvest  
8 comes from District 11 in the Taku River. So that  
9 accounts for 92 percent of the commercial harvest, those  
10 four districts. If you throw in Yakutat you're up to  
11 about 95, 96 percent of the harvest is accounted for by  
12 these specific areas. So in other words the catch is  
13 related geographically to certain locations, at least  
14 that's the pattern that emerges from looking at the fish  
15 ticket data.

16

17                   The District 1 and the District 4  
18 steelhead catch timing peaks occur around the 1st of  
19 August, and that indicates that many of these fish are  
20 likely Canadian origin steelhead. District 1, District  
21 4, most of our stocks are spring spawners and they're  
22 widely distributed throughout the region and here what  
23 emerges is a pattern of commercial harvest that is  
24 probably largely targeting a Canadian fish -- not  
25 targeting but incidentally catching Canadian fish.

26

27                   In District 11, looking at the catch  
28 timing there's a peak in June, District 11 is the  
29 vicinity of the Taku River. There's a pattern of a catch  
30 peaking in June and also in September, so that would  
31 maybe indicate that the Taku is bi-model timing so  
32 there's a spring and a fall component, June and  
33 September.

34

35                   District 6 and 8, the catch pretty much  
36 peaks in June, and that would be consistent with Stikene  
37 River stocks. In District 8, which is immediately  
38 adjacent to the Stikene River, there's also a small fall  
39 component, but District 8 doesn't have nearly the catch  
40 as District 6 does.

41

42                   And as pointed out in the Federal Staff  
43 analysis, since 1994 the purse seine and gillnet gear  
44 types may not commercially sell steelhead that they catch  
45 incidentally but they can keep it and they don't have to  
46 report it. And so the catch is really unknown since '94,  
47 however, you could probably figure that the catch since  
48 '94 is a little bit lower than it was before that because  
49 the commercial incentive to sell is gone and I'm told  
50 that a lot of processors don't like to custom pack, you

1 know, handle the small numbers of steelhead that come in  
2 with the commercial harvest, so probably most of it stays  
3 aboard and unfortunately we, you know, can't really say  
4 what's happened to the commercial harvest since the new  
5 non-sale regulations went into place.

6  
7 So that's my summary.

8  
9 DR. GARZA: Questions. Mr. Littlefield,  
10 then Mr. Hernandez.

11  
12 CHAIRMAN LITTLEFIELD: I have a question  
13 on these numbers. The 185 fish, you said the commercial  
14 catch this year was 185, not thousand, but 185, like 185?

15  
16 MR. DAVIDSON: That's correct. That's  
17 what's been reported so far and that's not saying that  
18 that's what the catch was this year but that's what's  
19 been reported on fish tickets and, again, you know,  
20 trollers can catch and sell but gillnetters and purse  
21 seiners don't need to report it if they do catch it. But  
22 what I did want to indicate is by telling you the  
23 commercial harvest in millions of fish and thousands of  
24 chinook, in looking back the steelhead harvest is on the  
25 order of an average of 2,800, you know, roughly 3,000  
26 average per year. So it's, you know, orders of magnitude  
27 lower than other species targeted commercially.

28  
29 CHAIRMAN LITTLEFIELD: I'm done.

30  
31 DR. GARZA: Turn off your mic, John.

32  
33 CHAIRMAN LITTLEFIELD: Okay.

34  
35 DR. GARZA: Mr. Hernandez.

36  
37 MR. HERNANDEZ: Thank you, Madame Chair.  
38 So Bill, all of these other statistics you gave us of the  
39 percentage from the gillnet catch, seine catch and times  
40 of harvest, those numbers all come from statistics that  
41 were gathered prior to 1996, I gather?

42  
43 MR. DAVIDSON: That's correct. They  
44 really come from 1969 to present, it's the whole summary  
45 of the -- you know, the basic pattern of the fishery.

46  
47 MR. HERNANDEZ: So it's pretty obvious  
48 since there is no more sale of commercially-caught  
49 steelhead that you're not really getting a very good idea  
50 at all of what's happening since then, correct?

1 MR. DAVIDSON: That's correct. That  
2 information is simply not available and, you know, it's  
3 -- there's no mandatory reporting requirement for  
4 steelhead and a lot of times if fish stay aboard the boat  
5 they aren't going to be recorded on a fish ticket in any  
6 case.

7  
8 MR. HERNANDEZ: Have you attempted any  
9 voluntary reporting through log book programs or  
10 anything, have you thought of that or attempted it?

11  
12 MR. DAVIDSON: No, we have not. There is  
13 voluntary reporting, but we have not, to my knowledge,  
14 encouraged that it be reported. It's a difficult thing  
15 to get fishermen to do as I'm familiar with from managing  
16 the deep Inlet terminal chum salmon fishery, I've been  
17 very adamant that people report all of their coho harvest  
18 because we're interested in managing an area, not just  
19 the hatchery fish that we're catching but it's a very  
20 difficult thing to do, to get people to voluntarily  
21 report fish that they might be retaining.

22  
23 MR. HERNANDEZ: If I could comment,  
24 Madame Chair. I'm a net fisherman, you know, I've been  
25 involved in net fisheries here for over 20 years and just  
26 from personal experience I know from my fellow fishermen  
27 that when it became apparent that, you know, there was a  
28 real conservation problem with steelhead I know most of  
29 the fishermen I talk to and know, we changed our  
30 practices pretty drastically. There's a real conscious  
31 effort out there to try and release every steelhead that  
32 we catch so it can survive. And I know like for my own  
33 operation I keep a tray of circulating water on deck when  
34 I'm fishing during these peak weeks when we start  
35 catching them, and it's a pretty specific time, I mean  
36 there's just a few weeks where they get caught, and when  
37 they come out of the net if it looks like they're going  
38 to make it at all we put them in and we circulate water  
39 and we turn them loose.

40  
41 And I'd also like to say that I've been  
42 keeping a log book of every steelhead caught and released  
43 for the last, well, at least 10 years, I guess, so I know  
44 if you asked around you might find some volunteers that  
45 would be willing to give that information.

46  
47 DR. GARZA: Do you have a response there,  
48 Bill?

49  
50 MR. DAVIDSON: Well, I'd like to thank

1 Mr. Hernandez for volunteering his information and, you  
2 know, if steelhead commercial catch of steelhead is to  
3 become an issue or a concern, I think that's a very good  
4 suggestion. And I have also heard, you know, that by  
5 removing the incentive to sell and knowing it has been a  
6 concern, both at the time the regulation was adopted --  
7 the reason the regulation was adopted was because the  
8 Canadians were having low returns at the time and I think  
9 to some extent our own returns and these proposals for  
10 non-sale were actually promulgated by the gear groups.  
11 One was by USAG and the other was by the Southeast  
12 Seiners. So this initiative may be partly with the help  
13 of the Treaty, you know, information but was forthcoming  
14 from the fishermen who, I think, if I can characterize  
15 it, wanted to proceed with their fishery but steelhead  
16 was not, you know, of interest to them, they wanted to be  
17 able to keep fishing the stocks that they were fishing.

18  
19 DR. GARZA: Okay, Mr. Hernandez, one  
20 final and then John.

21  
22 MR. HERNANDEZ: I just wanted to add also  
23 just for the information of the Council, I can say that  
24 we've had pretty good success in releasing steelhead  
25 caught in the gillnets.

26  
27 CHAIRMAN LITTLEFIELD: Thank you, Madame  
28 Chair, a question for Mr. Davidson. Is there any  
29 requirement that you know of applied to fisheries  
30 processors that they keep track of the amount of fish  
31 that they run through their grinder and the type and  
32 species?

33  
34 MR. DAVIDSON: I believe that fish  
35 through the grinder are regulated by the Environmental  
36 Protection Agency. There are limits to overall poundage  
37 of fish waste that can be discharged into marine waters  
38 and they have to monitor the area of their out fall and  
39 size of it and, you know, in Sitka we've seen a lot of  
40 the ground up fish being processed on a hydraulic barge  
41 nearby rather than being put into the Sitka Channel. I  
42 don't know if that answers it, John.

43  
44 CHAIRMAN LITTLEFIELD: Okay. There's no  
45 record kept apparently then of what type of species those  
46 fish are, because I've seen totes and totes and totes of  
47 those things stacked waiting to go out and they're  
48 steelhead and king salmon that they're grinding because  
49 they cannot be sold from the net fisheries and there's  
50 really no way to keep track of that but I'll tell you

1 it's more than 185 fish.

2

3 DR. GARZA: Marianne.

4

5 MS. SEE: Madame Chair, yeah, we do have  
6 a correction we do want to get on the record about a  
7 comment made through the Federal comments and Mr.  
8 Brookover here has that information for you.

9

10 DR. GARZA: Mr. Brookover.

11

12 MR. BROOKOVER: Mr. Chairman. Members of  
13 the Council. When Federal Staff talked about the sport  
14 catch in Table 3, I just wanted to point out that that  
15 was region-wide, and when we discussed this with Federal  
16 Staff earlier this summer we discussed it in the context  
17 of the region-wide sportfishery. If a -- the point is a  
18 good portion of that catch occurs in Yakutat area. If  
19 you remove the Yakutat area and as I understand it,  
20 Prince of Wales Island's not included in the proposal,  
21 then we're dealing with numbers that range from about  
22 3,500 to 9,000 fish in the remaining portion of  
23 Southeast. The average there is 5,600 so I just wanted  
24 to point that out.

25

26 DR. GARZA: So Mr. Brookover, you're  
27 referring to the middle column of Table 3.

28

29 MR. BROOKOVER: Ms. Garza, that's  
30 correct.

31

32 DR. GARZA: Mr. Stokes.

33

34 MR. STOKES: Just for your information on  
35 the commercial fisheries on the Stikene River, on the  
36 Canadian side, they aren't allowed to keep steelhead and  
37 I've seen them, when they get the fish, some are dead and  
38 they're dropping them over the side. So they won't  
39 retain any. But when it gets into Telegraph Creek and  
40 right up on the reservation, the Tahltan Reservation,  
41 why, every morning and evening there's many fishermen out  
42 there and you can see the steelhead strike the lure and  
43 there's no limit right there.

44

45 But the Tahltans seem to regulate  
46 themselves. They're like my people were years ago, they  
47 never took more than they could use.

48

49 But there is one friend up there that has  
50 a commercial license and he has a set net right out

1 within 100 yards of the Tahltan outlet and he's been  
2 catching steelhead and he sells them to the individuals  
3 coming through on their motorhomes and stuff and he does  
4 real well, he gets \$5 a pound in the round, just for  
5 information.

6  
7 DR. GARZA: Okay, we need to start  
8 wrapping things up since we do have a long morning and a  
9 short time.

10  
11 Mr. Littlefield.

12  
13 CHAIRMAN LITTLEFIELD: Thank you, Madame  
14 Chair. I had a question on the Federal Staff are  
15 suggesting an amendment, a modification, and the  
16 modification is on Page 129 which adds the changes, the  
17 open season from March 1st through May 31st, which is  
18 fairly a short amount of time, but I'm wondering if the  
19 State analysis included that in their analysis, the short  
20 timeframe or whether they were analyzing the original one  
21 which is year long, in other words, we're talking a  
22 fairly short season here. I just wanted to make sure  
23 that it was included in your analysis.

24  
25 MR. DAVIDSON: Yeah, Mr. Littlefield,  
26 you're referring to the comment on the bottom of Table 3?  
27

28 CHAIRMAN LITTLEFIELD: No, on Page 129  
29 the Federal Staff is suggesting that the open season be  
30 from March 1st through May 31st, which is a fairly short  
31 timeframe, much less than I proposed, and I just wanted  
32 to make sure that when you did your analysis that you  
33 were looking at both of these, and your comments are  
34 probably different for those two.

35  
36 MR. DAVIDSON: The numbers that I gave  
37 are for the entire season, you know, just wanting to find  
38 out when any catch had occurred, so it included that  
39 period of time, but other times as well.

40  
41 DR. GARZA: Mr. Brookover.

42  
43 MR. BROOKOVER: Mr. Chair. Ms. Garza.  
44 Mr. Littlefield, if your comments were referring to our  
45 comments that we gave initially, then, yes, we did take  
46 into account the season that Federal Staff recommended in  
47 the analysis and we recognize that that would afford  
48 protection for fall stocks. Our comments are still, you  
49 know, on the record based on both the proposal and the  
50 Federal Staff analysis as well. We recognize that the

1 Federal Staff analysis recommendation would protect those  
2 fall stocks, we still have a concern with small spring  
3 stocks. In Southeast Alaska the majority of steelhead  
4 stocks, spring and fall are small.  
5

6 And when you look at the number of large  
7 stocks that we do know of in the region, the majority of  
8 those are in Southern Southeast on Prince of Wales  
9 Island, Ketchikan area. When you look at Northern  
10 Southeast where most of this proposal would apply, the  
11 percentage of small stocks is even higher, there's fewer  
12 large stocks in Northern Southeast, than Southern  
13 Southeast, so yes it does.  
14

15 DR. GARZA: One more question.  
16

17 CHAIRMAN LITTLEFIELD: On that same page,  
18 129, the Federal Staff also recommended in their last  
19 sentence that the permit conditions and systems to  
20 receive special protection will be determined by the  
21 local Federal fisheries manager in consultation with the  
22 ADF&G, and could you comment on whether that's good, bad,  
23 ugly or what or whether you've considered it?  
24

25 MR. BROOKOVER: Mr. Chair. Yes, we think  
26 that would be a good measure as well. But our comments  
27 still stand that a proposal of this nature region-wide in  
28 scope still poses a concern over that broad of an area  
29 with the limited information we have.  
30

31 DR. GARZA: Thank you. Tribal government  
32 comments. This is on Proposal 28.  
33

34 (No comments)  
35

36 DR. GARZA: Other Federal agency  
37 comments.  
38

39 (No comments)  
40

41 DR. GARZA: InterAgency Staff.  
42

43 MR. KESSLER: Thank you, Madame Chair and  
44 Council. I'm Steve Kessler with the Forest Service and  
45 the InterAgency Staff Committee. We felt that all the  
46 relevant information that you need was presented here and  
47 we concur with the preliminary conclusion.  
48

49 DR. GARZA: Questions for Steve.  
50

1 (No comments)

2

3 DR. GARZA: Thank you. Fish and Game  
4 Advisory Committee comments.

5

6 (No comments)

7

8 DR. GARZA: Summary of written public  
9 comments. Mr. Schroeder.

10

11 DR. SCHROEDER: Madame Chair, we don't  
12 have written public comments on this proposal.

13

14 DR. GARZA: Is there anybody who signed  
15 up to testify on Proposal 28 or who has been so moved to  
16 testify.

17

18 Mr. See.

19

20 MR. SEE: Thank you, Madame Chair. I'm  
21 glad to see that they're going to put steelhead as a  
22 subsistence use fish because right now there are people  
23 who go out and take them. These same people, because of  
24 the 36 inch limit, they're not going to report the fish  
25 that they take. I think that they're being used but I  
26 think that from the point if you can reduce the size  
27 limit or just make them where you can take them legally,  
28 you'd get better numbers for that, you know, because of  
29 the fish that are being taken would be counted.

30

31 And I also find it interesting that by  
32 their statistics that they show that the peak period for  
33 the steelhead are in June and September, and their season  
34 will be in March through May. So we're being excluded  
35 from the time when they're most readily accessible, we  
36 won't be able to, you know, it will be past the season.

37

38 That's basically all I have to say.

39

40 DR. GARZA: Is that true, Cal?

41

42 MR. CASIPIT: I think the peak that was  
43 referred to in June and September was the incidental --  
44 peaks of incidental catch in commercial fisheries in  
45 various locations through Southeast. The proposed season  
46 March 1 through May 31 that I had mentioned before for  
47 the Federal subsistence fishery, that would be occurring  
48 in fresh water and that basically corresponds to the run  
49 timing of the spring run in Southeast.

50

1 DR. GARZA: Okay. And for the record  
2 you're speaking as an individual?  
3  
4 MR. SEE: Yes, ma'am. Without direction  
5 from the tribe, I'm very hesitant to speak as a tribal  
6 government so I'll withhold most of my testimony until  
7 I'm a private citizen.  
8  
9 DR. GARZA: And did you give Salena your  
10 name and location?  
11  
12 MR. SEE: No, ma'am. My name is Michael  
13 See, I'm from Hoonah.  
14  
15 DR. GARZA: She looks sweet, but she  
16 could beat you up if you don't give it.  
17  
18 (Laughter)  
19  
20 MR. SEE: You saw my wife, she's not very  
21 big, she beats me up all the time.  
22  
23 (Laughter)  
24  
25 DR. GARZA: Other public testimony. And  
26 please state your name, if you're speaking on behalf of  
27 anyone other than yourself and where you're from.  
28  
29 MS. JAMES: I'm Denise James and I'm from  
30 Saxman and I'm up here with public testimony. I don't  
31 have permission to speak on behalf of the tribe.  
32  
33 But I, too, noticed that the open season  
34 is March 1st through May 31st. I like my steelhead in  
35 January and February and at that time the weather is  
36 usually pretty bad and there's very few people out. And  
37 the reason why I like mine at that time is I think they  
38 taste the best. And when we go out in the past to  
39 harvest our steelhead, that is when we would use a spear.  
40 It's one of the few things that we have not taken the  
41 opportunity to teach the children or the grandchildren,  
42 but now that the spear is on there that is one thing that  
43 we would like to do. But if the open season is March 1st  
44 through May 31st, that is an activity that will not be on  
45 my list anymore, so I would like to see that changed.  
46  
47 Thank you.  
48  
49 DR. GARZA: Any questions.  
50

1 (No comments)  
2  
3 DR. GARZA: Any other public testimony.  
4 Mr. Dobyms.  
5  
6 MR. DOBYNS: Madame Chair, Doug Dobyms  
7 for Sitka Tribe. I apologize for not coming up when you  
8 asked for tribal comments, I was getting a cup of tea  
9 there. I do have a report that the customary and  
10 traditional committee at Sitka Tribe, have talked to this  
11 and would like to support the proposal as amended on Page  
12 129.  
13  
14 DR. GARZA: Questions for Mr. Dobyms.  
15  
16 (No comments)  
17  
18 DR. GARZA: Just one question, was there  
19 any discussion as Ms. James had pointed out on the need  
20 for fall harvest?  
21  
22 MR. DOBYNS: To my knowledge, no, there  
23 was not.  
24  
25 DR. GARZA: Is there any other persons  
26 requesting public testimony.  
27  
28 (No comments)  
29  
30 DR. GARZA: Okay, I think we are ready  
31 for Council deliberations so we have Proposal 28 before  
32 us on Page 121 knowing that we do have a modified  
33 proposal on Page 129. Before we make the motion I have  
34 one final question for Mr. Davidson and you might shake  
35 your head yes or no and then I'll record it. For the  
36 incidental harvest of steelhead in Unit 1 and 4, through  
37 the commercial fisheries you had implied that they were  
38 primarily Canadian, is there any tagging information to  
39 assure ourselves of that, whether or not it's Canadian or  
40 perhaps POW fish?  
41  
42 MR. DAVIDSON: Ms. Garza, I'm not sure  
43 that there's any information. What I was trying to  
44 indicate was that mainly by the run timing, District 1  
45 and 4, the run timing the harvest is occurring in August  
46 and likely it's migrating -- you know, the catches are  
47 fairly large and it's probably fish that are migrating by  
48 the area at that time. But I don't think it's based on  
49 knowing the exact stock composition.  
50

1 DR. GARZA: Thank you. Is there any  
2 motion for Proposal 28.  
3  
4 CHAIRMAN LITTLEFIELD: Madame Chair.  
5  
6 DR. GARZA: Mr. Littlefield.  
7  
8 CHAIRMAN LITTLEFIELD: Madame Chair, I  
9 move to adopt FP05-28, the language as shown on Page 121.  
10  
11 MR. STOKES: Second.  
12  
13 DR. GARZA: FP05-28 on Page 121 is now  
14 before us for discussion, any comments from the Council.  
15 Mr. Littlefield, then Mr. Hernandez.  
16  
17 CHAIRMAN LITTLEFIELD: Madame Chair, I  
18 move to substitute language on Page 129, the preliminary  
19 conclusion of Federal Staff as substitute language for  
20 FP05-28.  
21  
22 MR. DOUVILLE: Second.  
23  
24 DR. GARZA: It's been moved by Mr.  
25 Littlefield, seconded by Mr. Douville. Any discussion  
26 for substituting the language as found on Page 129.  
27  
28 CHAIRMAN LITTLEFIELD: Question.  
29  
30 DR. GARZA: Okay. The question has been  
31 called, so we are voting on whether or not we substitute  
32 language found on Page 129 for Proposal FP05-28, all in  
33 favor of the motion signify by saying aye.  
34  
35 IN UNISON: Aye.  
36  
37 DR. GARZA: Opposed.  
38  
39 (No opposing votes)  
40  
41 DR. GARZA: We now have language before  
42 us that is found on Page 129, that is what we are  
43 discussing. Mr. Littlefield.  
44  
45 CHAIRMAN LITTLEFIELD: Thank you, Madame  
46 Chair. I have a question for Staff, Federal Staff. Has  
47 the March 1st date in there, and you heard one of the  
48 previous testimony that January and February was the  
49 preferred dates, if you could comment please on what  
50 would be the effect of going from January 1st to May

1 31st?

2

3

4 MR. CASIPIT: Thank you, Mr. Chair. Let  
5 me start by saying the reason that I proposed March 1 to  
6 May 31 is it was consistent with the spring season Prince  
7 of Wales Island. If we were to move to like a January  
8 1st date, at least, for those first two months for the  
9 most part, there probably would be more fall run fish in  
10 the harvest in the months of January and February.

11

12

13 You would have some spring fish coming  
14 into the system probably by February but as you remember  
15 when we discussed the Prince of Wales season a couple  
16 years ago, if you remember, the January/February season  
17 was included in the fall/winter season, that was  
18 targeting fall fish. So a January/February -- the months  
19 of January/February you would be catching more fall fish.

20

21

22 DR. GARZA: Further discussion on  
23 Proposal FP05-28 as found on Page 129.

24

25

26 Mr. Littlefield.

27

28

29 CHAIRMAN LITTLEFIELD: Madame Chair, I'd  
30 like to move to adopt by amendment to change the date  
31 from January 1st where March 1st is shown, from January  
32 1st -- it will read then open from January 1st through  
33 May 31st.

34

35

36 DR. GARZA: Is there a second.

37

38

39 MR. KITKA: Second.

40

41

42 MR. HERNANDEZ: Second.

43

44

45 DR. GARZA: There is a second, so the  
46 amendment is on the table. Mr. Littlefield.

47

48

49 CHAIRMAN LITTLEFIELD: Madame Chair, I  
50 don't think there's going to be a huge problem going from  
January. Everyone knows that's a miserable time of the  
year to fish, January/February. If, in fact, it's been  
customary and traditional for these people to take fish  
in that timeframe I commend them because it's not going  
to be easy and I would also suggest that there's not  
going to be many people out there in January and February  
and I think the take would be quite small and not  
significant in the overall picture so I'm going to vote  
for the amendment.

51

1 DR. GARZA: Any other discussion. Mr.  
2 Hernandez.  
3  
4 MR. HERNANDEZ: Thank you, Madame Chair.  
5 I guess I'd also like to point out that we do have the  
6 provision in this language for the permit conditions and  
7 systems to receive special protection will be determined  
8 by local fisheries managers in consultation with ADF&G.  
9 I think I would anticipate there would probably be only a  
10 small number of systems that would probably -- that  
11 Federal managers and ADF&G would agree could support a  
12 fishery on a fall run and those could probably be dealt  
13 with with that provision. So I think this change of date  
14 may work.  
15  
16 DR. GARZA: Any further comment on the  
17 amendment for the January 1 opening.  
18  
19 (No comments)  
20  
21 DR. GARZA: Is there a call for the  
22 question.  
23  
24 CHAIRMAN LITTLEFIELD: Question.  
25  
26 DR. GARZA: Question has been called.  
27 All in favor of the amendment to change the opening date  
28 from May 31st to January 1 on Page 129 [sic], signify by  
29 saying aye.  
30  
31 IN UNISON: Aye.  
32  
33 DR. GARZA: Opposed.  
34  
35 (No opposing votes)  
36  
37 DR. GARZA: The amendment passes. We now  
38 have before us an amendment on Page 129, do we need it  
39 read?  
40  
41 (Council shakes head negatively)  
42  
43 DR. GARZA: Is it clear to all here?  
44  
45 (Council nods affirmatively)  
46  
47 DR. GARZA: As we vote on this proposal  
48 now before us as amended we need to have justification.  
49 Mr. Littlefield.  
50

1 CHAIRMAN LITTLEFIELD: Thank you, Madame  
2 Chair. We've been going over this steelhead for quite a  
3 few years and the Council should be fully aware of what's  
4 going on here.

5  
6 And I think as far as a conservation  
7 concern, I think it's going to be quite limited. And if  
8 we look at the last sentence there, the permit conditions  
9 and systems to receive special protection will be  
10 determined by the local Federal fisheries manager in  
11 consultation with the ADF&G provides adequate protection,  
12 I believe, if there is a conservation concern brought up  
13 by ADF&G, Federal managers as well as the local  
14 residents, that they will take action. So I have no  
15 problem with the conservation concerns. I don't think  
16 it's a problem at this time.

17  
18 Secondly, this is definitely going to be  
19 an advantage to the subsistence users. They have been  
20 prohibited in the past from taking fish because only .6  
21 percent of all the steelhead run was over 36 inches,  
22 basically you excluded them from catching a fish unless  
23 they were very, very lucky. So this is a positive effect  
24 for subsistence users.

25  
26 The types of data, we've been taking data  
27 for years and years on this. It wasn't specifically  
28 alluded to as noticed by the State, but it was all  
29 presented in Proposal 28 or 29 or whatever, in previous  
30 information, so we have plenty of data to make this.

31  
32 The effect on other users is going to be  
33 negligible. We're talking about subsistence users here.

34  
35 I'm going to vote for that and that's my  
36 justification.

37  
38 DR. GARZA: Any further comment on the  
39 proposal before us.

40  
41 (No comments)

42  
43 DR. GARZA: Okay, I guess I would like to  
44 add two further comments on the four points.

45  
46 I intend to vote for it.

47  
48 In terms of conservation, it seems like  
49 from the incidental take and from the sport catch and  
50 release that there are a lot of fish out there.

1                   Is there an effect on subsistence users,  
2 if we do not propose -- if we do not support this  
3 proposal, it's my opinion that we continue to put the  
4 full brunt of conservation on subsistence users. We have  
5 an incidental commercial harvest that ranges somewhere  
6 between 3,000 and 5,600 a year, 5,600 was the initial  
7 estimate. We don't have that kind of data, we hear that  
8 it may be less because gillnetters aren't keeping it, but  
9 we still have seiners that likely are not tossing them  
10 back because they're dead. We have a catch and release,  
11 even if it's a five percent catch and release and we're  
12 only taking a smaller number in Southeast versus Yakutat,  
13 it's still potentially 280 that are dying through catch  
14 and release at a conservative estimate of five percent  
15 mortality. My opinion is that it would be higher. And  
16 so we do, already, have harvest taken.

17  
18                   In terms of whether or not there's  
19 substantial data, it's my opinion that we will not have  
20 substantial data until we have a subsistence fishery and  
21 everybody's up in arms and then we decide we have to  
22 submit FIS proposals for streams of concern. ADF&G, in  
23 my opinion, is already overworked, they don't have the  
24 time to work on these streams, we don't have the Staff to  
25 work on these streams. When we decide that these streams  
26 are important because subsistence people are there we'll  
27 find the funding to do the research, and as long as we  
28 don't have a subsistence fishery designated for it it  
29 will never pop up as a priority and we will never do that  
30 type of research, that's just the way it goes.

31  
32                   What is the effect of this proposal on  
33 other users, it doesn't in any way impact the incidental  
34 take, it doesn't impact the opportunity for sport harvest  
35 under State regulations.

36  
37                   I would speak in favor of the motion.

38  
39                   CHAIRMAN LITTLEFIELD: Question.

40  
41                   DR. GARZA: Question has been called.  
42 All those in favor of Proposal 05-28 as amended on Page  
43 129 that would change the date to January 1 through May  
44 31st and the substitute language provided by the Staff  
45 signify by saying aye.

46  
47                   IN UNISON: Aye.

48  
49                   DR. GARZA: Opposed.

50

1 (No opposing votes)  
2  
3 DR. GARZA: The proposal has passed  
4 unanimously. We have Proposal 30 before us but I need to  
5 take a short break.  
6  
7 (Off record)  
8  
9 (On record)  
10  
11 DR. GARZA: Call the meeting back to  
12 order, please come sit down, we have a long morning ahead  
13 of us.  
14  
15 (Pause)  
16  
17 DR. GARZA: Proposal 30 is now before us.  
18  
19 (Pause)  
20  
21 DR. GARZA: Hey, John, I forgot to tell  
22 you while I Chair you have to do my weaving, finish it up  
23 for me okay.  
24  
25 CHAIRMAN LITTLEFIELD: Bring it on.  
26  
27 (Laughter)  
28  
29 DR. GARZA: Okay, now that Mr. Hernandez  
30 has decided to rejoin us we'll start with Proposal 30.  
31  
32 (Laughter)  
33  
34 DR. GARZA: Mr. Casipit.  
35  
36 MR. CASIPIT: Thank you, Dr. Garza. Your  
37 Staff analysis for this proposal starts on Page 147,  
38 that's where the executive summary appears. The actual  
39 analysis starts on 149. Again, this proposal FP05-30 was  
40 submitted by John Littlefield of Sitka.  
41  
42 He requests changes to the existing  
43 Federal subsistence regulations for trout, char and  
44 grayling in the Southeast Alaska area. Changes are  
45 proposed for harvest and size limits and the proponent  
46 states that subsistence users have a long history of  
47 utilizing trout and that existing regulations do not  
48 provide for their needs.  
49  
50 Again, like I said, this proposal was

1 submitted out of concern that existing regulations do not  
2 provide enough opportunity for rural residents of  
3 Southeast Alaska to harvest trout, char and grayling for  
4 subsistence purposes.

5  
6 Federal subsistence regulations allow for  
7 the taking of trout and char with a subsistence permit,  
8 except for six lakes mentioned in the Federal regulations  
9 and I'll get to that in a minute, the Federal harvest  
10 mirrors the existing State sportfishing harvest limits.

11  
12 The proponent is concerned that  
13 subsistence users have a long history of utilizing trout  
14 and their needs are greater than the existing limits.  
15 The proposal states that many want to eat trout and the  
16 best trout for eating are not larger fish in the slot  
17 limits.

18  
19 I just wanted to be real clear about some  
20 of these other species that are mentioned other than the  
21 Dolly Varden, cutthroat and rainbow. Under Federal  
22 regulations a subsistence fishing permit is not required  
23 for harvesting fish other than salmon, trout, char and  
24 eulachon in subdistricts 1(C) and 1(D). Since grayling  
25 are not a member of any of those genera, then Federally-  
26 qualified users may harvest grayling without a  
27 subsistence fishing permit under existing Federal  
28 regulations in the Southeast Alaska area.

29  
30 There are general Federal regulations  
31 regarding methods and means, seasons and harvest limits  
32 for grayling in Southeast Alaska and displayed below in  
33 27(17)(i)(ii), and what I've done there is repeated the  
34 regulations that deal with use of rod and reel to take  
35 fish without a subsistence fishing permit.

36  
37 It's a little bit of a grey area in our  
38 regulations but I've been assured that under the existing  
39 regulations that Federally-qualified users can harvest  
40 unlimited amounts of grayling without a Federal permit.

41  
42 Brook trout, *salvelinus fontinalis* are a  
43 char and are not native to Alaska. All populations in  
44 Southeast Alaska were introduced in the last century.  
45 This also includes grayling. Grayling are not native to  
46 Southeast Alaska and were introduced about the same time  
47 that the brook trouts were being introduced.

48  
49 Okay. Brook trout, they are a char.  
50 And Federally-qualified users are required to have a

1 Federal permit to harvest char. However, the Federal  
2 regulations don't have specific methods and means,  
3 seasons or harvest limits for brook trout. Again, like I  
4 said grayling are Native to Alaska but they have been  
5 introduced here in Southeast Alaska where they are not  
6 native. All grayling and brook trout populations in  
7 Southeast Alaska were introduced in the last century.

8  
9 Again, I've repeated -- like I said, I  
10 repeated the particular Federal regulations that deal  
11 with what happens if you aren't required to have a permit  
12 or there are no methods and means listed for the  
13 particular fish and those were repeated on the top of  
14 Page 150.

15  
16 I've also repeated the existing Dolly  
17 Varden and trout regulations that are in the Federal  
18 regulations as well for your information. They are  
19 displayed in the middle of Page 150.

20  
21 Then the proposed regulations from the  
22 proponent is primarily on Page 151 and there's the  
23 strikeouts and bolds of what would happen to the existing  
24 Federal regulations.

25  
26 A little on State regulatory history. As  
27 the Council is aware, there are no directed State  
28 subsistence fisheries for trout, Dolly Varden, brook  
29 trout or grayling. Although these species are  
30 incidentally caught in other permitted subsistence  
31 fisheries may be kept. Current State sportfish  
32 regulations generally allow 10 Dolly Varden, char with no  
33 size restrictions. Rainbow and steelhead trout are  
34 different life forms of the same species, oncorhynchus  
35 mykiss, in order to differentiate between them for  
36 regulatory purposes, the State sportfishing regulations  
37 list different size limits. The current State  
38 sportfishing regulations generally allow two cutthroat  
39 rainbow trout a day between 11 and 22 inches in length  
40 and prohibit the use of bait. Trout larger than 22  
41 inches are regarded as steelhead for regulatory purposes.  
42 In areas of high use on larger community road systems or  
43 heavily used lakes, the harvest limit for Dolly Varden is  
44 reduced to two per day and the minimum size for cutthroat  
45 and rainbow trout is increased to 14 inches.

46  
47 Brook trout and grayling have a daily  
48 harvest limit of 10 fish and 10 in possession with no  
49 minimum size limit under State sportfishing regulations  
50 for the Southeast Alaska area. Bait is allowed in most

1 systems that support grayling and brook trout.

2

3

4 Alaska Department of Fish and Game  
5 biologists believe that a minimum size restriction for  
6 trout is needed to ensure that the majority of trout is  
7 able to spawn at least once prior to harvest. This is  
8 the rationale that was used to establish the size slot  
9 currently in the State regulations for cutthroat and  
10 rainbow between 11 and 22 inches.

11

12 The existing Federal regulation displayed  
13 on the previous pages were put into place during the  
14 December 2001 Federal Subsistence Board meeting after  
15 deliberating FP01-22. The proposal requested liberalized  
16 harvest of six trout a day and 10 Dolly Varden per day  
17 with no minimum size limits. The Board was concerned  
18 that insufficient data existed to liberalize trout  
19 harvest limits on a region-wide basis, however, the  
20 harvest limits for trout were increased in the six lakes  
21 based on available data showing large populations. At  
22 that time the Board approved the proposed harvest limits  
23 for Dolly Varden since the requested limit for Dolly  
24 Varden was consistent with State sportfish regulations.  
25 The Board used the State sportfishing regulation for  
26 trout in all of the remaining areas as a conservation  
27 measure and the Board also required a Federal subsistence  
28 permit system to allow harvest to be tracked and  
29 evaluated at a finer scale than is currently possible  
30 under the State sportfish harvest survey.

31

32 A little on biological background. In  
33 Alaska the brook trout, like I said, is an introduced  
34 species. Between 1917 and 1950 many rivers, streams and  
35 lakes were stocked in Southeast Alaska. As far as known,  
36 none of the fish survived in any of the rivers and  
37 streams with anadromous habitat. However, the brook  
38 trout did survive in a few barren sub-Alpine lakes with  
39 relatively low food supply, marginal spawning and year-  
40 round low water temperatures. They seem to be well  
41 adapted to these marginal conditions and probably are  
42 better suited for these waters than any other fish  
43 species. And I have a list of the known lakes where  
44 brook trout occur in Southeast Alaska.

45

46 I also present some basic biomass  
47 estimates for some locations in Southeast, and that's in  
48 that second paragraph on Page 153. I'm not going to  
49 repeat them here.

50

As I've said, grayling are native to

1 Alaska but introduced in Southeastern Alaska. Like the  
2 brook trout in Southeast Alaska they were introduced  
3 widely but only seem to have persisted in sub-Alpine non-  
4 anadromous lakes. Grayling have evolved many strategies  
5 to meet the needs of life in water off in harsh and  
6 uncertain environments.

7  
8 Again, I provide a list of the known  
9 populations of grayling in Southeast Alaska and the lakes  
10 that they're occurring in.

11  
12 Dolly Varden, rainbow and cutthroat trout  
13 are more widespread through Southeast Alaska than brook  
14 trout and grayling and there's very limited information  
15 on the status of cutthroat and rainbow trout and Dolly  
16 Varden populations in Southeast Alaska. Table 1 on Page  
17 154 displays the amount -- the limited amount of  
18 information that we do have for those populations around  
19 Southeast.

20  
21 This is basically the -- I think members  
22 of the Council you've seen the same table before you in  
23 that FP01-22.

24  
25 There has been a year-round -- there has  
26 a pattern of year-round trout harvest in many communities  
27 throughout the Southeast Alaska area. The pattern of  
28 Dolly Varden seems to be less than year-round but extends  
29 at least as early as January and as late as September.  
30 Trout continue to be an important subsistence resource  
31 even though it has to have been harvested under sport  
32 regulations. For instance, in the 1987 harvest study  
33 approximately 33 percent of all rural households had a  
34 member who harvested trout that year. Table 2, that  
35 starts on Page 155 and runs through the top of Page 157  
36 displays all of the communities in Southeast, the harvest  
37 -- the year -- the harvest year -- the actual community  
38 harvest survey that occurred in each of those  
39 communities, the various species for those years for  
40 those communities and it displays estimated total numbers  
41 of the various species for the various years for the  
42 various communities.

43  
44 I did want to point out that no trout,  
45 char or grayling have been reported harvested on Federal  
46 permits since we've been issuing them for Federal public  
47 waters in Southeast.

48  
49 Table 2 displays the result of household  
50 use surveys for trout and char conducted by Fish and Game

1 Subsistence Division for various communities in Southeast  
2 Alaska. As I said, you'll see that I've broken them out  
3 by species, year, and by community.

4  
5 I wanted to point out Table 3, it appears  
6 on the bottom of Page 157. It displays the harvest and  
7 catch of the various species from the sport harvest  
8 surveys -- sportfish harvest surveys. Those appear for  
9 all the species harvest and catch for the years 1996 to  
10 2002.

11  
12 Again, I wanted to mention that same  
13 caveat for catch that I talked about before in the  
14 steelhead proposal earlier. I wanted to make the Council  
15 aware that individuals have a tendency to overestimate  
16 their catch.

17  
18 For commercial harvest there are no  
19 directed commercial harvest of trout, char, grayling in  
20 Southeast Alaska area.

21  
22 The effect of the proposal will recognize  
23 existing subsistence harvest for grayling, brook trout,  
24 Dolly Varden, rainbow and cutthroat trout in Southeast  
25 Alaska. It has not been permitted in the past.

26  
27 It is unclear what effect this proposal  
28 will have on harvest opportunities for grayling and brook  
29 trout since the existing Federal regulations do not  
30 specify methods and means, seasons or harvest limits and  
31 are not clear for those species. Brook trout and  
32 grayling are found only in a handful of locations in  
33 Southeast Alaska. Having no limit for Dolly Vardens  
34 could lead to conservation concerns for that species in  
35 some locations. Federal in-season managers still have  
36 the ability to adjust regulations as needed for  
37 conservation and ensure the Federal subsistence priority.

38  
39 So my preliminary conclusion is to  
40 support the proposal with modification, primarily to  
41 provide a harvest limit for Dolly Varden, reduce  
42 possession limits for grayling and brook trout.

43  
44 And the proposed regulation with  
45 modification would read as displayed at the bottom of  
46 Page 158 -- the reason why I chose to go with 20 for  
47 Dolly Varden, brook trout and grayling is that I kind of  
48 wanted to just be consistent with the harvest limits for  
49 all those species. I didn't -- having different limits  
50 for fish of about the same size didn't seem quite right

1 but I will leave it to the Council to decide that.

2

3 My justification is this proposal  
4 legalizes the opportunity for Federally-qualified  
5 subsistence users to harvest Dolly Varden, brook trout,  
6 grayling, rainbow trout and cutthroat trout, their need  
7 for subsistence purposes. The modified harvest limits  
8 will more closely resemble long-term customary and  
9 traditional use patterns. Unlimited harvest of Dolly  
10 Varden as requested by the proponent could lead to  
11 conservation concerns for that species in some locations.  
12 And modified harvest limits is consistent with the  
13 proposed limits for brook trout and grayling.

14

15 I would be happy to answer any questions.

16

17 DR. GARZA: Mr. Hernandez.

18

19 MR. HERNANDEZ: Thank you, Dr. Garza.  
20 Cal, you mentioned in your report there the discussion on  
21 size limits for cutthroat trout and reading through the  
22 Department's report there, it made it sound to me that  
23 size limits were a pretty important conservation measure  
24 in their regulations allowing the cutthroat to spawn at  
25 least once. And then I noticed in your recommended  
26 wording here that you say there is no size limit for  
27 cutthroat, I was just wondering what your feelings were  
28 about that and how you arrived at that decision.

29

30 MR. CASIPIT: Again, it was -- if you can  
31 -- if you would look, for instance, at the table on Page  
32 3, for instance, 2002 under the sport harvest surveys,  
33 the State sport harvest surveys, for instance cutthroat  
34 trout in 2002 harvest was reported as.....

35

36 DR. GARZA: Just one minute, Cal, so tell  
37 us again where you're reading from, did you say Page 3?

38

39 MR. CASIPIT: No, I'm sorry, Page 157,  
40 Table 3 for 2002 you will notice, for instance, that on  
41 cutthroat trout the harvest was reported as 3,851 and the  
42 catch is reported as 38,829, again, if you were to take a  
43 five percent catch and release morality on approximately  
44 35,000 fish, again, you're looking at a fairly  
45 significant number of mortality due to catch and release  
46 and my feeling was that that mortality of catch and  
47 release -- caught and released fish, those are fish that  
48 are outside the slot, if we can afford to lose that many  
49 fish outside of the slot I'm kind of wondering why we  
50 would not share those with subsistence users.

1 DR. GARZA: Mr. Stokes and then Mr.  
2 Bangs.  
3  
4 MR. STOKES: Well, I don't agree with a  
5 limit on Dollys, they're just a predator. When the  
6 salmon are going up in the stream to spawn, they're  
7 laying by the hundreds waiting for the eggs to come out  
8 and if I had my way I'd get rid of them all.  
9  
10 (Laughter)  
11  
12 DR. GARZA: Mr. Bangs.  
13  
14 MR. BANGS: Thank you, Madame Chair.  
15 It's been my experience that it's more difficult to  
16 release a smaller trout without hurting it and I'm  
17 wondering if the survival rate is actually a lot less  
18 than it is with the steelhead, for instance. Is this  
19 five percent something that, you know, there's data to  
20 prove that?  
21  
22 MR. CASIPIT: Thank you, Mr. Bangs.  
23 Yeah, from all the studies I've read on catch and  
24 release, you know, that five percent is fairly right on  
25 for fish caught and release with lures and flies and that  
26 sort of thing, artificial lures. You get into bait that  
27 mortalities go way up, but I think that's a pretty good  
28 number myself based on what I've read.  
29  
30 Also I'd like to respond to Mr. Stokes  
31 comments, yes, in fact, if Steve Langdon was here he  
32 would probably say it, that there is, according to some  
33 preliminary research that I've seen from him, traditional  
34 -- there's a long history and a pretty good documentation  
35 that under pre-contact Tlingit-style management, there  
36 was quite a bit of Dolly Varden control going on.  
37  
38 (Laughter)  
39  
40 MR. CASIPIT: And that's pretty well  
41 documented from what I've seen from Dr. Langdon.  
42  
43 DR. GARZA: Any further questions for  
44 Staff.  
45  
46 (No comments)  
47  
48 DR. GARZA: ADF&G.  
49  
50 MR. BROOKOVER: Thank you, Mr. Chair, Ms.

1 Garza. On Proposal 30, the proposal as we see it seeks  
2 to provide additional harvest opportunity for trout, char  
3 and grayling region-wide to meet subsistence needs for  
4 those species.

5  
6 Our comments for this proposal are  
7 somewhat similar to those for 28, one difference is in  
8 this proposal we see the concerns presented by the  
9 proposal as more significant for these species. The  
10 harvest potential that would be created for cutthroat  
11 trout, rainbow trout, grayling and brook trout under the  
12 regulations that are recommended in the proposal and in  
13 the Staff analysis is a concern that we feel they may not  
14 be sustainable.

15  
16 The Board of Fisheries restricted the  
17 sportfishery in 1994 based on, as Mr. Hernandez  
18 mentioned, the management objective of insuring that the  
19 majority of cutthroat trout have the opportunity to spawn  
20 at least once before becoming available to harvest. The  
21 minimum size limit that's currently in place is 11 inches  
22 in State and Federal regulations and we feel that that  
23 minimum size limit based on the maturity analysis work  
24 that we've done does just that. In addition that size  
25 limit has the added benefit of protecting juvenile  
26 steelhead from harvest. Previously to that Board action,  
27 there was no mechanism in the sportfishing regulations  
28 that sought to conserve or serve as a management  
29 objective for those species.

30  
31 Since the Board implemented the minimum  
32 size limit and other regulations in the sportfishery  
33 we've conducted comprehensive stock assessments at four  
34 lakes, those lakes are Turner, Baranof, Florence and Auke  
35 Lake. We don't feel that, you know, despite spending  
36 hundreds of thousands of dollars on those projects, we  
37 have a good feel for what abundance region-wide has done  
38 since the Board has enacted the regulations. Prior to  
39 the time the Board enacted the regulations there was wide  
40 spread concern that stocks of trout in general were  
41 declining. What we found at those four lakes in terms of  
42 both resident and sea run population is some trend  
43 information.

44  
45 When we went into Turner Lake the early  
46 estimates of abundance and survival rates for resident  
47 cutthroat trout there suggested that the population was  
48 depressed. Turner Lake had been fairly heavily fished  
49 and cutthroat trout harvest were prohibited at Turner in  
50 1991. What we've seen is an abundance at Turner Lake

1 since then hasn't increased. It has remained relatively  
2 stable.

3  
4 At Baranof Lake, also we've done  
5 population assessments on resident cutthroat trout, we've  
6 seen a relatively stable trend there as well.

7  
8 At Florence Lake, again, resident  
9 population we conducted stock assessment work in the  
10 early '90s and went back in more recently and what we  
11 found in the more recent work is abundance is at the same  
12 level or slightly larger than what we saw earlier.

13  
14 And at Auke Lake we've conducted stock  
15 assessment on the resident trout population there as well  
16 and that appears to be stable.

17  
18 We've conducted stock assessment work on  
19 sea run cutthroat trout at different places at different  
20 times. We have one long-term study that's been conducted  
21 22 years and that's at Auke Lake. We've seen abundance  
22 there basically increase from 1980 through 1990 of sea  
23 run trout. We experienced a series of three low years  
24 after that. After the '94 restrictions were put into  
25 place we saw a further increase through '96, but since  
26 1996 we've seen a decline and abundance estimates of sea  
27 run cuts immigrating from Auke Lake is now down to a low  
28 period that's equivalent to what we saw, or even less  
29 than what we saw in the early '90s.

30  
31 Unfortunately, even though we've made  
32 concerted effort in this regard, we don't know how well  
33 these trends indicate abundance region-wide, they're four  
34 lakes. We have hundreds of known populations and there  
35 are many that we don't know of.

36  
37 So we feel that increasing the bag limit  
38 at this time and repealing the size limit as proposed and  
39 as recommended by Federal Staff creates a harvest  
40 potential for cutthroat trout that doesn't appear  
41 sustainable. If it's realized we feel it will very  
42 likely cause renewed population declines.

43  
44 I think one key question is how many  
45 people will participate. What we see in the sportfishery  
46 is that region-wide we have about 8,000 to 10,000  
47 residents that participate in the sportfishery, you know,  
48 how many of those will be eligible under Federal  
49 subsistence rules, I don't know, I think a fair number  
50 would be. There may also be people that elect to fish in

1 addition to the people that now fish in the sportfishery,  
2 but we feel if this proposal is passed as recommended by  
3 the Federal Staff or as proposed has a very real  
4 potential to increase harvest to levels that we saw prior  
5 to '94 and renew declines that we saw prior to that time  
6 as well.

7  
8 I also want to point out that the  
9 proposal mentioned that most subsistence users prefer  
10 smaller trout of about 12 inches and I just want to make  
11 the point that under the current sportfishing and I  
12 believe the Federal Subsistence regulations, trout of  
13 that size are available for harvest, the minimums in  
14 place right now are 11 inches.

15  
16 As far as brook trout and Arctic  
17 grayling, as Mr. Casipit mentioned, populations of those  
18 species in Southeast aren't native to the area. They do  
19 number few in number in terms of populations and they're  
20 small in size. They were introduced in the area, both  
21 species, many of the places that those species were  
22 introduced didn't take, they died out. There are small  
23 numbers of populations left in the region. We don't know  
24 much about those populations, we have conducted stock  
25 assessment at, I believe, two lakes in Southeast, on  
26 brook trout, we haven't done any work on grayling. There  
27 is considerable information available for those species  
28 outside of Southeast Alaska in the Lower 48 and that  
29 indicates that harvest oriented fisheries can cause  
30 populations of those species to decline. They are  
31 susceptible to over fishing.

32  
33 The limited information in the Federal  
34 Staff analysis, we feel reflects there's a substantial  
35 need for more specific information about the subsistence  
36 use of these species on a species by species and  
37 community by community basis. We feel that there very  
38 well may be potential for providing for subsistence uses,  
39 but to really examine that, given the different  
40 characteristics of the different species involved, the  
41 different harvest patterns by the communities in  
42 Southeast and the lack of knowledge that we have on these  
43 specific stocks, we feel that that ought to be done on a  
44 community by community or a species by species basis.

45  
46 So we ask the Council to consider  
47 supporting a focus on specific areas and drainages where  
48 there's a question regarding the harvest opportunity,  
49 whether it's currently adequate or not and help further  
50 guide cooperative efforts on stock assessment and

1 subsistence harvest use and patterns, in other words, if  
2 we know where it's important to harvest some of these  
3 species it would be much easier to focus stock assessment  
4 and harvest assessment information in those areas and  
5 that could provide the basis for project requests for  
6 cooperative research and local involvement in areas of  
7 concern. We could then use the resulting information in  
8 crafting regulatory provisions that address conservation  
9 needs, customary and traditional use patterns and other  
10 uses where harvestable surplus is sufficient.

11

12 Our comment at this point on the broad  
13 scope of this proposal is that we do not support it as  
14 written.

15

16 DR. GARZA: As a point of clarification,  
17 is that as written and modified or as written?

18

19 MR. BROOKOVER: Mr. Chair. Ms. Garza,  
20 that's as written and as recommended in the Federal  
21 Staff. Again, we feel there's potentially opportunity  
22 for subsistence harvest in places but to really get at  
23 that we need to focus on specific areas and specific  
24 species.

25

26 DR. GARZA: One other point of  
27 clarification, you had mentioned eight to 10,000  
28 fishermen, is that statewide?

29

30 MR. BROOKOVER: Mr. Chair. Ms. Garza.  
31 No, that's in Southeast Alaska, that's the number of  
32 people that we see fish in the sportfishery each year  
33 that are residents of the state. So in other words,  
34 they're Alaska residents but that fishing occurs in  
35 Southeast Alaska.

36

37 DR. GARZA: Any questions. Mr.  
38 Littlefield.

39

40 CHAIRMAN LITTLEFIELD: Earlier Mr. Bangs  
41 asked Mr. Casipit a question about the mortality rate of  
42 the smaller fish implying that they were less able to  
43 withstand being hooked and I kind of agree with that, do  
44 you have any comment that you could make on whether you  
45 think that mortality rate maybe should be much higher for  
46 releasing smaller fish?

47

48 MR. BROOKOVER: Mr. Chair, yes, I do. We  
49 conducted an intensive literature search when the issue  
50 came up before the Board in 1994 and what we found in

1 that literature search and subsequent to then in  
2 evaluating proposals before the Board of Fish this last  
3 February 2003, was that, all the literature to date  
4 indicates that mortality on cutthroat, in particular, is  
5 high with the use of bait, I believe in the order of 40  
6 percent. But when you remove the use of bait, it drops  
7 significantly. And if you look at the current  
8 literature, studies that have been done, it's about five  
9 percent.

10  
11 It compares somewhat with steelhead.  
12 What we saw for steelhead when we did the review, a  
13 review of, I think, nine studies at the time, and for  
14 steelhead without the use of bait, the range of mortality  
15 was about three to four and a half percent, for cutthroat  
16 it's about five percent, I believe. So it may be  
17 incrementally higher but it's in the same range.

18  
19 CHAIRMAN LITTLEFIELD: I don't know if  
20 you really answered that, did you say that size doesn't  
21 matter?

22  
23 (Laughter)

24  
25 MR. BROOKOVER: Mr. Chair, size of fish?

26  
27 (Laughter)

28  
29 CHAIRMAN LITTLEFIELD: Mortality rate is  
30 my question.

31  
32 (Laughter)

33  
34 CHAIRMAN LITTLEFIELD: The mortality rate  
35 is what he was asking about, whether the size matters  
36 there, in other words, if we catch a small fish and we  
37 release it is the mortality rate five percent or is it  
38 seven in a half or is it 40 percent?

39  
40 MR. BROOKOVER: Mr. Chair, the studies  
41 that I know of looked at fish of all sizes. I don't have  
42 any information on the mortality of a five inch fish  
43 versus the mortality of a 10 inch fish.

44  
45 DR. GARZA: Mr. Stokes, and then Mr.  
46 Littlefield.

47  
48 MR. STOKES: Just a little information, I  
49 never have agreed with hook and release because I've been  
50 taught to never play with food.

1 DR. GARZA: Mr. Littlefield, and then Mr.  
2 Hernandez.

3  
4 CHAIRMAN LITTLEFIELD: Thank you, Madame  
5 Chair. If I'm looking at these tables correctly, Table 3  
6 in the Federal book says there's about roughly 150,000  
7 catch of trout, very little of that is actually being --  
8 very little of that is actually being taken home to eat.  
9 But if you take those numbers and divide them by what  
10 you're suggesting is 8,000 fishermen in Southeast Alaska  
11 that's like 20 fish a day. If they were able to just  
12 take these fish that are being played with, you know, I  
13 mean under State law as well as Federal law, subsistence  
14 has the priority, so given that if these -- the  
15 conservation concern exists if those fish, 180,000 were  
16 reallocated to subsistence users, because apparently  
17 you're able to live with 180,000 take right now and we're  
18 just telling you that subsistence is the higher priority  
19 so is this number okay that's on the table, is that  
20 amount of take acceptable?

21  
22 MR. BROOKOVER: Mr. Chair, I should point  
23 out that the numbers in Table 3, again, like the  
24 steelhead numbers in the previous table apply region-  
25 wide, so that includes Yakutat. I think that's outside  
26 the scope of this proposal. That would be reduced by  
27 somewhat not to the degree that it would reduce the  
28 steelhead harvest. Also in terms of the number of people  
29 that fish in Southeast Alaska, actually the number of  
30 people who fish when you include residents and non-  
31 residents as a group it's higher, it's 24,000, the number  
32 roughly on average, say the last five years. The number  
33 I was referring to earlier was the number of Alaska  
34 residents that fished in Southeast Alaska. And I guess  
35 when I'm looking at this table, you mentioned 100,000-  
36 some I'm looking at 2002 and for cutthroat trout I see  
37 39,000 for catch and rainbow trout 19,000 for a catch.

38  
39 CHAIRMAN LITTLEFIELD: If you add up the  
40 cutthroat, rainbow, Dolly Varden and grayling and all  
41 that, there's 140,000, 150,000 trout, I call them trout,  
42 I'm sorry I didn't specify between the species, but  
43 they're all trout to me.

44  
45 MR. BROOKOVER: Mr. Chair, yes, and my  
46 understanding is that Federal regulations in a sense for  
47 trout, cutthroat trout and rainbow trout mirror State  
48 sportfishing regulations, in other words, you can take  
49 both species under both regulations and there's an 11  
50 inch minimum size limit that applies and if I'm wrong

1 there Mr. Casipit can correct me.

2

3 MR. CASIPIT: That's correct, plus  
4 there's those six lakes that you can -- yeah.

5

6 DR. GARZA: Thank you, Mr. Brookover.  
7 Tribal governments -- excuse me, one more question. Mr.  
8 Hernandez.

9

10 MR. HERNANDEZ: Thank you, Madame Chair.  
11 Tom, you mentioned in your report pretty severe  
12 conservation restrictions since 1994 and you've done  
13 studies on specific locations there and found very little  
14 increase in population over a 10 year period, have you  
15 investigated environmental factors that may have changed  
16 in that time period affecting populations? I think I  
17 recall in one instance in your report, which I read, that  
18 you mentioned a possibility there, in one of your study  
19 areas, Auke Lake, I was just wondering if you have done  
20 any investigation as to environmental factors?

21

22 MR. BROOKOVER: Mr. Hernandez, I'll refer  
23 to our trout research biologist, Mr. Roger Harding, for  
24 that.

25

26 MR. HARDING: Yes, I think the only  
27 environmental change we would have would be at Auke Lake  
28 would be more urbanization, the other lakes, Baranof,  
29 Turner that we have studied have remained pretty much the  
30 same, there hasn't been any environmental changes other  
31 than climate changes perhaps, and at Florence Lake it has  
32 been clear-cut logged since the early 1990s.

33

34 DR. GARZA: Can you give your name for  
35 the record, please?

36

37 MR. HARDING: Yes, Roger Harding.

38

39 MR. HERNANDEZ: So that indicates to me  
40 that there are possibly -- that two of your study areas  
41 have been significantly affected by environmental  
42 factors?

43

44 MR. HARDING: Yes, Auke Lake certainly  
45 has and Florence Lake, I think what we're seeing there is  
46 often times after clear-cut you might see a spike in  
47 production more the nutrients coming into the lake and  
48 the effort at Florence Lake as dropped off tremendously,  
49 people just aren't going there anymore since it's been  
50 clear-cut logged to the Forest Service cabins.

1                   One thing I'd like to point out on the  
2 biology at Turner Lake, one of the reasons I don't think  
3 it's taking -- we haven't seen a rebound is the fish are  
4 so long lived. Recently we captured a fish that was 12  
5 years old from the time we marked it until the time we  
6 recaptured it and it was approximately three years old  
7 when we tagged it. So the longevity of these fish is  
8 pretty amazing.

9  
10                   DR. GARZA: Any further questions for  
11 ADF&G Staff.

12  
13                   (No comments)

14  
15                   DR. GARZA: Thank you. Tribal government  
16 comments.

17  
18                   MR. LORRIGAN: Good morning, Council,  
19 Madame Chair. My name is Jack Lorrigan from the Sitka  
20 Tribe. And our customary and traditional resource  
21 committee has met on this proposal and we supported the  
22 Staff with modifications.

23  
24                   There are a few people that I know around  
25 Sitka that feel the way Mr. Stokes does that there are  
26 plenty of Dollys and some that don't feel that way. I  
27 grew up with the assumption that Dollys were kind of the  
28 coyote of the fish world and a blithe on man or the fish  
29 world but that was the mind set of those days and those  
30 are the people I grew up around. But I feel that Dollys  
31 are very important for the resource for whatever role  
32 they play they're there. There are lakes that have high  
33 impact, a lot of -- they have a lot of access in terms of  
34 float plane or road, or they're close to the beach, those  
35 lakes could probably be protected with some regulation or  
36 whatever. There are lakes that people never get to.  
37 I've encountered some of those lakes, particularly around  
38 Kuiu that they never see a rod or reel ever and a lot of  
39 the fish in there are stunted and at the time the size  
40 limit you couldn't take any of them home, they were there  
41 to remain there forever. And they're kind of -- it seems  
42 like a bit of a waste, you know, you'd have to release  
43 them and some of the fish would die because they were  
44 hooked too badly, even with artificial lures, the treble  
45 hook got in the gill.

46  
47                   So just based on personal experience and  
48 the C&T meeting, this proposal doesn't seem that  
49 outrageous.

50

1 DR. GARZA: Questions for Mr. Lorrigan.  
2  
3 (No comments)  
4  
5 DR. GARZA: Your son's looking for you.  
6 Are there any other tribal governments that wish to  
7 testify at this time.  
8  
9 (No comments)  
10  
11 DR. GARZA: I would like to recognize  
12 Harold Martin as well as Matt Kookesh who just joined us,  
13 thank you for being here.  
14  
15 (Applause)  
16  
17 DR. GARZA: Other Federal agency  
18 comments.  
19  
20 (No comments)  
21  
22 DR. GARZA: InterAgency Staff report.  
23  
24 MR. KESSLER: Thank you, Madame Chair and  
25 Council. I'm Steve Kessler with the Forest Service,  
26 InterAgency Staff Committee. The Staff Committee  
27 believes that the facts presented in the analysis were  
28 correct and the committee supported the preliminary  
29 conclusion based on what was in the proposal analysis at  
30 the time.  
31  
32 DR. GARZA: Questions for Steve.  
33  
34 (No comments)  
35  
36 DR. GARZA: Thank you. Are there any Fish  
37 and Game Advisory Committee comments.  
38  
39 (No comments)  
40  
41 DR. GARZA: Dr. Schroeder, are there any  
42 written comments.  
43  
44 DR. SCHROEDER: Madame Chair, we have no  
45 written comments on this proposal.  
46  
47 DR. GARZA: Is there anybody in the  
48 public that wishes to testify to Proposal 30.  
49  
50 (No comments)

1 DR. GARZA: We are now ready for Council  
2 deliberation. We have before us -- well, we almost have  
3 before us Proposal 30.  
4  
5 CHAIRMAN LITTLEFIELD: Madame Chair.  
6  
7 DR. GARZA: Mr. Littlefield.  
8  
9 CHAIRMAN LITTLEFIELD: Madame Chair, I  
10 move to adopt FP05-30 as shown on Page 147 under the  
11 proposed regulation.  
12  
13 MR. STOKES: Second.  
14  
15 DR. GARZA: Mr. Littlefield.  
16  
17 CHAIRMAN LITTLEFIELD: Madame Chair, I  
18 don't believe we need to read this, is that acceptable  
19 not to read this, everybody has a copy and knows what's  
20 there.  
21  
22 Okay, I'm going to support the -- I would  
23 like to make an amendment at this time, to substitute the  
24 language shown on Page 158 and 159 under the Staff's  
25 preliminary conclusion. The motion would be to  
26 substitute that language for Proposal FP05-30.  
27  
28 MR. KITKA: Second it.  
29  
30 DR. GARZA: It's been moved and seconded  
31 to amend the language to that which is found on the  
32 bottom part of 158, the top part of 159, that amendment  
33 is before us, is there any discussion on the amendment  
34 for substitute language.  
35  
36 (No comments)  
37  
38 CHAIRMAN LITTLEFIELD: Question.  
39  
40 DR. GARZA: Question has been called.  
41 All in favor of amending the proposal to the substitute  
42 language found on Page 158 and 159 signify by saying aye.  
43  
44 IN UNISON: Aye.  
45  
46 DR. GARZA: Opposed.  
47  
48 (No opposing votes)  
49  
50 DR. GARZA: We now have the Staff

1 recommendation language before us. Mr. Littlefield.

2

3 CHAIRMAN LITTLEFIELD: Thank you, Madame  
4 Chair. As the proponent this was similar to the previous  
5 proposal on steelhead, I was asked by some rural  
6 residents to submit this proposal for them and I did so  
7 and suggested limits that I thought would generate some  
8 discussion on the State and local level and they have.

9

10 I am completely satisfied with the  
11 modification suggested by Staff on Page 158 because they  
12 did flush out the information we were looking for and  
13 they indicate there is no conservation concern. I also  
14 think there is no conservation concern because we are  
15 already taking 150,000 trout in Southeast and I know that  
16 subsistence users, at least, in my opinion I do not  
17 believe they will get anywhere near that number and there  
18 is no conservation concern.

19

20 The data is somewhat limited but it is  
21 acceptable for me. I don't have any problem with the  
22 amount of data that was represented. Certainly this is  
23 going to be to the benefit of subsistence users. They're  
24 no longer going to be cited for having three fish,  
25 they're no longer going to have to worry about the slot  
26 limit. The limits, although a little lower than I  
27 suggested were -- seemed adequate for a family that was  
28 on an outing to feed their family. In other words, they  
29 could take home enough fish that day that they would not  
30 be violating the law.

31

32 The effect on other users is marginal.  
33 There may be some restrictions but that's the State's  
34 responsibility to do that, not ours. So, therefore,  
35 under the Federal system there is no effect on other  
36 users.

37

38 So therefore Madame Chair, I'm going to  
39 support the substitute language shown on Page 158.

40

41 DR. GARZA: Is there any further  
42 discussion on the substitute language on Page 158 and  
43 159.

44

45 (No comments)

46

47 MR. DOUVILLE: Question.

48

49 DR. GARZA: Question has been called by  
50 Mr. Douville. All in favor of the language on Page

1 158/159 for Proposal 30 signify by saying aye.

2

3 IN UNISON: Aye.

4

5 DR. GARZA Opposed.

6

7 (No opposing votes)

8

9 DR. GARZA: The motion passes  
10 unanimously. I will give the Chair back to Mr.  
11 Littlefield.

12

13 CHAIRMAN LITTLEFIELD: Thank you, Dr.  
14 Garza. As is every other time you've done that it was  
15 excellent and very good job. Thank you very much for  
16 taking over that. I'd like to note that Mr. Johnson, is  
17 he available -- I think I'd like to have Mr. Johnson come  
18 up and finish what he started yesterday, we had to stop  
19 on his presentation on -- where are we, on bullet No. 5  
20 on the canary handout, we'll put it up on the board.

21

22 Mr. Johnson.

23

24 MR. JOHNSON: Thank you, Mr. Chairman.  
25 Council. Basically where we were yesterday was the  
26 discussion that had started regarding proposals that the  
27 Council may or may not wish to submit to the Federal  
28 Subsistence Board. The deadline for doing that is  
29 October 22nd. As you know you have submitted a proposal  
30 to the Board of Game, which is in the booklet on Page 51  
31 and you also have before you a copy of the letter from  
32 the Forest Supervisor Forrest Cole in support of that  
33 proposal.

34

35 DR. SCHROEDER: Mr. Chair. Mr. Johnson,  
36 I think we disposed of that matter and we identified  
37 Council members who will represent the Council at the  
38 Board of Game. I think we're at number 5 on the screen,  
39 Dave, where we're talking about whether there are any  
40 Council proposals to the Federal Subsistence Board. And  
41 the idea is that if Council could express its intent on  
42 any issues then we'd craft out the exact wording of the  
43 proposal.

44

45 Two proposals have been discussed, one  
46 would be a placeholder proposal should the Board of Game  
47 choose not to act on our request for a registration  
48 permit for GMU 2 deer and the second would be any Council  
49 interest in doing something with the use of bear parts.  
50 There also could be other issues as well.

1 MR. JOHNSON: Just that the Staff's  
2 available to craft any proposal that the Regional Council  
3 would like to have crafted.

4  
5 CHAIRMAN LITTLEFIELD: Okay, what we've  
6 got later under Agency Reports is we have a presentation  
7 on the handicrafts made from bear fur. What's happened  
8 is, if you read your paperwork, you'll find that the  
9 state of Alaska has filed a request for reconsideration  
10 on Proposal WP-01 that the Southeast Alaska Regional  
11 Advisory Council accepted last year and recommended for  
12 passage by the Federal Subsistence Board.

13  
14 Subsequently the Federal Subsistence  
15 Board adopted that proposal WP-01 and complied with all  
16 of the Regional Council's requests as they are mandated  
17 to by ANILCA supporting the three Regional Councils that  
18 desired to have this apply to them and supported the  
19 other Regional Councils that did not desire this at this  
20 time.

21  
22 We are not the ones that are going to do  
23 a request for reconsideration, that's a function of the  
24 Federal Subsistence Board, however, we need to make our  
25 intentions known here. In other words we will do that a  
26 little later but what we should do, in my estimation, is  
27 submit a proposal generated by the SERAC that recognizes  
28 the use of all of the things that we passed in WP-01.

29  
30 Did you have anything to add on that Dr.  
31 Schroeder.

32  
33 DR. SCHROEDER: I think you covered it,  
34 John. If SERAC does have concerns that would be an  
35 appropriate action.

36  
37 CHAIRMAN LITTLEFIELD: Okay. Well,  
38 what's the feeling of the Council, would Council like to  
39 direct Staff to submit a proposal on our behalf here on  
40 the bear claws, bear parts, bear fur?

41  
42 (No comments)

43  
44 CHAIRMAN LITTLEFIELD: Is there any  
45 objection to asking the Staff to go ahead and produce  
46 that so that we have that proposal submitted  
47 appropriately and on time?

48  
49 (Council shakes head negatively)

50

1 CHAIRMAN LITTLEFIELD: Hearing none,  
2 we'll ask them to go ahead and do that.

3  
4 The second one was, as you know we --  
5 I'll let Dr. Schroeder handle it.

6  
7 DR. SCHROEDER: Mr. Littlefield, could  
8 you or a Council member put on the record what the nature  
9 of that proposal would be concerning the use of bear  
10 parts? If we have a good intent, I think Johnson and his  
11 staff can put together a proposal that would express that  
12 intent.

13  
14 CHAIRMAN LITTLEFIELD: I think the intent  
15 would be to recognize that it's been a long-term  
16 customary and traditional practice of the rural residents  
17 of Southeast Alaska to utilize bear parts, food, and  
18 everything attached to them and have used them since time  
19 and immemorial and I think that should be stated in the  
20 record that it's a long-term generational use and we want  
21 the record to be clear that this is not something that's  
22 popped up in the last couple years as far as use of brown  
23 bear parts.

24  
25 Is there anything else that you would  
26 like to add to this?

27  
28 DR. GARZA: Mr. Chairman, only that if we  
29 went to the State museums we would find ample samples of  
30 those types of uses in regalia.

31  
32 CHAIRMAN LITTLEFIELD: Yes, that's  
33 correct. You only have to look at the Merrill  
34 photographs to see that, you know, many, many examples of  
35 people in there with bear claws. You can look at the  
36 2004 celebration picture here in Juneau and there are  
37 bear claws and evidence there worn by our people. We  
38 have several clans, at least, the Tawkwaadi, and the  
39 Chukanadee come to mind who have a bear as their symbol  
40 and use all of that.

41  
42 So if you could justify that and make it  
43 clear to the Board that we want that customary and  
44 traditional use of all bear parts.

45  
46 MR. JOHNSON: Mr. Chairman, is it clear  
47 that it's any bear, black bear, brown bear or are you  
48 wanting to specify?

49  
50 CHAIRMAN LITTLEFIELD: Mr. Bangs.

1 MR. BANGS: Thank you, Mr. Chairman.  
2 That's exactly what I was going to ask. He mentioned  
3 brown bear, I was wondering if we're talking both black  
4 and brown?

5  
6 CHAIRMAN LITTLEFIELD: I believe we  
7 already had it for black and make sure it includes all  
8 bear. I believe we already have regulation in there for  
9 black bear. But let's just make sure that we're clear  
10 and on the record, we're talking about bear have been used  
11 as C&T use, long-term generational use in Southeast  
12 Alaska.

13  
14 InterAgency Staff Committee please come  
15 forward.

16  
17 MR. KESSLER: Yeah, Mr. Chair, this is  
18 Steve Kessler. I just want to be clear on this one, does  
19 this relate to the sale of these parts as handicrafts as  
20 we had in the previous proposal and what was accepted,  
21 because you haven't mentioned yet if this is specifically  
22 sale of those parts?

23  
24 CHAIRMAN LITTLEFIELD: I believe the  
25 answer is a resounding yes. In other words, there's --  
26 if you look at ANILCA it doesn't just talk about eating  
27 bears, we have other uses of the subsistence resources.  
28 We can use them for food, for shelter, for  
29 transportation, for handicrafts, for customary trade and  
30 I expect all of that to be justified by the Federal  
31 Staff.

32  
33 So the answer's yes.

34  
35 Dr. Garza.

36  
37 DR. GARZA: And just to continue a bit on  
38 that, I mean trade and barter clearly has advanced to  
39 include cash. I mean that has been tested in ADF&G  
40 herring cases statewide and that was clearly demonstrated  
41 that cash is part of the C&T process.

42  
43 CHAIRMAN LITTLEFIELD: Dr. Schroeder.

44  
45 DR. SCHROEDER: Mr. Chair, can we get  
46 clarification on the question of a registration permit  
47 for Unit 2 deer, I know it's been the longstanding  
48 interest of the Council to get a much better handle on  
49 reporting of deer harvest on Prince of Wales, the -- what  
50 Council members have asked to put out there for

1 discussion is the possibility of a Federal permit which  
2 would apply to all hunters, not only -- at the present  
3 time all subsistence hunters are required to report their  
4 harvest and we've heard that there's been very good  
5 compliance with that reporting scheme that's in place.  
6 This would basically break new ground in requiring anyone  
7 who was hunting to -- include people who are not hunting  
8 under Federal subsistence regulations to use a Federal  
9 registration permit.

10

11 The second issue there would be whether  
12 the request would be -- should that request go forward,  
13 whether it would apply to Federal lands in Unit 2 or  
14 whether the Council's wishes would be to have this apply  
15 to the whole of Unit 2 given the patchwork land status in  
16 that unit.

17

18 CHAIRMAN LITTLEFIELD: My recommendation  
19 is that the Council approve Staff drafting a proposal  
20 that mirrors what's shown on Page 51 in your Board book.  
21 On Page 51 of the Board book we approved at the June 1st  
22 teleconference meeting a proposal to the Board of Game in  
23 November that's going to ask them to do just that,  
24 institute a registration permit.

25

26 We should also, as a fall back position  
27 present the very same proposal, crafted very similar to  
28 that to the Federal Subsistence Board, at the same time,  
29 we should have both of these. And that's what I'm asking  
30 permission that we do.

31

32 I'll let the Council, Mr. Douville and  
33 others discuss whether they want this to apply to U-2 or  
34 Prince of Wales, or the Islands, surrounding islands but  
35 I think we need to submit this to the Board.

36

37 Mr. Douville.

38

39 MR. DOUVILLE: I would suggest that all  
40 the land in Unit 2 that is under Federal jurisdiction be  
41 included and not just Prince of Wales which now, I think,  
42 excludes the island, or in the past it has, you know what  
43 I'm talking about.

44

45 CHAIRMAN LITTLEFIELD: Yes.

46

47 MR. DOUVILLE: If we're going to do a  
48 survey on it I think it should include all of Unit 2, not  
49 just a portion of it.

50

1 CHAIRMAN LITTLEFIELD: Mr. Johnson, is  
2 that doable?  
3  
4 MR. JOHNSON: Yes, Mr. Chair. And Unit 2  
5 does encompass all of the outside islands in Unit 2.  
6  
7 CHAIRMAN LITTLEFIELD: Is there any  
8 objection to submitting this proposal to the Federal  
9 Subsistence Board and including all of Unit 2.  
10  
11 (Council shakes head negatively)  
12  
13 CHAIRMAN LITTLEFIELD: Dr. Schroeder.  
14  
15 DR. SCHROEDER: I may have missed a piece  
16 of the discussion, was the intent to include all Federal  
17 land in Unit 2 or all land in Unit 2, Mr. Chair.  
18  
19 CHAIRMAN LITTLEFIELD: Mr. Douville.  
20  
21 MR. DOUVILLE: I'm talking about all land  
22 that, I guess, that is under Federal jurisdiction or  
23 could be legally encompassed in the -- if you know what  
24 I'm talking about, there may be some areas, private land  
25 or whatever that we have nothing to -- or we couldn't  
26 request that or something to that effect anyway.  
27  
28 CHAIRMAN LITTLEFIELD: Okay, I understand  
29 your intent is to include all of it and I concur, but I'd  
30 like to have Mr. Boyd come forward, this issue's been  
31 before the Federal Subsistence Board several times,  
32 they're well aware of U-2, and maybe you could give us  
33 some indication of where we could go and how far we could  
34 go on this particular proposal.  
35  
36 MR. BOYD: Mr. Chair, I'm going to  
37 apologize because I'm trying to play catch up, you were  
38 referring to Page 51 and I turned to 51 to read it so I  
39 could get it into my head so I'm going to refrain from  
40 responding at this point and give me a few minutes to  
41 sort of digest this.  
42  
43 CHAIRMAN LITTLEFIELD: Take a brief at  
44 ease, grab a quick cup of coffee, come back in a couple  
45 minutes, and Mr. Boyd, if need be, our Council can assist  
46 there and give us our directions.  
47  
48 Hold on, just real quickly, Melinda.  
49  
50 MS. HERNANDEZ: Hi, everybody, I've got

1 to excuse myself and head back out to the university but  
2 my dance group just wanted to extend our great thanks to  
3 you guys, very generous yesterday, we raised \$750 for our  
4 group.

5  
6 (Applause)

7  
8 MS. HERNANDEZ: And that's the biggest  
9 fundraiser we've had in a long time so thanks much. We  
10 enjoyed performing for you guys, we hope you liked it,  
11 had a good meal and I'll see you all at the next meeting.

12  
13 Thanks.

14  
15 DR. SCHROEDER: And I have one comment,  
16 if logistics and arrangements and quite a few things at  
17 this meeting have gone well, that's largely due to  
18 Melinda's excellent efforts in making things happen  
19 smoothly and I still had my fingers in there so that if  
20 some things didn't work, well, I'll take responsibility  
21 for those.

22  
23 Thank you, Melinda.

24  
25 (Off record)

26  
27 (On record)

28  
29 CHAIRMAN LITTLEFIELD: Mr. Boyd.

30  
31 MR. BOYD: It never ceases to amaze me  
32 how we confront new situations almost every day in this  
33 program that we haven't encountered before and this is,  
34 at least, for me, this is one of them. So I guess what  
35 I'm going to say is probably a bit -- I'm going to use as  
36 much caution as I can about providing this advice because  
37 I simply don't know and we simply don't know the answer  
38 to the question.

39  
40 I think what you're doing with regard to  
41 the proposal that you've already submitted to the Board  
42 of Game is appropriate and is a good first step because  
43 that's the first recourse and the first appropriate  
44 recourse. Now, I'm assuming you want to submit a  
45 proposal that's similar to this one in order to cover  
46 your bases in case you don't prevail at the Board of  
47 Game?

48  
49 CHAIRMAN LITTLEFIELD: That's correct,  
50 that's my intention. If the Board of Game should say no,

1 this is our fall back, Federal Subsistence Board  
2 proposal.

3

4 MR. BOYD: You know, and upon trying to  
5 respond my first reaction was our authority's are pretty  
6 limited, it's within Federal jurisdiction and applies to  
7 the subsistence uses within Federal jurisdiction.  
8 However, what we don't know is sort of how far we can go  
9 and what the authorities are for us to reach beyond that  
10 and whether those situations apply in this case.

11

12 So I guess I'm going to suggest to you at  
13 this point that you go ahead and submit your proposal,  
14 broadly, as a placeholder, if you will and then we can  
15 sort out the legalities as we go through this process.

16

17 CHAIRMAN LITTLEFIELD: Okay. Then we'll  
18 encompass the lands from 60 miles off of Cape Mouzon all  
19 the way to Cape.....

20

21 (Laughter)

22

23 CHAIRMAN LITTLEFIELD: Okay, I  
24 understand. Does the Council have any questions.

25

26 (No comments)

27

28 CHAIRMAN LITTLEFIELD: We'll craft this,  
29 the Staff hopefully will craft this broadly enough to  
30 encompass this, and Dr. Schroeder, comments.

31

32 DR. SCHROEDER: Just so we have clarity  
33 on the record then, Staff would be directed to adapt the  
34 proposal on Page 51 that went to the Board of Game and to  
35 submit this to the Federal Subsistence Board and with  
36 Tom's advice to recognize that there's some questions of  
37 jurisdiction that we may not be quite sure about right  
38 now but we would request this registration requirement  
39 apply to all of Unit 2; is that a correct understanding?

40

41 CHAIRMAN LITTLEFIELD: Council, is that  
42 correct? Any objection to that? Dr. Garza.

43

44 DR. GARZA: No, I want to speak to  
45 something else, that's okay.

46

47 CHAIRMAN LITTLEFIELD: Are we ready to  
48 move on then, it's a done deal?

49

50 (Council nods affirmatively)

1 CHAIRMAN LITTLEFIELD: Staff, understand?

2

3 DR. SCHROEDER: (Nods affirmatively)

4

5 DR. GARZA: But as part of that package,  
6 I mean we're sort of doing placeholder proposals here so  
7 this is to expand it to other harvesters provided we  
8 don't get something through the Board of Game. At the  
9 same time I think we need to also have a placeholder  
10 proposal in there that would eliminate the fine against  
11 non-reporting for U-2 harvesters.

12

13 I mean it's ridiculous that those guys  
14 are the only ones who are being forced to report.  
15 Ketchikan people don't lose their opportunity if they  
16 don't report. And we can't continue like that, that's  
17 ridiculous. And so we need to have, at the same time, if  
18 we're not going to get it from Board of Game, if we're  
19 not going to get it through this process, although  
20 reporting is good people should not lose their  
21 opportunity for hunting the next year because they did  
22 not report and it sounded like the means that we should  
23 go through is providing tribes the opportunity to do the  
24 permitting and then the reporting. That has worked  
25 excellent in Hydaburg, it's the first time we've gotten  
26 that kind of data from them and that's the direction we  
27 need to go. And so, you know, in listening, I mean ADF&G  
28 is way ahead of us, they've got the tribes doing  
29 reporting and doing permitting and for some reason we're  
30 either control freaks or we're not sure what to do but  
31 we're not giving the same opportunity.

32

33 Thank you.

34

35 CHAIRMAN LITTLEFIELD: I concur. Staff  
36 or Mr. Boyd -- excuse me, let's go to Mr. Douville first.

37

38 MR. DOUVILLE: Thank you, Mr. Chairman.  
39 Instead of penalizing somebody, I mean if you need this  
40 piece of paper to hunt, it's a registration hunt and you  
41 hunt and the next year you go to get another one, well,  
42 when you turn in this one and give me the report then  
43 I'll issue another one. It could work like that, it  
44 makes more sense to me than penalizing somebody.

45

46 CHAIRMAN LITTLEFIELD: Mr. Johnson.

47

48 MR. JOHNSON: Mr. Chair. Council. I'm  
49 also not aware, perhaps law enforcement would care to  
50 comment, but I'm not aware of anyone who has actually

1 lost the privilege to be able to hunt. We've indicated  
2 that we want the information, we've sent letters from the  
3 District Ranger, people have come in and reported, and so  
4 I share your concern, Dolly, and I just want to reiterate  
5 from yesterday, it is our intent to have the tribes be  
6 issuing the permits. We didn't want them to have the  
7 burden of trying to justify why there were these problems  
8 or rectifying these problems that we've had with numbers  
9 of pieces of paper for the permit, where they're sent,  
10 the results, et cetera.

11

12 CHAIRMAN LITTLEFIELD: In opinion of  
13 Staff, do we need to address that to the Federal  
14 Subsistence Board or can we take care of that here?

15

16 MR. JOHNSON: In my opinion I don't  
17 believe we need to take it to the Board.

18

19 CHAIRMAN LITTLEFIELD: It's my  
20 recollection that the language that the language was may,  
21 not shall, lose their license, it was may. Which to me  
22 implies that you don't have to go to such drastic  
23 measures; is that correct that the language said may?  
24 Let's go to law enforcement.

25

26 MR. PEARSON: Mr. Chair. Ken Pearson  
27 with the Forest Service law enforcement. I'm not finding  
28 it right now but the language reads if you fail to return  
29 that harvest report you are ineligible to receive a  
30 permit for that activity the next year, that's what the  
31 CFR says. It doesn't say you may, it says you are  
32 ineligible.

33

34 DR. GARZA: And it did go through the  
35 Federal Register and so if we want to change it it has to  
36 be through a proposal.

37

38 CHAIRMAN LITTLEFIELD: Okay. I remember  
39 when we had discussion on that we were -- we specifically  
40 addressed that, that this Council did not want that drop  
41 dead you're losing your license, you're going to be  
42 fined. We specifically said we wanted the words, may, in  
43 there. Now, whether they got in there or not, I think  
44 that's the intent of the Council, we don't want people to  
45 be penalized, you know, the final atom bomb if they don't  
46 turn in a subsistence permit they're never allowed to get  
47 one again does not make any sense, subsistence-wise.

48

49 Dr. Schroeder.

50

1 DR. SCHROEDER: Mr. Chairman, could the  
2 Council express that in a form of a resolution so that we  
3 can put this forward with Council support.

4  
5 CHAIRMAN LITTLEFIELD: Do you need a  
6 resolution or do you need the intent, can you draft all  
7 the whereas' on that or can you do that?

8  
9 DR. SCHROEDER: No, we don't need to do  
10 that right now, just that this is a unanimous decision of  
11 the Council at this point.

12  
13 CHAIRMAN LITTLEFIELD: Is there any  
14 objection from the Council to have the Staff generate the  
15 appropriate resolution with all the whereas' directed to  
16 the Federal Subsistence Board that we change the  
17 appropriate regulations that require that and make sure  
18 that it's may, that it's left to the discretion of the  
19 mangers. Any comment on that.

20  
21 (No objections)

22  
23 CHAIRMAN LITTLEFIELD: Okay. Then the  
24 Staff will do that and make sure that that's made  
25 available.

26  
27 Mr. Johnson, I believe that's the end of  
28 the -- or excuse me, Mr. Bangs.

29  
30 MR. BANGS: Thank you, Mr. Chairman. In  
31 my experience with reporting it has been required to  
32 report but not necessarily have the piece of paper. I  
33 displace things and I'd like to have that in there as  
34 well, that you at least have to report if it's a  
35 requirement, but not necessarily have to have the piece  
36 of paper.

37  
38 Thank you.

39  
40 CHAIRMAN LITTLEFIELD: I don't have any  
41 problem with that, yeah, we'll do that.

42  
43 I believe that ends the wildlife  
44 questions unless you want the table -- go ahead, you have  
45 the mic if you want.

46  
47 MR. JOHNSON: Thank you, Mr. Chairman.  
48 Council.

49  
50 CHAIRMAN LITTLEFIELD: Thank you, very

1 much.

2

3 Okay, we're on the last page, Page 5,  
4 let's go to bullet number 12, annual report discussion.  
5 Dr. Schroeder.

6

7 DR. SCHROEDER: Mr. Chairman, in the  
8 interest of time, I'll be very brief with discussion of  
9 the annual report. We've had a number of discussions  
10 about what the obligation is and responsibility of the  
11 Regional Council in developing an annual report. We've  
12 also received encouragement from the Federal Subsistence  
13 Board to address a number of concerns that don't fit  
14 within the proposal framework through the annual report  
15 vehicle.

16

17 What I was hoping from this meeting would  
18 be if the Council could identify two to three members to  
19 work with Staff so that before we meet once again we have  
20 done our homework for the annual report and can bring  
21 something a little bit more polished before the Council  
22 at our next meeting. So what I'd like would be two or  
23 three Council members to be identified to work with Staff  
24 at this time.

25

26 CHAIRMAN LITTLEFIELD: I'm not going to  
27 ask anybody to do that because -- I don't know how we're  
28 going to address that. We have a U-2 deer committee  
29 serving five days, no pay, in the next couple months.  
30 We've got a FIS committee that's going to be meeting.  
31 And I, personally will not ask somebody to serve for no  
32 pay but if there's anybody that wants to volunteer for  
33 this, I certainly would take their volunteerism.

34

35 DR. SCHROEDER: Mr. Chair, I think the  
36 involvement would be to look at documentations and to --  
37 documentation and to participate in a number of  
38 teleconferences between now and our next meeting and if  
39 in town, to eat donuts.

40

41 CHAIRMAN LITTLEFIELD: Mr. Hernandez.

42

43 MR. HERNANDEZ: Mr. Chairman, I think I  
44 could volunteer to devote a little time to that, it must  
45 be the donuts.

46

47 (Laughter)

48

49 CHAIRMAN LITTLEFIELD: Is there any other  
50 Council members that would like to participate.

1                           How about Mr. Kookesh and Mr. Jordan.  
2  
3                           (Laughter)  
4  
5                           CHAIRMAN LITTLEFIELD: Get out of here.  
6 Dr. Schroeder, I'll participate and give you the help,  
7 but like I said I'm not real happy about this about  
8 adding days and days to everybody's schedule here and the  
9 Council basically gets very little credit for this, it's  
10 not recognized that they're all serving as volunteers, so  
11 I'm hesitant to ask them to do anymore, and I do  
12 appreciate Mr. Hernandez, your ability and your  
13 willingness to serve because I know you're already  
14 committed for five days, so thank you very much.  
15  
16                           Is that done, can we move on?  
17  
18                           DR. SCHROEDER: (Nods affirmatively)  
19  
20                           CHAIRMAN LITTLEFIELD: Okay, let's go to  
21 Item 13, agency reports.  
22  
23                           DR. GARZA: Well, wait, we did have  
24 comments for the annual report.  
25  
26                           DR. SCHROEDER: Yes, we do. We can craft  
27 the annual report and.....  
28  
29                           DR. GARZA: No, no, no, I just want to  
30 put in a couple topics.  
31  
32                           DR. SCHROEDER: Oh, certainly.  
33  
34                           DR. GARZA: At least one topic and that's  
35 the -- and Mr. Douville may take over on this part,  
36 that's the issue of somehow or another muscling our  
37 Federal fisheries biologists on Prince of Wales to close  
38 down a number of the steelhead streams mid-season, I  
39 thought was atrocious. I mean it absolutely was counter  
40 to what the proposal was that passed, to what the intent  
41 was of this Council, and I think that needs to be  
42 addressed through letter because I'm not sure how else to  
43 address it. But I have a concern that Federal Staff  
44 sometimes are kind of beat up.  
45  
46                           And in the past when we had in-season  
47 management changes and this was when I was Vice-Chair,  
48 and particular to Wrangell moose area, I was called,  
49 because I was one of the two closest, John Feller and I  
50 were called and said this is the in-season change we're

1 considering doing because of this conservation concern,  
2 blah, blah, blah, do you have any issues with it, and we  
3 both said, no, because we understood the conservation.  
4 Well, nothing was made available to the Council to know  
5 that this was going on until it popped up somewhere near  
6 the end and there may have been some comments by  
7 residents that said, well, we shouldn't be closing these  
8 streams because they're better, they're healthier, blah,  
9 blah, blah, and there should have been input during that  
10 in-season process for at least Council members to  
11 participate, if not, a wider range of community members.

12

13 So I would like to have that subject in  
14 the annual report and I would be glad to review that  
15 portion of it.

16

17 CHAIRMAN LITTLEFIELD: Okay. We'll put  
18 it in the annual report if you want but I think I we can  
19 handle that locally by just directing the Staff not to do  
20 that anymore. And the Council should make it clear that  
21 it's not their intent that when we support a proposal  
22 with a recommendation to the Federal Subsistence Board  
23 that allows the Federal manager in consultation with  
24 ADF&G to look at these small streams and close them that  
25 we don't expect them to just go willy-nilly closing them,  
26 we want them to justify that with the local Council  
27 member who's affected in that area as well as myself.  
28 And I don't have any information other than finding out  
29 second-hand we closed 23 streams, or something like that,  
30 we need to be brought on board, we don't expect that.  
31 And I don't -- annual report's great, we'll put it in  
32 there, but I think the direction to local Staff should  
33 take care of that.

34

35 Mr. Douville.

36

37 MR. DOUVILLE: Just a couple comments on  
38 the subject. I would like to know what prompted the  
39 closure and how it got there, because we have the in-  
40 season manager, he's a District Ranger and there was  
41 transition going on about, you know, at this time, and I  
42 don't think it was just to do that, there was just --  
43 because you're concerned doesn't mean there's good  
44 reason. And like the total harvest on Prince of Wales  
45 was 24 fish, probably the by-catch in these streams in  
46 the past from sportfishing -- or I shouldn't say by-  
47 catch, but the mortality from catch and release in these  
48 streams is probably higher than any subsistence take  
49 would have been. So in my opinion it was an unjust thing  
50 to do.

1                   And not only that, I did show you a spear  
2 and kind of demonstrate how they work, those types of  
3 gear are specific to those fall streams, you don't use  
4 those in the big river because they don't work good, you  
5 can't see the fish and so to me you took a subsistence  
6 opportunity away before it even got started and I totally  
7 disagree. I would like to see the chaining events that  
8 led up to this and some explanation. I don't want to see  
9 it happen again without good cause.

10

11                   Thank you.

12

13                   CHAIRMAN LITTLEFIELD: Mr. Hernandez.

14

15                   MR. HERNANDEZ: Thank you, Mr. Chairman.  
16 Yeah, I'd also be real interested to hear from the local  
17 managers how this came about. Although I guess I'm  
18 looking at it from a little different perspective, you  
19 know, I'd like to point out that this was an  
20 exceptionally dry spring, a drought that started, that  
21 went on all this summer which was pretty exceptional,  
22 started back in May during the steelhead season, and, you  
23 know, without talking to the local area manager, which I  
24 do agree there has to be some consultation but I would  
25 really like to know if that was a factor in his decision  
26 and details like that before we beat up on him too much.  
27 That was a concern I expressed at the previous meeting  
28 about, you know, exceptional circumstances, such as, you  
29 know, environmental factors, weather conditions.

30

31                   So I'd just like to mention that for the  
32 record as well.

33

34                   Thank you.

35

36                   CHAIRMAN LITTLEFIELD: Okay, we're going  
37 to end this by just saying that Staff we do not expect  
38 you to do those closures without contacting at least the  
39 Chair as well as the Council member who is expected to  
40 have the most local knowledge in that area because we  
41 only want -- we want you to talk to us, that's not our  
42 intent to just give you cart blanche closures. So I  
43 think we'll just end it there, we could probably debate  
44 this thing all day long so we're going to talk back about  
45 this again.

46

47                   Let's go to.....

48

49                   MR. CASIPIT: Mr. Chairman.

50

1 CHAIRMAN LITTLEFIELD: Mr. Casipit.

2

3 MR. CASIPIT: I'd just like to respond to  
4 that. You know your concerns are duly noted, I will pay  
5 more attention to that, I apologize. I probably should  
6 have been paying more attention last year.

7

8 There are requirements for our delegated  
9 in-season managers to consult with, not only Fish and  
10 Game but the Council, primarily the local Council member  
11 from the area and the Chair, Mr. Chair, and I will make  
12 sure that all our in-season managers are reinformed of  
13 that requirement.

14

15 Thank you.

16

17 CHAIRMAN LITTLEFIELD: Thank you, sir.

18 Dr. Schroeder.

19

20 DR. SCHROEDER: Mr. Chair, if we're done  
21 with that item and by the way, Council members are  
22 encouraged to bring me any annual report items at any  
23 time and I'll keep a list of those and work those up at  
24 our last meeting.

25

26 Our next item agenda is our agency  
27 reports. There are quite a few written reports which do  
28 not need discussion unless someone wishes to bring them  
29 up. I would like the Council to call on Ann Wilkinson,  
30 who is our FACA specialist with OSM in Anchorage, both,  
31 for discussion of any FACA matters that are of concern to  
32 the Council. Ms. Wilkinson also distributed the final  
33 rule which is in the goldenrod and the Council had  
34 commented on the Proposed Rule some time ago and Ann may  
35 be able to tell you how the final rule came into effect  
36 and how it's going to be implemented.

37

38 CHAIRMAN LITTLEFIELD: Ms. Wilkinson.

39

40 MS. WILKINSON: Good morning, Mr.  
41 Chairman. Members of the Council. I appreciate being  
42 here and having the opportunity to speak with you. I've  
43 enjoyed very much watching you work.

44

45 I would like to take a few minutes to  
46 address some things that regard Council role with ANILCA  
47 and FACA and then speak to these particular FACA  
48 concerns, if that's acceptable to you.

49

50 CHAIRMAN LITTLEFIELD: Go ahead.

1 MS. WILKINSON: Thank you. Your most  
2 recent annual report raised some issues regarding the  
3 Council and their relationship to Title VIII of the  
4 Alaska National Interest Lands Conservation Act and to  
5 the Federal Advisory Committee Act. The basic topics  
6 brought forward were the Council's role as described in  
7 Title VIII and whether FACA applies to the Regional  
8 Advisory Councils. In this briefing I'll first speak  
9 about the Council's role in relation to ANILCA and FACA  
10 and then the particular issues.

11  
12 The purpose of Title VIII is to provide  
13 opportunity for Alaska's rural residents who live a  
14 subsistence way of life to continue to do so. In Title  
15 VIII Congress issued a mandate to the Secretaries of the  
16 Interior and Agriculture and to the Federal land managing  
17 agencies within Alaska to ensure conservation of fish and  
18 wildlife on public lands and to provide continued  
19 subsistence opportunity.

20  
21 Through Title VIII's implementing  
22 regulations, the Secretaries established the Federal  
23 Subsistence Board, they delegated to the Board the  
24 responsibility for managing fish and wildlife resources  
25 for subsistence uses on Federal lands and for setting  
26 operating rules and procedures for the Regional Advisory  
27 Councils. The regulations also stipulated that the Fish  
28 and Wildlife Service would provide administrative support  
29 to the Board. The Office of Subsistence Management  
30 provides that support to the Board and to the Regional  
31 Advisory Councils.

32  
33 The Regional Advisory Council's role is  
34 thoroughly described in Title VIII, the implementing  
35 regulations and the Regional Advisory Council charters.

36  
37 The Council's specific responsibilities  
38 and duties are all directed toward advising the Federal  
39 Subsistence Board or in very specific instances, the  
40 Federal land management agencies on matters relating to  
41 land use decisions.

42  
43 The Council's advise the Board by  
44 responding to specific requests such as regulatory  
45 proposals and by bringing regional issues to the Board's  
46 attention through the annual report, letters to the  
47 Board, through their Chair's at the Board meetings and by  
48 initiating proposals.

49  
50 Your annual report also stated that

1 Alaska's 10 subsistence Regional Advisory Councils are  
2 distinguished from other Federal Advisory Committees by  
3 their ANILCA responsibility to provide a public forum and  
4 to initiate review and evaluate proposals for  
5 regulations, policies, management plans and other matters  
6 relating to subsistence use. In fact, the Regional  
7 Advisory Council's responsibilities under ANILCA are  
8 similar to those of other Federal Advisory Committees.  
9 The Department of the Interior has 115 active advisory  
10 committees, 90 of those committees, including the 10  
11 Regional Advisory Councils were created by Congress. All  
12 of these statutory committees were also charged with  
13 providing a public forum and given other duties very  
14 similar to those Congress assigned to the Regional  
15 Advisory Councils. The Federal Advisory Committee Act  
16 also requires that all statutory Federal committees such  
17 as the Regional Advisory Councils provide a public forum.

18  
19 The Federal Advisory Committee Act  
20 applies to all statutory Federal Advisory Councils unless  
21 specifically exempted by Congress. Title VIII does not  
22 include an exemption for the Regional Advisory Councils.  
23 Moreover, the Title VIII implementing regulations confirm  
24 that Regional Advisory Councils are subject to FACA.

25  
26 The Federal Advisory Committee Act came  
27 about when Congress recognized that there were numerous  
28 committees and similar groups created to advise Federal  
29 agencies without any system of review or oversight to  
30 prevent abuse of the public trust, therefore, Congress  
31 passed this Act in 1972. The purpose of FACA is to hold  
32 all Federal Advisory Committees to standards and  
33 procedures so that no special interest group will have an  
34 advantage in decisions that affect others and to ensure  
35 that all the committees remain advisory in their nature  
36 and function.

37  
38 The Federal Advisory Committee Act  
39 ensures that Federal Advisory Committees are established  
40 only when they're needed and they are disbanded when  
41 their work is done. The FACA ensures that Federal  
42 Advisory Committees are open to public participation and  
43 that the public may have access to all documents prepared  
44 for, used by and created by Federal Advisory Committees.  
45 FACA requires Congress to conduct an annual review of all  
46 Advisory Committee's purpose, membership, cost of  
47 operations and results of their recommendations. The  
48 Federal Advisory Committee Act also requires the  
49 administering agency to establish clear policies and  
50 guidelines so that Advisory Committees will know what

1 their functions are and what they can legally perform.

2

3

4 The Federal Subsistence Board and the  
5 Office of Subsistence Management recognize the importance  
6 of the Regional Advisory Councils to the Federal  
7 Subsistence Management Program and to the people of  
8 Alaska. The Regional Advisory Councils are an invaluable  
9 source of knowledge and wisdom. Both the Board and OSM  
10 are committed to supporting the Regional Advisory  
11 Council's participation as described in Title VIII and  
12 the regulations while meeting the standards set by the  
13 Federal Advisory Committee Act.

14

15 Now, in particular regarding Council  
16 composition. The Regional Advisory Council membership is  
17 changing to meet the Federal Advisory Committee Act as  
18 required for Councils to be fairly balanced and points of  
19 view represented. As you know a Proposed Rule went out  
20 last summer and you commented on it. The Final Rule  
21 regarding the Council composition was signed September  
22 20th and the copy you have is a copy of the Final Rule  
23 without the signature, but it was signed exactly as  
24 printed there. The Final Rule will be published in the  
25 Federal Register this week and become effective 30 days  
26 after the publication date.

27

28 In summary, the Council composition  
29 changes are towards the end of the paper, the comments  
30 are all listed at the beginning but the wording of it is  
31 towards the end. The Board will strive to ensure that 70  
32 percent of the members represent subsistence interests  
33 and 30 percent of the members represent commercial and  
34 sport interest in the regions. Where possible,  
35 membership will include at least one sport use  
36 representative and one commercial use representative.  
37 Applicants will need to identify whether they propose to  
38 represent subsistence, commercial or sport uses on the  
39 respective Councils. As before, Regional Council members  
40 must be residents of the region in which they are  
41 appointed and must be knowledgeable about fish and  
42 wildlife resources and subsistence uses in their region.  
43 The process for selecting Council members is very  
44 thorough and the Board will continue to recommend the  
45 most highly qualified applicants.

46

47 Regarding Council composition on --  
48 excuse me, Council participation on Board committees. In  
49 your most recent annual report, you requested the Board  
50 to review Council participation on Board committees and  
51 working groups. During that review the Board learned

1 that in order to include Regional Advisory Council  
2 members, the MOA protocol committees must be chartered by  
3 the Secretary of the Interior. The FACA charter process  
4 and the FACA requirements for committee operations would  
5 overburden such committees and make them ineffective.  
6 The Board regrets the loss of Regional Advisory Council  
7 representation on these committees but having advice of  
8 the law is compelled to comply. Because the Board values  
9 the Council's information and advice, Councils will be  
10 provided ample opportunity to comment and review the  
11 drafts of these committee's work before the Board takes  
12 any final action on their recommendations.

13

14 And that's the conclusion of my  
15 presentation, sir.

16

17 CHAIRMAN LITTLEFIELD: Thank you.  
18 Questions, comments from the Council.

19

20 Dr. Garza.

21

22 DR. GARZA: In the process of reviewing  
23 applicants for Council seats, will the survey instrument  
24 in process be the same?

25

26 MS. WILKINSON: Last year we began a  
27 little bit different method than had been used before, so  
28 by the same I will say, yes, it will be the same as we  
29 initiated beginning last year, and in that case we do  
30 have stringent standards that are to be met by each  
31 individual applicant.

32

33 DR. GARZA: Okay, let me be a little bit  
34 more specific. So will the survey instrument for the  
35 commercial fishermen representative be the same as the  
36 survey instrument for any of the subsistence people?

37

38 MS. WILKINSON: In general, yes. In  
39 particular, the requirements for a commercial and sport  
40 fishermen -- or sport representative's knowledge of  
41 subsistence is not as high as the requirement of their  
42 knowledge for commercial and sport uses. However, on the  
43 other side subsistence use representatives aren't  
44 required to have as high knowledge in commercial and  
45 sport uses as they are in subsistence. So they're judged  
46 more -- looked at more stringently for the use group that  
47 they choose to represent than they are for the other  
48 uses, but they still must meet a high standard of  
49 knowledge for subsistence uses, very particular about  
50 that.

1 DR. GARZA: If I may, Mr. Chair.  
2  
3 CHAIRMAN LITTLEFIELD: Yes.  
4  
5 DR. GARZA: Okay, and then I've been  
6 reviewed, I think three or four times now and it is a  
7 little bit more than use, it's also participation in what  
8 kind of resources do you use, will those questions also  
9 be asked of the commercial and rec reps?  
10  
11 MS. WILKINSON: Yes, they are. Yes.  
12  
13 CHAIRMAN LITTLEFIELD: Other Council,  
14 questions or comments.  
15  
16 Mr. Bangs.  
17  
18 MR. BANGS: Thank you, Mr. Chair. The  
19 wording represents, I just don't feel comfortable with  
20 that wording at all. I don't feel like I'm -- although I  
21 hold a commercial seat, I don't represent commercial  
22 fishermen on this Council and I just -- I don't know, I  
23 think the wording is real poor.  
24  
25 MS. WILKINSON: Yes, I understand the  
26 reluctance with that word. There are two ways to view  
27 representation. Our elected representatives have the  
28 same dilemma. You can represent someone in that you are  
29 a typical member of that group and, therefore, just your  
30 essence and what you do represents them. Or you are a  
31 representative in the fashion of these people have given  
32 you authority to act on their behalf in certain ways.  
33 And we mean it to be a person is representative because  
34 of who they are, not that they've been given authority.  
35  
36 And I agree that it's an uneasy word to  
37 use and may give people a misunderstanding, but trying to  
38 find a good word to use was really, really hard. And if  
39 someone can come up with a better one I would certainly  
40 be glad for that.  
41  
42 CHAIRMAN LITTLEFIELD: Other Council.  
43 I've got a whole list of comments but it would take you  
44 the rest of the afternoon to respond to them so we'll  
45 just leave it to that.  
46  
47 Ms. Wilkinson.  
48  
49 MS. WILKINSON: Mr. Chairman, I would be  
50 glad to discuss that with you at any time, at your

1 convenience, either by telephone in my office or sometime  
2 later this afternoon, would be fine with me.

3

4 Thank you.

5

6 CHAIRMAN LITTLEFIELD: Okay, one thing on  
7 -- maybe I should bring up the correspondence and that's  
8 on Page 196 or 197 -- yeah, it's shown wrong on your  
9 agency reports.

10

11 MS. WILKINSON: Yes.

12

13 CHAIRMAN LITTLEFIELD: You know this has  
14 been a subject that the Council has felt rather strongly  
15 on and maybe you could spend a little bit more time on  
16 the Council correspondence, please.

17

18 MS. WILKINSON: Frankly, I spent so much  
19 time on the Council correspondence I -- anyway, well, as  
20 you understand this issue came before the Council --  
21 excuse me, before the Office of Subsistence Management in  
22 response to the then practice of Council's sending copies  
23 of their draft correspondence to OSM for review before  
24 being sent out. We were asked to get a formal policy  
25 from the Board, the Federal Subsistence Board and so we  
26 began work on that and, as you know, it took us some time  
27 to get it formulated, it was very, very thoroughly  
28 thought out by many people and went before the Board and  
29 was voted on and passed unanimously by them.

30

31 To me, it's fairly self-explanatory, but  
32 that could be because I was eating, sleeping with it for  
33 nine months, so if you have particular questions I would  
34 be glad to answer them.

35

36 CHAIRMAN LITTLEFIELD: Okay, then would  
37 it be fair to characterize the language on Page 200, the  
38 one through five and the last bullet there, that's the  
39 main sections, is that what applies to this program?

40

41 MS. WILKINSON: Yes. How will the  
42 process work, yes, this is the practicality of how it  
43 will actually be done.

44

45 CHAIRMAN LITTLEFIELD: Okay. Just so the  
46 Council understands, I want to make sure that you  
47 understand, that this is kind of what we're restricted  
48 to, on Page 200, how will the review process work, that's  
49 basically in a nutshell what we're going to end up with  
50 here. So is there any Council that has any questions on

1 what we can or can't do because one through five, that's  
2 it, or excuse me, Ms. Wilkinson.

3

4 MS. WILKINSON: I'm sorry, sir, one  
5 through five is just the process, the review process,  
6 yes. What you may and may not do is outlined on Page 198  
7 -- or actually beginning on Page 197, with the policy  
8 itself.

9

10 And in general administrative  
11 correspondence, such as letters of appreciation, calls  
12 for items for the agenda, such things as that do not need  
13 to have a stringent review at all, in fact, they just  
14 will go through -- excuse me, they don't need the ARD's  
15 approval, Tom's approval at all, they would just go  
16 through the coordinator and probably the coordinator's  
17 supervisor but generally just through the coordinator.  
18 Anything that's more substantive, however, will need to  
19 go through the ARD.

20

21 CHAIRMAN LITTLEFIELD: Mr. Boyd.

22

23 MR. BOYD: Mr. Chair, if I just might add  
24 briefly, I think my approach to this is to -- I mean all  
25 correspondence is a matter of record of a matter of the  
26 administrative record that we have to maintain, whether  
27 it's generated by the Councils or generated by my office  
28 or the Board or any other entity associated with the  
29 program. And as such we want to ensure that we're  
30 staying within our legal sideboards and all of the  
31 protocols associated with that. My approach to  
32 correspondence that you generate similar to what you've  
33 generated in the past is to be helpful to you, is to  
34 assist you in ensuring that we stay within our  
35 sideboards.

36

37 I don't intend to use my authority as a  
38 censor. Certainly, I clearly understand that this  
39 Council as well as other Councils have issues that come  
40 before it and you need the ability to react to those  
41 issues and to correspond to various entities to address  
42 issues that come before you and I certainly don't want to  
43 hamper that. What I want to be able to do is assist you  
44 in doing that. And my review is simply to ensure that  
45 we're staying within our legal frameworks in carrying out  
46 our mission and our functions. And it's my intent to do  
47 it quickly, efficiently and as expeditiously as possible.  
48 And if I do have issues or problems, my attitude is to  
49 ensure that you, the Chair, are notified, that we discuss  
50 those, that we try to develop a mutual understanding

1 about them. It's not to use my authority as a hammer,  
2 but to work with you and assist you in being effective in  
3 what you're doing.

4  
5 CHAIRMAN LITTLEFIELD: Thanks for putting  
6 that on the record, appreciate that. Any other questions  
7 on this. And then I have one final comment, would be on  
8 the participation on the committees. We thought that was  
9 very important, again, at this Council level, we still  
10 think it's important. We do not think it's -- at least I  
11 don't think it's an undue burden on you to accommodate  
12 this. It can be accommodated as simply by making those  
13 participants temporary government employees and that  
14 exempts all the FACA requirements. If we were to send  
15 Mr. Hernandez to the five days of meetings that he has as  
16 a temporary employee it wouldn't be a FACA -- that  
17 particular one is a subcommittee, but I mean if we were  
18 to use that -- some FACA meeting, it just goes away, I  
19 mean we become an active participant in the meeting and  
20 you can get the information from one of these people.  
21 We've already told you on that -- what just transpired  
22 before, we don't want somebody from Arkansas, a State  
23 biologist from Arkansas and a Federal biologist from  
24 Miami determining which stream should be closed without  
25 the input of the people that are sitting here because  
26 these are the ones that comply with ANILCA. They have  
27 their hand on what's happening in the area and they also  
28 provide that meaningful input. And I think that's just  
29 missing on all of this when you exclude this Council from  
30 participating on those committees, you're losing that  
31 important part of it which ANILCA mandates.

32  
33 So that's my personal feeling on this, I  
34 don't think it's insurmountable, there's several ways to  
35 go around it and I think you're missing a real key point  
36 of ANILCA by doing that and we want to see all this stuff  
37 anyway, in other words, you're going to have to bring  
38 that through us anyway, it has to come through us anyway  
39 to get our approval. Because we're not the bottom of the  
40 wrung, we're the top of the wrung, that's what ANILCA set  
41 us up to be, the very first one, the Regional Advisory  
42 Councils are mentioned in there and nobody else that's on  
43 this Federal Subsistence Board or anything else is even  
44 mentioned in there.

45  
46 So we consider ourselves to be the focal  
47 point of this and I'm real disappointed that there isn't  
48 a way that you've worked out to include participation of  
49 all the Regional Advisory Councils in the state in these.  
50

1 MR. BOYD: I guess I'm daring to comment  
2 on this issue. I guess every time the word -- I actually  
3 don't know where to start on this because it's sort of a  
4 subject where you can start in the middle and kind of go  
5 in many directions, but I'll just say briefly that over  
6 the course of the last three or four years we've become  
7 sensitized to our responsibilities under the Federal  
8 Advisory Committee Act. I mean one of the things that we  
9 did to demonstrate that was we created the position that  
10 Ann now holds to help because this was becoming more and  
11 more of an issue that consumed a lot of our time and we  
12 needed a lot of focus on it to help us ensure that we  
13 stayed within the legal sideboards and kept the program  
14 on track.

15  
16 And another significant event is that  
17 we've been litigated on this issue, on FACA issues, so  
18 we've been sensitized to what this law says.

19  
20 I don't think it's our intent to try to  
21 lock anyone out of the process, however, we've got to  
22 stay within our legal sideboards and sometimes it appears  
23 that's what we're doing. And it's my job to ensure that  
24 we're doing that. I hear what you're saying Chairman  
25 Littlefield and I think when we reviewed your annual  
26 report issue dealing with the review of these particular  
27 subcommittees and learned that we were currently  
28 operating outside of FACA on some of these subcommittees  
29 we had to take action to clean up our act. And the Board  
30 has also asked us to look at ways in which we can  
31 continue to accommodate this sort of thing, however, it's  
32 not easy in coming. I do appreciate your suggestion.  
33 I'm not as secure in my understanding about what you're  
34 suggesting that it would be successful, I'll look at it.  
35 But we're looking at other options as well. Certainly  
36 the subcommittee route of a parent committee is certainly  
37 an option we look at when we can do that and when the  
38 committee itself, the issues or the information and the  
39 purpose of the committee lends itself to that approach.  
40 And certainly we want to do that as much as possible.

41  
42 But first and foremost, we've got to make  
43 sure that we're operating within the legal sideboards and  
44 that's sometimes an unpopular task and in this particular  
45 case that's where we are. But I intend to look at  
46 options for trying to resolve some of these things as  
47 well to get at the goal that you're trying to reach as  
48 well, Mr. Littlefield.

49  
50 Thank you.

1 CHAIRMAN LITTLEFIELD: Other Council.

2

3 (No comments)

4

5 CHAIRMAN LITTLEFIELD: Ms. Wilkinson.

6

7 MS. WILKINSON: Thank you. I'd like to  
8 make one comment about that process for chartering the  
9 MOA protocol committees. When we looked at that, that  
10 would take approximately a year, it could be longer and  
11 it could never happen because the Department is really  
12 closing down on chartering new committees. And so, you  
13 know, in that amount of time that would be lost time for  
14 the committees, a year or more, so that seemed a bit  
15 extreme.

16

17 And when I look at my work load, I don't  
18 think of what's onerous for me, I'm considering what's  
19 onerous for the people I serve and that's the Board and  
20 the Councils and the people of Alaska. So that's always  
21 my consideration. When we get back I will check on the  
22 temporary employees idea and see if we can possibly do  
23 that and then I'll get in touch with you right away.

24

25 CHAIRMAN LITTLEFIELD: Okay, thank you.  
26 A year is nothing to us. We've been at this a long time.  
27 So anyway, thank you very much.

28

29 I don't know if you wanted to do anything  
30 on the handicrafts made from bear fur, I think everyone  
31 has seen that handout on Page 203. I think we've  
32 expressed our intent adequately by submitting the Federal  
33 Subsistence Board proposal that we're not in favor of  
34 what's coming up, even though we recognize that's your  
35 function at the Board level. But if you want to -- those  
36 are the only two items I have left if you would like to  
37 comment.

38

39 MR. BOYD: (Shakes head negatively)

40

41 MS. WILKINSON: (Shakes head negatively)

42

43 CHAIRMAN LITTLEFIELD: All right, thank  
44 you very much. It just so happens we're on Item B, the  
45 United States Forest Service and we are pleased to see in  
46 the audience, Mr. Denny Bschor, who is the regional  
47 Forester and also Federal Subsistence Board member. Mr.  
48 Bschor, if you'd like to have the floor.

49

50 MR. BSCHOR: Well, thank you, Chairman

1 Littlefield and Council members. I wanted to take the  
2 opportunity to at least stop by and say Hi. I've been on  
3 the road a little bit here and this is my only day back  
4 within about a four week period, so I figured I better  
5 take advantage of this time as I could.

6  
7 I just want to take a moment to say  
8 thanks. I've been involved with the Subsistence Board  
9 since I arrived in Alaska almost three years ago now and  
10 have seen some just tremendous work that's been done by  
11 this Council. And even though we're a small part of the  
12 state of Alaska, acreage wise, we're a big part of what  
13 goes on at the Subsistence Board meetings, and that's due  
14 to the very good work of the Council, and I just want to  
15 thank you for that. And I've seen a great improvement  
16 relative to actually dealing with issues since I've been  
17 here and I think that the organization and the hard work  
18 of this Council is very evident and I want to thank you  
19 for that. And I know that our Staff from the Forest  
20 Service appreciates that also.

21  
22 I think with that, that's about what I  
23 have to say for today and just am very pleased to be able  
24 to work with you folks.

25  
26 CHAIRMAN LITTLEFIELD: Any Council have a  
27 question. Go ahead, Dr. Garza.

28  
29 DR. GARZA: Thank you, Mr. Chair. First  
30 I'd like to thank you for the potential for the Wildlife  
31 Information System granting program, the proposal program  
32 that was presented to us yesterday by Mr. Johnson. That  
33 would be an absolutely marvelous program if we can get it  
34 funded and if not, if we could find a way to even do some  
35 small grants for communities. Fish are absolutely  
36 important to us but wildlife surely is important to us  
37 and there are a number of issues, as you are aware, that  
38 come back to us, come back to us, come back to us and if  
39 we had some of the research available we might be able to  
40 actually resolve the issues.

41  
42 The other point that's not so nice is it  
43 seems like in the process of the MOA between the Feds and  
44 the State, that I feel like some of the Fed Staff get  
45 beat up. And I don't know maybe because the State's  
46 tougher, but in the issue of steelhead, I felt that the  
47 in-season closures on steelhead on Prince of Wales on the  
48 smaller streams was totally unnecessary. It didn't  
49 follow the proper process of informing the Chair or the  
50 Council members closest to the resource, and so we had no

1 input to it. A partial closure may have been necessary  
2 but a full closure, I got the impression was pretty much  
3 forced on the one Staff member and I would hate to see  
4 things like that continue in the future.

5  
6 Thank you.

7  
8 MR. BSCHOR: Thank you for your concern.  
9 I'm always concerned about relationships whether it be  
10 with this Council and/or the State, and I want to  
11 continue to work to improve that. I won't speak  
12 specifically to the closures, but that did concern me  
13 when that came out also, you need to know that that is  
14 something that we'll continue to look at.

15  
16 CHAIRMAN LITTLEFIELD: Are there any  
17 other Council comments.

18  
19 (No comments)

20  
21 CHAIRMAN LITTLEFIELD: I'd like to say my  
22 personal thanks to you for paying attention to ANILCA. I  
23 think you've been real receptive to what this Council has  
24 said all the time, that they are the cornerstone of this  
25 ANILCA program and you've been real supportive at the  
26 Federal Subsistence Board for those Council members that  
27 don't know it, of at least recognizing the Council's  
28 action as being paramount, bringing those forward for  
29 discussion, may not always agree with all of them, but at  
30 least that's the process and I think it's really improved  
31 and I do appreciate your support for that process, and I  
32 thank you for your help on the other programs.

33  
34 MR. BSCHOR: Very good. Thank you very  
35 much Chairman Littlefield and look forward to our  
36 continued relationship.

37  
38 Thank you.

39  
40 CHAIRMAN LITTLEFIELD: Mr. Kessler, do  
41 you have anything to add or are we done with Forest  
42 Service?

43  
44 MR. KESSLER: I think we need to ask Mr.  
45 Johnson.

46  
47 CHAIRMAN LITTLEFIELD: Mr. Johnson,  
48 Forest Service.

49  
50 MR. JOHNSON: I'll be brief, Mr.

1 Chairman. We will have a final report later on this fall  
2 on the results of the Unit 2 deer subsistence hunt. Mr.  
3 Brainard has a considerable amount of data and we will be  
4 receiving that on into the next year and certainly for  
5 the February meeting we will have a final report on that.

6  
7 I also look forward to continuing working  
8 with the Council on the proposals that will be coming  
9 forward to go to the Federal Subsistence Board.

10  
11 CHAIRMAN LITTLEFIELD: Thank you, sir.  
12 Mr. Casipit, anything to add on that.

13  
14 MR. CASIPIT: No. We'll be in contact  
15 and I'll save comments for closing.

16  
17 CHAIRMAN LITTLEFIELD: Okay, let's go to  
18 the next item, Alaska Department of Fish and Game, Mike  
19 Turek and Staff, if you could make your presentation.  
20 We're going to -- just for the information of the members  
21 present, we are going to finish our business, we have  
22 Council charter review, we also have SEACC on the  
23 proposal as well as -- well, there may be one other one,  
24 too, so we're going to go ahead and proceed until we  
25 finish.

26  
27 Mr. Turek.

28  
29 MR. TUREK: Good morning, Chair and  
30 Council members. I'm Mike Turek with the Alaska  
31 Department of Fish and Game, Division of Subsistence.

32  
33 I'll be very brief this morning, I don't  
34 have a written report for you like I've given you in the  
35 past, the reports, I didn't have an opportunity to do  
36 that, I put all my efforts into the steelhead report,  
37 getting that prepared for you.

38  
39 I'll be very brief and say enjoyed  
40 working with you and the steelhead report that I gave,  
41 the powerpoint presentation, I'm hoping to have a draft  
42 final report by the end of October, and I'll share that  
43 with Council members and then the final report is due in  
44 December, so hopefully by the end of October I should  
45 have a draft final report I can share with the Council.

46  
47 And that's all I have unless you have any  
48 questions for me.

49  
50 CHAIRMAN LITTLEFIELD: Questions for Mr.

1 Turek. Where's Dolly, you got off, okay, thanks Mr.  
2 Turek, we appreciate your help. That was a good  
3 presentation and we look forward to seeing that. Again,  
4 in the last several years I've seen quite an improvement  
5 working relationship and I appreciate your help in making  
6 that possible.

7

8 MR. TUREK: Thank you.

9

10 CHAIRMAN LITTLEFIELD: We're at Mr. Jim  
11 Capra, National Park Service.

12

13 MR. CAPRA: Thank you, Mr. Chair.  
14 Members of the Council. My name is Jim Capra, I'm with  
15 Glacier Bay National Park and Preserve out of Yakutat.

16

17 The Chair has asked me to highlight  
18 member Bert Adam's report from the SRC for Wrangell St-  
19 Elias National Park also. I guess I'd ask Mr. Schroeder  
20 if the written report could make it into the minutes?

21

22 DR. SCHROEDER: Yes, it will. Have you  
23 distributed that Jim?

24

25 MR. CAPRA: No, I didn't have a way to  
26 copy but I have this one. Just to highlight Council  
27 member Adams report, the concerns from the meeting and  
28 some of their actions. The Subsistence Resource Council  
29 had some concerns and definitely thought the RACs should  
30 address the problem of subsistence resources leaving the  
31 local areas through sport and legal and illegal means,  
32 that was a concern in both fishing and hunting for the  
33 SRC.

34

35 This was Council member Adam's first  
36 meeting Chairing the SRC, he is the Chair, I believe with  
37 a two year term up there now. The SRC considered  
38 proposals for customary trade of salmon and decided to up  
39 the upper limit of cash exchange for salmon to \$500 from  
40 \$100. They also included the community of Chickaloon for  
41 having C&T of salmon in two districts on the Copper  
42 River.

43

44 Also talking with Council member Adams,  
45 he asked me to pass along his regrets at not being here,  
46 he had a reunion to go to and was torn between attending  
47 that or coming here, but he thinks this may his last  
48 chance to go to one of the reunions.

49

50 (MEMBER ADAMS' REPORT AT END OF THIS

1 REPORT -- TYPED IN PER REQUEST OF MR. ADAMS DELIVERED TO  
2 REPORTER BY MR. JIM CAPRA)

3

4 For Glacier Bay National Park I have  
5 three short items to report continuing on what I  
6 communicated to the Council before. Currently with --  
7 and these all relate to Glacier Bay Park and the Hoonah  
8 Tlingit for the most part. Currently the Park is  
9 conducting an EIS, an environmental impact study to allow  
10 seagull egg collecting by the Hoonah Tlingit in the Park.  
11 This EIS should be completed by early winter and that  
12 will determine how we are able to craft regulations to  
13 allow the seagull egg collecting to continue in a  
14 traditional manner and still meet all our legal  
15 obligations.

16

17 The regulation to allow the collection of  
18 goat hair for traditional weaving in the Park is in a  
19 package of regulations going for final review in the  
20 Federal Register right now. It should be printed up in  
21 the next week, and hopefully if that final review goes  
22 well those will go into regulation and be approved.

23

24 The Park is also starting to work on a  
25 harbor seal study on their food sources and supplies that  
26 relates to the future in hopefully allowing the taking of  
27 seals in the customary manner, again, by Hoonah. The  
28 Park has studied seals for many years and there's been a  
29 marked decline in the numbers and this will hopefully  
30 tell us why and also give us information on if there is a  
31 harvest, what kind we can allow or how much, what the  
32 levels could be.

33

34 That's all I have for the Council unless  
35 there's any questions.

36

37 CHAIRMAN LITTLEFIELD: Questions for Mr.  
38 Capra.

39

40 MR. DOUVILLE: I have a question.

41

42 CHAIRMAN LITTLEFIELD: Mr. Douville.

43

44 MR. DOUVILLE: Thanks, Mr. Chair. On the  
45 seal study that you're doing are you getting any  
46 information from like the marine mammal people or State.  
47 I know I supplied some stuff to the State when they were  
48 doing stomach contents and so on.

49

50 MR. CAPRA: Yeah, we do share a lot with

1 the State. I know on my end of the Park I work with them  
2 all the time. And the Glacier Bay project with the seal  
3 counting and documenting what disturbance does to the  
4 population has been going on for years and what they're  
5 looking for now is a source of decline and they're using  
6 a lot of the State information that's been collected on  
7 stomach contents and what the seal's prey on to compare  
8 it to the Glacier Bay seals and see what might be the  
9 cause in the decline in numbers, whether it's their  
10 preferred prey disappearing or it's disturbance or, you  
11 know, they're just not as healthy as they were.

12

13 MR. DOUVILLE: They might just get tired  
14 of living there and move somewhere else for awhile, you  
15 know.

16

17 CHAIRMAN LITTLEFIELD: Other Council  
18 questions for Mr. Capra.

19

20 (No comments)

21

22 CHAIRMAN LITTLEFIELD: I'd like to  
23 express the thanks for your help on the goat hair for the  
24 people of Sitka, that worked really well, they were able  
25 to get the goats as far as I know, and I think that's all  
26 been proceeding well and I was glad to see the Park  
27 Service step up. I also know you're working with the  
28 Hoonah Indian Association to develop some other options  
29 for them and I applaud your efforts there and encourage  
30 you to continue to do so on behalf of the Park Service.

31

32 MR. CAPRA: Thank you, sir. It's always  
33 a pleasure to work with you.

34

35 CHAIRMAN LITTLEFIELD: Thank you.

36

37 SRC REPORT FROM BERT ADAM, SR.:

38

39 Wrangell Saint Elias National Park,  
40 Subsistence Resource Commission, Report of September 23,  
41 2004 Meeting by Bert Adams, Sr., National Park Service  
42 Theater, Glennallen, Alaska.

43

44 Commission members present: Suzanne  
45 Mccarthy, Bert Adams, Sr., Donald Horrell, Chuck Miller,  
46 Ray Sensmier, Gloria Stickwan, Paul Cause. Absent were  
47 Robert Marshall and Cole Ellis.

48

49 This was the first full meeting that I  
50 conducted as Chair.

1 Markel Pete, an elder from Tazlina gave  
2 an opening prayer, and also made some opening remarks to  
3 the Commission. His message was that he saw too many  
4 people from outside the state of Alaska taking our  
5 subsistence resources. I think this is something that  
6 our RAC should address at our next meeting and offer some  
7 suggestions on how we can solve this problem. I have  
8 heard comments from many local people about how our fish  
9 are being taken in the name of sportfishing and then  
10 selling their catches in the markets when they get back  
11 to their homes. I also think this is especially true for  
12 people from other countries. So far this is all  
13 speculation, and as a salt water charter guide none of my  
14 clients have indicated that they do this.

15  
16 Acting Superintendent's report. Hunter  
17 Sharp is acting superintendent for Wrangell St-Elias.  
18 Gary Candeleria moved a few months ago to another job.  
19 Hunter said that there will be another person appointed  
20 soon -- we should know in two weeks who that new person  
21 is. In any event, Hunter has been doing a great job  
22 holding down the fort until then.

23  
24 ATNA [SIC] Heritage Center and Museum.  
25 Hunter Sharp said that ATNA [SIC] has been working with  
26 the Park to construct a Heritage Center and museum near  
27 the Parks' facilities. A bill was introduced in Congress  
28 for the funding and Congress will be doing mark-ups on  
29 the bill soon.

30  
31 Park 13 Issue. This is an issue that  
32 involves caches in cabins. Subsistence and commercial  
33 hunters and trappers have traditionally stored supplies  
34 and gear in their cabins. There is a proposal to change  
35 this. One change would be that if a person did not  
36 attend his cache in 12 months it would be considered  
37 deserted. Also a cabin could be tagged as a cache, but  
38 it would be good for four months.

39  
40 Long Range Interpretive Program. The  
41 Park is working on a long range interpretive plan. This  
42 has been in the works for some time, but it appears  
43 things are beginning to jell [sic].

44  
45 The Pilgrim Family. The Pilgrim family  
46 is a group that has been giving the Park Service a lot of  
47 heartache. They came into the area several years ago and  
48 squatted on property without getting permits. The family  
49 contended that the Park Service could not ask them for  
50 permits. It went to the courts. The court ruled the

1 Park could require permits. The Pilgrim family appealed  
2 and it presently is in the 9th Circuit.

3

4 Other Issues. Sockeye counts this year  
5 are getting healthy in Long Lake.

6

7 There were a number of designated hunter  
8 permits and elder hunt given this past year.

9

10 Sheep are in the decline.

11

12 Commission Considered Proposals.

13

14 EP05-13, provided for limits on the  
15 amount of customary trade of salmon allowed in the Upper  
16 Cooper River District. This proposal dealt with this  
17 issue of customary trade and the exchange of fish for  
18 cash which dealt with the amount one would be able to  
19 sell salmon. A limit of \$100 was in the original  
20 proposal. The Commission upped it to \$500.

21

22 EP014, Revise C&T use determination for  
23 salmon in the Chitna Subdistrict of the Upper Cooper  
24 River District to include Chickaloon and EP015 Revise C&T  
25 use determination for salmon in the Glennallen  
26 Subdistrict of the Upper Copper River District to include  
27 Chickaloon. These proposals made Chickaloon a C&T in  
28 these areas.

29

30 There was a discussion about sport  
31 hunters hunting moose and taking only the head and  
32 antlers (trophy hunters) and leaving the carcasses. I  
33 thought this was something that happened only in our  
34 (Yakutat) area years ago, but it seems to be a problem  
35 occurring all over the state. The same with fish -- it  
36 is being hauled out of the area during the season on a  
37 daily basis and it is believed that the salmon are being  
38 sold. These resources belong to the people, and the  
39 people of that area believe that they should be the ones  
40 who benefit.

41

42 This meeting was short and sweet. With  
43 the short agenda we were able to do this in one day.

44

45 The next meeting will be the week of  
46 February 21st. It is anticipated that this will be a two  
47 day meeting. Place has not been determined yet.

48

49 I will miss being with you all for this  
50 meeting. I will be attending a Kadashan Bay Reunion once

1 again, and I felt that I should try and spend as much  
2 time with these guys as I could. The youngest Veteran  
3 sailor is 77 and the eldest is 99. The meeting was  
4 arranged at the last reunion and I am invited to be the  
5 guest speaker again. I am not sure whether I will be  
6 able to go to the next one, but if so I will try and not  
7 allow it to conflict with our RAC meetings.

8

9 Have a great time.

10

11 Bert.

12

13 (AS SUBMITTED BY MR. BERT ADAMS, SR.,  
14 THROUGH JIM CAPRA - COPY GIVEN TO MR. SCHROEDER FOR  
15 MINUTES TO COUNCIL)

16

17 CHAIRMAN LITTLEFIELD: We have one other  
18 under agency reports, law enforcement.

19

20 MR. PEARSON: Yes, Mr. Chair, I have a  
21 report written up that I can pass out or if you'd like I  
22 can briefly go over law enforcement's accomplishments for  
23 this year, it's up to you. If you guys are running short  
24 on time I can just hand this out.

25

26 CHAIRMAN LITTLEFIELD: That's better, we  
27 don't pass out here, you can hand it out to us, I  
28 suppose. Go ahead and come around with it, we'll keep  
29 going.

30

31 (Pause)

32

33 CHAIRMAN LITTLEFIELD: Mr. Pearson.

34

35 MR. PEARSON: Yes, Mr. Chair, would you  
36 like me to speak?

37

38 CHAIRMAN LITTLEFIELD: Yes.

39

40 (Laughter)

41

42 MR. PEARSON: Yes, Mr. Chair, just a  
43 little bit of the highlights here. A couple of things I  
44 wanted to talk about was just overall staffing levels for  
45 law enforcement on the Tongass. We have, I think this  
46 report states, 10, actually we have nine uniformed law  
47 enforcement officers that are responsible for patrolling  
48 the Tongass, which is about 17 million acres. We have  
49 two on Prince of Wales, two in Ketchikan, one in Sitka,  
50 two in Juneau and two in Petersburg that cover

1 Petersburg/Wrangell. So we're pretty short-staffed  
2 overall so our guys are stretched pretty thin. And, of  
3 course, not only do we deal with subsistence and fish and  
4 wildlife issues, but we deal with many, many other  
5 things, too.

6  
7 But if you'll notice, I think in about  
8 the third paragraph, we had about 160 reported -- or  
9 incidents involving fish and wildlife enforcement issues,  
10 of that 160 about 11 of them were directly related to  
11 subsistence, so only about seven percent overall.

12  
13 We worked on the Prince of Wales  
14 steelhead, about 30 days of patrol on Prince of Wales  
15 steelhead, overall that went very well. We did not see  
16 the numbers of subsistence users out there that we  
17 expected, however, the permits, you know, indicated that  
18 there wasn't that many out there to begin with so that's  
19 not too inconsistent.

20  
21 The Unit 2 deer is a big issue, as you  
22 know, and as everybody knows, about 15 days spent this  
23 year during the closure to non-Federally qualified users,  
24 we done vehicle checkpoints, contacted about 100  
25 individuals, of that about 40 subsistence users. A  
26 couple of minor violations but no major violations.

27  
28 And one other thing I wanted to touch on  
29 is it's going to take community support for law  
30 enforcement, during these meetings this week we've had it  
31 brought up that there are some illegal activities going  
32 on there, it's going to take some community support to  
33 law enforcement because we are spread so thin and we'll  
34 just need that information funneled to us and I can  
35 assure you we'll work on it the best we can.

36  
37 And that's pretty much all I have, Mr.  
38 Chair, and I'll be glad to take any questions.

39  
40 CHAIRMAN LITTLEFIELD: Questions from  
41 Council.

42  
43 (No comments)

44  
45 CHAIRMAN LITTLEFIELD: I had one -- or  
46 Mr. Hernandez.

47  
48 MR. HERNANDEZ: Thank you, Mr. Chairman.  
49 I was just wondering what you mean by contact with a  
50 hunter or a fisherman?

1 MR. PEARSON: A contact is when we  
2 actually contact the hunter or fisherman in the field,  
3 hunting and/or fishing in the field, checking for hunting  
4 license, hunting permits, proper bag limits, proper means  
5 and methods and so forth.

6  
7 CHAIRMAN LITTLEFIELD: Any other  
8 questions.

9  
10 (No comments)

11  
12 CHAIRMAN LITTLEFIELD: I just had one  
13 question on the bear claws, have you seen any evidence of  
14 any -- have you heard anything or what's happening on the  
15 bear claws?

16  
17 MR. PEARSON: Mr. Chair, I'm not sure  
18 exactly of your question.

19  
20 CHAIRMAN LITTLEFIELD: It must be a non-  
21 issue then.

22  
23 We can use bear claws just for your  
24 information.

25  
26 Okay, that's it, we're on number 14,  
27 other new business.

28  
29 We're going to go by this Council charter  
30 review, I'm going to give Jai Crapella a couple minutes  
31 to get ready, if she would, and we're going to run and  
32 grab a cup of coffee and you can go ahead and take the  
33 microphone it will be yours next for your presentation.  
34 I don't know if it's been made available to everybody but  
35 maybe there's some copies floating around that you can  
36 distribute, we don't pass out, we distribute here.

37  
38 A real short break, grab a cup and come  
39 back because Dr. Schroeder spilled mine.

40  
41 (Laughter)

42  
43 (Off record)

44  
45 (On record)

46  
47 CHAIRMAN LITTLEFIELD: Okay, I'd like to  
48 call the meeting back to order. And what we have is one  
49 of the functions of the Regional Advisory Council, as  
50 laid out in ANILCA is that they are -- they can provide a

1 forum for any subject on fish and wildlife and renewable  
2 resources within the region. We've been asked to provide  
3 that time and we're going to do that for the presentation  
4 that follows, go ahead, introduce yourself for Tina, and  
5 the record, please.

6  
7 MS. CRAPELLA: Thank you, Mr. Chairman.  
8 Council members. Members of the Public. My name is Jai  
9 Crapella, and I thank you for giving me the opportunity  
10 to speak here on behalf of Southeast Alaska Conservation  
11 Council. I'll be brief in the hopes that there'll be a  
12 little bit of time for you to give some consideration to  
13 the issue of new roads and their effects on wildlife and  
14 subsistence.

15  
16 In June of this year the U.S. House  
17 passed an amendment to the Appropriations Bill that  
18 states:

19  
20 None of the funds made available in this  
21 Act may be used for the planning, designing studying or  
22 construction of Forest development roads in the Tongass  
23 National Forest for the purpose of harvesting timber by  
24 private entities or individuals.

25  
26 This bill came from fiscally conservative  
27 Republicans who are outraged that the Forest Service  
28 spends approximately \$33 million a year on the Tongass  
29 Timber Program and receives back approximately \$1 million  
30 in revenue, and all of us as taxpayers can agree this is  
31 not good business.

32  
33 There is growing support in the Senate  
34 for this same bill.

35  
36 I want to be clear that this is not an  
37 anti-logging bill, but would provide a time out on Forest  
38 Service road building, giving them a chance to dedicate  
39 funds to a more balanced management of the Forest. As an  
40 Advisory Council, your concerns are not with the dollars  
41 and cents of roads, but with their effects on wildlife  
42 and customary and traditional uses. Others have voiced  
43 their concerns.

44  
45 The Organized Village of Kake and Hoonah  
46 Indian Association have written letters of support for a  
47 Senate Bill. And I did provide copies of that in your  
48 handout, but some of those things might have gotten  
49 buried after the last couple of days. But also the  
50 Tlingit-Haida Central Council has written a letter and

1 resolution, that while mainly deals with better ferry  
2 services, also addresses their concerns with the effects  
3 of roads on wildlife. They wrote that resolution because  
4 the State, working with the Forest Service has recently  
5 revised the Southeast Alaska Transportation Plan, the  
6 SATP, to include hundreds of miles of new roads through  
7 the Tongass.

8  
9 Road access puts heavy pressure on  
10 wildlife. Roads create fragmented habitat, destroying  
11 refusia for deer and other wildlife. Cut over areas with  
12 their thick even age stands of trees provide little  
13 browse and poor shelter for deer in winter. Roads create  
14 erosion infiltration of fish streams as well as blocking  
15 the salmon up stream.

16  
17 The Forest Service and the Alaska  
18 Department of Fish and Game have identified more than  
19 1,500 stream culverts that do not pass the Forest Service  
20 standards for allowing fish to swim through. And these  
21 numbers are all from Forest Service documents. The  
22 Forest Service has a road maintenance backlog in Alaska  
23 totalling nearly \$100 million, the backlog grows every  
24 year. The annual maintenance needs for the road system  
25 on the Tongass National Forest is \$17.6 million alone,  
26 but in 2002 the Forest Service spent only \$3.5 million on  
27 road maintenance. From 1993 through 2000 the average  
28 annual road maintenance budget was only \$1.7 million,  
29 less than 10 percent of the annual need. At the same  
30 time, the Forest Service continues to spend millions of  
31 dollars a year building new logging roads, most of them  
32 serving no public service. Road maintenance and culvert  
33 replacement would provide the same types of jobs that  
34 road building while healing land and streams. And the  
35 same with jobs thinning second growth forests to improve  
36 wildlife habitat.

37  
38 If more monies were available the Forest  
39 Service could upgrade and build trails, shelters and  
40 huts, these surely would be a benefit to hunters.

41  
42 In his welcome to you on Wednesday, Mr.  
43 Steve Brink said, with a little luck we may actually see  
44 funding for wildlife management. Why leave it to luck,  
45 what's needed is a shift in priorities on the Forest  
46 Service's part and for communities, councils and  
47 organizations to let the Forest Service and those who  
48 fund them, know that protection of customary and  
49 traditional use areas and resource management, such as  
50 the Wildlife Information Service program that was

1 presented here today are more important than building new  
2 roads.

3  
4 So I thank you for the opportunity to say  
5 that.

6  
7 Thank you.

8  
9 And also in your handouts was SEACC's  
10 newest publication Tongass Roots and I would like you to  
11 hopefully accept that as a small token of our  
12 appreciation for your good work here.

13  
14 Thank you.

15  
16 CHAIRMAN LITTLEFIELD: Thank you. I was  
17 just admiring the pictures in there. Are there any  
18 questions or comments.

19  
20 Mr. Hernandez.

21  
22 MR. HERNANDEZ: Thank you, Mr. Chairman.  
23 Thank you Jai for your presentation. I have often felt  
24 that one of the goals of this committee should be to  
25 address broader topics related to subsistence such as  
26 land use issues, and I note that in our charter, in its  
27 duties does say that we should initiate review and  
28 evaluate proposals for regulations, policies, management  
29 plans and other matters relating to subsistence uses of  
30 fish and wildlife on public lands within the region.

31  
32 And I believe that with the inception of  
33 a roadless policy for National forests that would be  
34 something that we would be able to review and evaluate  
35 and also management plans as to how resources are used on  
36 the Tongass is also eligible for our review.

37  
38 So I realize with the amount of work we  
39 do have to undertake, we sometimes don't get to focus on  
40 these issues very much but I know in the opening forum of  
41 our meetings the Council concerns, I'm always asked by my  
42 community members to comment or bring to the attention of  
43 the Council issues on management plans and roading  
44 policies in our area and I would like to take this  
45 opportunity now to mention two areas where we have -- our  
46 communities have made many comments, testified at many  
47 meetings and tried to put input into the management  
48 policies on South Kupreanof, timber sales proposed for  
49 that area and also east Kuiu and at this time I just --  
50 while we have this little bit of time available to us,

1 I'd just like to ask if there's any other members on the  
2 Council that have similar areas of concern that they may  
3 wish to bring to the attention for the public record.

4

5 CHAIRMAN LITTLEFIELD: Did you say two  
6 areas, South Kupreanof, did you say two?

7

8 MR. HERNANDEZ: Yeah, South Kupreanof and  
9 the East Kuiu areas.

10

11 CHAIRMAN LITTLEFIELD: Any other Council  
12 have comments on that. Back to Mr. Hernandez, I guess  
13 those are the only two areas.

14

15 MR. HERNANDEZ: Well, those two areas are  
16 of particular concern to members of my community, I was  
17 just asking if there's any other Council members that  
18 have areas of particular concern for their area.

19

20 CHAIRMAN LITTLEFIELD: Let me just follow  
21 up a little bit on that, sure I do. Because all you have  
22 to do is read the Tongass Land Management Plan and look  
23 at what it says about subsistence in there, and  
24 particularly I keep warning the people of Sitka that when  
25 we have some bad winters we're going to be into real --  
26 we're going to be looking like Unit 2 because if you read  
27 through the Tongass Plan, everything -- when you cut  
28 trees it's going to degrade the area for subsistence and  
29 it says that in there, everywhere. So, yeah, I'm  
30 concerned about it but I don't know what to do about it.  
31 But certainly I have noticed it.

32

33 Any other Council, comments. Mr.  
34 Douville.

35

36 MR. DOUVILLE: Not specific to those  
37 areas but we have a different mixture in Craig, it's  
38 different than other places and we have a couple -- we  
39 have a mill and we have some smaller mills and the  
40 economy in Craig is somewhat, you know, geared to those.  
41 And, you know, while personally I'm not in favor of new  
42 road building but you do have support in both directions  
43 there so, you know, I'm not going to stick my neck out in  
44 this case.

45

46 But on a personal level I think that from  
47 the lessons we've learned in the past that we can do a  
48 certain amount of logging in a proper fashion and not  
49 have great impact and I believe we can do that.

50

1                   That would be my comment.

2

3                   MS. CRAPELLA: I'm not sure, but in my  
4 nervousness, I may have omitted a paragraph in my  
5 presentation. I don't think that I said that I wanted to  
6 be clear -- did I say that I wanted to be clear that this  
7 is not a -- that this bill that I was bringing up and  
8 asking you to look at, as far as its effects, also the  
9 effects on roads on wildlife, the thing about the bill,  
10 is it is not an anti-logging bill but would provide -- I  
11 think I did say that, did I say that?

12

13                   (Council nods affirmatively)

14

15                   MS. CRAPELLA: I'm sorry. I did want to  
16 make sure that that was clear, that it's not anti-  
17 logging. People could -- private citizens or people  
18 could build roads for, you know, on timber sales for  
19 timber sales, but they'd have to pay for them themselves  
20 and that's the issue there is it also allows logging off  
21 the existing road system and thinning and helicopter  
22 logging and any other kind of logging, it just doesn't  
23 allow the Forest Service to spend money on new roads for  
24 this coming period, fiscal period.

25

26                   CHAIRMAN LITTLEFIELD: Any other  
27 questions or comments from the Council.

28

29                   Dr. Garza.

30

31                   DR. GARZA: Thank you, Mr. Chair. So I  
32 guess I would like to ask Mr. Hernandez if he is looking  
33 for support for a resolution or what?

34

35                   MR. HERNANDEZ: Not at this time, Dr.  
36 Garza. The topic's pretty broad and I guess I can't  
37 focus on any specific resolution. I just think that we  
38 need to be discussing some of these issues at various  
39 times and making comments where necessary.

40

41                   DR. GARZA: As a Council we did spend a  
42 fair amount of time when we were looking at Tongass  
43 issues earlier and Patty Phillips was quite adamant about  
44 resource conservation and wildlife protections and she  
45 surely would be speaking if she were here.

46

47                   From Prince of Wales and my hesitation to  
48 speak is because I'm not sure where roads are anticipated  
49 and where other types of logging are being considered,  
50 but I know like in Hydaburg they're very concerned about

1 Soda Bay and Ketchikan, a couple of logging efforts I  
2 think are already going forward that received great  
3 opposition from Ketchikan residents. But Ketchikan is a  
4 community, where, like Craig, we're balancing timber  
5 harvesting with community economics and so it's trying to  
6 balance the two.

7  
8 And in terms of saying it's not anti-  
9 logging, that's understandable, but if you have a small,  
10 small logging operation that's dealing with small  
11 volumes, he's not going to be able to pay for his own  
12 road, it's simple as that. And so it does become a bit  
13 of a touchy issue.

14  
15 CHAIRMAN LITTLEFIELD: Council, are we  
16 done. M. Kitka. Okay, they're telling me it's time to  
17 go, okay, I appreciate your report and -- Mr. Douville.

18  
19 MR. DOUVILLE: I don't have any further  
20 question or comment on this subject but I do on a  
21 different one.

22  
23 CHAIRMAN LITTLEFIELD: Go for it.

24  
25 MR. DOUVILLE: You can correct me if I'm  
26 wrong, but I wish to make a comment and I may be out of  
27 line, if so, you can correct me but we are going to be  
28 dealing with, well, not us in particular, but a subject  
29 that's coming up that's important to us which we've  
30 talked about in the past and it's -- we have Harold  
31 Martin here who's worked on this halibut subsistence  
32 fishery and right now there's some rules, regulations  
33 being proposed that, you know, I want to offer my  
34 opinion, would that be okay.

35  
36 CHAIRMAN LITTLEFIELD: Yes.

37  
38 MR. DOUVILLE: They're totally  
39 unnecessary at this point. They'd restrict a fishery  
40 which is small, it only used, like the report says, like  
41 one percent, and in my opinion I just wanted to say I  
42 believe it's too early to change or significantly change  
43 the regulation that we have right now. To me, people are  
44 getting their fish, it's working good, the amounts are  
45 small but if there's some flaw in the enforcement or  
46 breaking of some of the rules you can deal with those,  
47 but overall I think it's working very fine without any  
48 change at this point.

49  
50 CHAIRMAN LITTLEFIELD: I did recognize

1 Harold in the back and I'm going to ask him to come  
2 forward in one minute and give him the floor. He can  
3 talk on that hopefully. But we have one last item, I  
4 believe, left and that was the -- I'll let Mr. Hernandez  
5 introduce it.

6  
7 MR. HERNANDEZ: Thank you, Mr. Chairman.  
8 Eric Jordan was going to do this but he left early this  
9 morning and returned to Sitka.

10  
11 But he put forward a resolution which he  
12 would like the Council to consider, and it concerns the  
13 Alaska Department of Environmental Conservation proposing  
14 to allow mixing zones in salmon streams, probably  
15 something a lot of people have heard about.

16  
17 I think as a Council that we should  
18 consider this resolution. Allowing mixing zones in  
19 salmon streams would definitely adversely effect the  
20 water quality in those streams and would definitely  
21 adversely effect the health of the salmon in those  
22 streams. And from a subsistence point of view there is  
23 nobody that eats more salmon than the subsistence users  
24 in Southeast Alaska, you know, hundreds and hundreds of  
25 pounds.

26  
27 And the other negative impact would also  
28 be on the commercial fisheries in the future and of  
29 course subsistence users reside in rural Alaska and in  
30 some communities commercial fishing is the only  
31 livelihood that we have, I know that's true in my  
32 community. So the impacts of this would be very far  
33 reaching and detrimental.

34  
35 What we would be talking about is  
36 probably introducing a lot of heavy metals into our  
37 system which would accumulate in salmon. And you know  
38 it's been in the news this winter, you know, about  
39 warnings for people to not consume too much swordfish,  
40 for example, you know, telling pregnant women that they  
41 should only eat swordfish once a month. And, you know,  
42 with the hundreds and hundreds of pounds of fish that  
43 subsistence users eat we just can't even imagine the  
44 implications that would have on rural Alaska.

45  
46 So I just wondered if the Council would  
47 entertain a resolution to be sent to the Department of  
48 Environmental Conservation on mixing zones.

49  
50 CHAIRMAN LITTLEFIELD: Does anyone on the

1 Council have a copy of this sample resolution and it  
2 would be to the DEC?

3

4 (Shakes head negatively)

5

6 CHAIRMAN LITTLEFIELD: Okay, I'm somewhat  
7 reluctant to entertain this at this time because I don't  
8 know if we've really set this up where the Council has  
9 had a chance to review this. I'm in favor of this, I'll  
10 tell you right now, I think this is something that I'd  
11 like to do but I'm also concerned that we're bringing  
12 this up with two minutes over the end period and we're  
13 really not going to have good time to debate this.

14

15 I previously said that if Council members  
16 were going to submit resolutions that they should make  
17 sure that all their data was available to the Council and  
18 Staff on the first day so that we could have time to  
19 sleep on this and ask questions and set it up, so I don't  
20 know if there's -- unless the Council wants to, I don't  
21 know if we can put this on the floor because we probably  
22 don't have enough information to debate it. I know the  
23 Council -- at least I don't have a copy of this.

24

25 Dr. Garza.

26

27 DR. GARZA: Mike.

28

29 CHAIRMAN LITTLEFIELD: Dr. Douville.

30

31 MR. DOUVILLE: Thank you, Mr. Chairman.  
32 I just have a question on this, is this within our  
33 boundaries of doing something like this, because we do  
34 have some guidelines that we have to follow also.

35

36 CHAIRMAN LITTLEFIELD: Dr. Schroeder.

37

38 DR. SCHROEDER: Dr. Chairman. Dr.  
39 Douville. This would be a -- should the Council act on  
40 an item like this, this would be something that would be  
41 subject to review by OSM and by Mr. Boyd. At our June  
42 meeting, we did submit comments on a DEC proposal to  
43 license spraying of herbicide and that was dealt with  
44 real quickly through OSM. Just basically to make sure  
45 that we didn't have any major gaffs in there and go  
46 outside the bounds of this Council.

47

48 So this would be probably a similar case,  
49 if we were addressing something to a government agency,  
50 DEC.

1 CHAIRMAN LITTLEFIELD: Mr. Hernandez.  
2  
3 MR. HERNANDEZ: Thank you, Mr. Chairman.  
4 Yeah, I was handed a copy of this resolution on the  
5 opening day of our meeting, it was in with a whole bunch  
6 of other stuff we received. I was under the assumption  
7 that all the Council members had a copy to review.  
8  
9 CHAIRMAN LITTLEFIELD: I don't think so.  
10 What are the Council's wishes on this. I'm sure you're  
11 going to find that most of us don't really like this  
12 mixing zone, but I don't know if we're prepared to take  
13 action.  
14  
15 What's the Council's issues.  
16  
17 MR. DOUVILLE: Mr. Chairman, while it  
18 might be a good idea I'm unprepared at this point to take  
19 action.  
20  
21 CHAIRMAN LITTLEFIELD: Dr. Garza.  
22  
23 DR. GARZA: Is this a time sensitive  
24 resolution that we need to address, that would be my  
25 question? I have the resolution in front of me and I  
26 would be glad to read it into the record if we support it  
27 and it's on the record then it is, in fact, public  
28 information.  
29  
30 CHAIRMAN LITTLEFIELD: Mr. Hernandez.  
31  
32 MR. HERNANDEZ: I believe it is time  
33 sensitive, Dr. Garza. I believe there is a comment limit  
34 time period.  
35  
36 CHAIRMAN LITTLEFIELD: Do you have some  
37 information you can provide on this.  
38  
39 MS. CRAPELLA: The deadline is November  
40 1st, it's an extended deadline, and I don't have any more  
41 with me but I believe that you were given a copy of the  
42 resolution and kind of talking points on it. And that's  
43 it, I just wanted to say that it is time sensitive.  
44  
45 CHAIRMAN LITTLEFIELD: Okay, I don't have  
46 any problem bringing it up and I think maybe I don't know  
47 the exact wording of the resolution, I had to look at  
48 that and maybe we could craft this similar to what we did  
49 on the herbicides. I mean we obviously were not in favor  
50 of that and kind of took a generic general approach to

1 that, that we were opposed to that, but I haven't really  
2 -- maybe you could read that language or get a copy to us  
3 so that everybody has it.

4

5 Dr. Garza.

6

7 DR. GARZA: Well, first I stole Harvey's  
8 copy and then I gave it to Mike so he might not have his  
9 but I did unearth mine and I would like to read it into  
10 the record and move that we support it.

11

12 It is SEACC Resolution 04-blank, to  
13 oppose increased pollution in Alaska salmon streams.

14

15 Whereas, the Alaska Department of  
16 Environmental Conservation recently proposed new rules to  
17 allow mixing zones in Alaska salmon streams;

18

19 Whereas, mixing zones allow pollutions at  
20 levels which violate water quality standards designed to  
21 protect fish and fish consumers;

22

23 Whereas, Alaska wild salmon are renowned  
24 and worldwide for being clean, fresh and healthy and  
25 Alaska salmon require clean water and healthy habitats to  
26 thrive and reproduce;

27

28 Whereas, the Alaska salmon fisheries  
29 support countless families and communities throughout the  
30 state and form part of the cultural fabric which makes  
31 Alaska unique;

32

33 Whereas, salmon health, salmon habitat  
34 and salmon marketing will suffer under a broad new rule  
35 allowing increased pollution levels in the salmon  
36 streams;

37

38 I would add a new whereas;

39

40 Whereas, salmon are an important and  
41 integral subsistence food item to Southeast Alaska  
42 residents;

43

44 Now, therefore be it resolved, that the  
45 Southeast Regional Advisory Council does hereby oppose  
46 Governor Murkowski's proposal to allow increased  
47 pollution mixing zones in salmon streams.

48

49 I so move.

50

1 CHAIRMAN LITTLEFIELD: Is there a second.  
2  
3 MR. KITKA: I'll second.  
4  
5 CHAIRMAN LITTLEFIELD: It's been moved  
6 and seconded, and again it was just read into the record,  
7 the resolution, Council comments. Mr. Hernandez.  
8  
9 MR. HERNANDEZ: Thank you, Mr. Chairman.  
10 Just as a formality, I would propose an amendment to that  
11 language, I would propose substituting now, therefore the  
12 Southeast Regional Advisory Committee does hereby oppose  
13 the Department of Environmental Conservation's proposal  
14 to allow increased mixing zones in salmon streams,  
15 pointing out that we are not allowed under our charter to  
16 direct our comments to elected or appointed officials.  
17  
18 CHAIRMAN LITTLEFIELD: Dr. Garza, have  
19 you captured that amendment and could you read that into  
20 the record again, you didn't have it -- I didn't get all  
21 of that, I'm sorry, I was doing something else.  
22  
23 DR. GARZA: Me neither, I was busy  
24 writing my amendment down, so what are you changing in  
25 there?  
26  
27 MR. HERNANDEZ: I'm just changing the  
28 words, Governor Murkowski's to the Department of  
29 Environmental Conservation.  
30  
31 CHAIRMAN LITTLEFIELD: Is there a second.  
32  
33 DR. GARZA: Second.  
34  
35 CHAIRMAN LITTLEFIELD: Okay, is everyone  
36 clear on the effect of the resolution.  
37  
38 (Council nods affirmatively)  
39  
40 CHAIRMAN LITTLEFIELD: All those in favor  
41 please signify by saying aye.  
42  
43 IN UNISON: Aye.  
44  
45 CHAIRMAN LITTLEFIELD: All those opposed,  
46 same sign.  
47  
48 (No opposing votes)  
49  
50 CHAIRMAN LITTLEFIELD: The motion is

1 amended. Discussion on the main -- on the resolution.

2

3 MR. DOUVILLE: Question.

4

5 CHAIRMAN LITTLEFIELD: Question's been  
6 called. If you have that captured now, the whole thing  
7 as amended, I would like it read into the record.

8

9 DR. SCHROEDER: Mr. Chairman, whereas the  
10 Alaska Department of Environmental Conservation recently  
11 proposed new rules to allow mixing zones in Alaska salmon  
12 streams;

13

14 Whereas; mixing zones allow pollution at  
15 levels which violate water quality standards designed to  
16 protect fish and fish consumers;

17

18 Whereas, Alaska wild salmon are renowned  
19 worldwide for being clean, fresh and healthy and Alaska  
20 salmon require clean water and healthy habitats to thrive  
21 and reproduce;

22

23 Whereas, the Alaska salmon fisheries  
24 support countless families and communities throughout the  
25 state and form part of the cultural fabric which makes  
26 Alaska unique;

27

28 Whereas, salmon health, salmon habitat  
29 and salmon marketing will suffer under a broad new rule  
30 allowing increased pollution levels in the salmon  
31 streams;

32

33 Whereas, salmon are an important and  
34 integral subsistence food item to Southeast Alaska  
35 residents;

36

37 Now, therefore be it resolved, that the  
38 Southeast Regional Advisory Council does hereby oppose  
39 the Alaska Department of Environmental Conservation  
40 proposal to allow increased pollution mixing zones in  
41 salmon streams.

42

43 CHAIRMAN LITTLEFIELD: The resolution  
44 with the appropriate number inserted by Staff and as  
45 cleaned up to the resolution standards is before you as  
46 read, all those in favor please signify by saying aye.

46

47 IN UNISON: Aye.

48

49 CHAIRMAN LITTLEFIELD: Those opposed,  
50 same sign.

1 (No opposing votes)

2

3 CHAIRMAN LITTLEFIELD: The resolution has  
4 been adopted as a recommendation and will be forwarded in  
5 the appropriate manner in accordance with our  
6 correspondence policy.

7

8 Mr. Bangs.

9

10 MR. BANGS: Thank you, Mr. Chair. I  
11 would also encourage each and every one of us, or any one  
12 in the audience as well to send public comments directly  
13 to the Governor opposing this as well.

14

15 Thank you.

16

17 CHAIRMAN LITTLEFIELD: Thank you. Okay,  
18 we have one last item and it is Council charter review on  
19 Page 224 of your document. Dr. Schroeder.

20

21 DR. SCHROEDER: Mr. Chairman. The  
22 charters for Regional Advisory Councils come up for  
23 renewal periodically, should the Council wish to propose  
24 changes to its charter, it would do so at this time.  
25 This was not flagged earlier because in the opinion of  
26 Staff the charter works reasonably well, it's parallel to  
27 the other charters around the state.

28

29 But it is open for review at this time.

30

31 CHAIRMAN LITTLEFIELD: Is there anyone  
32 that wants to make any changes to the charter.

33

34 Dr. Garza.

35

36 DR. GARZA: Mr. Chairman, I wonder if Dr.  
37 Schroeder has recommended or flagged any ideas for a  
38 charter change?

39

40 CHAIRMAN LITTLEFIELD: Doctor, Doctor.

41

42 DR. SCHROEDER: The Dr. Schroeder has no  
43 changes that he's suggesting to the charter and I'll  
44 point out that Ann Wilkinson works very closely on these  
45 charters and we do have parallel charters for the  
46 different Councils around the state.

47

48 DR. GARZA: So I would recommend no  
49 change and if we have any problems we'll blame it on  
50 Schroeder.

1 CHAIRMAN LITTLEFIELD: Any problem with  
2 blaming it on Dr. Schroeder.

3  
4 (Laughter)

5  
6 CHAIRMAN LITTLEFIELD: All right, I don't  
7 have any problem with it either, so we're not  
8 recommending any changes to our charter, that's on the  
9 record.

10  
11 Dr. Garza.

12  
13 DR. GARZA: We did take the resolution in  
14 regard to the mixing zones and I'm wondering if Mr.  
15 Martin had wanted any kind of resolution or response that  
16 he could take to the proposed halibut discussions.

17  
18 CHAIRMAN LITTLEFIELD: At this time I'd  
19 like to ask Mr. Martin, previous board member of this  
20 Council -- Council member to come forward and make any  
21 presentation that he wishes.

22  
23 (In Tlingit)

24  
25 MR. MARTIN: Thank you, Chairman  
26 Littlefield, members of the Council. I see a couple new  
27 faces here. My name is Harold Martin, as John stated I  
28 served on the Council previously. I resigned a couple  
29 years ago because of health reasons. Many of you have  
30 asked me what I'm up to now days and wondering what I'm  
31 doing.

32  
33 To ease your mind I'm still up to my ears  
34 in subsistence issues. I just returned from Anchorage a  
35 couple nights ago where I was asked to attend the  
36 Indigenous People's Council for Marine Mammals as an  
37 advisor since I was one of the founders of the Council  
38 and one of the negotiators for the Co-management  
39 Agreement, the umbrella agreement with the Federal  
40 agencies.

41  
42 I'm also still involved with the Alaska  
43 Native Harbor Seal Commission. I was one of the founders  
44 of the organization and they've retained me as a cultural  
45 advisor.

46  
47 I'm the Vice-President of the Southeast  
48 InterTribal Fish and Wildlife Commission. It's made up  
49 of 11 of 14 tribal governments throughout Southeast, so  
50 we are viable. We are getting ready to have a summit on

1 subsistence and fisheries in November. Notices have gone  
2 out to all the communities.

3

4 Mr. Douville, I agree with you on the  
5 halibut issue. I'm no longer the Chairman of the Halibut  
6 Working Group, Matt Kookesh has taken my place since I  
7 retired. I forgot to mention I'm retired but they won't  
8 let me retire, I'm on call all the time.

9

10 There's no data or statistics, it hasn't  
11 been over a year since the regulations went into effect  
12 and I agree with you the fisheries are very small, very  
13 minimal, and I don't know why anybody should worry about  
14 the halibut take from Native people. There are still  
15 some people out there that are appalled when they see --  
16 hear 30 hooks to a line and you're allowed 20 fish a day.  
17 When we were deliberating on this before the National  
18 Marine Fisheries Service there was one testimony that  
19 said if there's 700 people in Angoon there's going to be  
20 700 people out there fishing all year-round. You know,  
21 to us that's ridiculous, it sounds ridiculous, they're  
22 including the shut-in's, the old people and everybody  
23 else. In reality, not many people own boats to go out  
24 with -- not many people own the gear to go out with, not  
25 many people know where to go to get halibut. You don't  
26 just go out anywhere and drop a hook and hope to catch a  
27 halibut. There are places that people go to fish halibut  
28 and in light of competition we're not out there getting  
29 our subsistence where the commercial fishermen fish, not  
30 with handlines.

31

32 I'd like to just thank you for passing  
33 the resolution on the mixing zones. I don't think it's  
34 something that we really need to go into detail on, it's  
35 just the mere fact that they're going to be mixing  
36 pollution and introducing toxic waste into the spawning  
37 streams is enough justification to oppose Murkowski's  
38 proposal.

39

40 In conclusion I'd just like to thank you  
41 and I'd like to commend you on the great job you're  
42 doing.

43

44 Thank you very much.

45

46 CHAIRMAN LITTLEFIELD: Gunaxcheesh. You  
47 need to come back here, you forgot the protocol of how we  
48 do things here, now, they get to grill you.

49

50 (Laughter)

1 CHAIRMAN LITTLEFIELD: Dr. Garza.

2

3 DR. GARZA: Mr. Chairman, I was just  
4 trying to figure out what action we could take in order  
5 to send a response perhaps through you to Matt to take to  
6 Sitka regarding halibut and it would be the intent to  
7 resurface the letter that we have already written in  
8 support of subsistence halibut which you brought to us as  
9 a concern when you were on the Council, and thank you for  
10 that. We have also taken additional action to continue  
11 our position on that. We need to pull those out. But I  
12 think we may also need a short resolution that we support  
13 the concept of don't fix what isn't broken. I mean  
14 there's no data that demonstrates anything needs to be  
15 changed in terms of further restricting subsistence uses  
16 when it's only happened for one year.

17

18 So I'd like to float that idea, Mr.  
19 Chair.

20

21 CHAIRMAN LITTLEFIELD: If the Council  
22 will take that as a resolution. I know that I will be  
23 testifying as well as Mr. Kitka, as well as Mr. Jordan,  
24 and we can all mention that that the Regional Advisory  
25 Council has that. I mean I'm not going to testify as a  
26 member -- as the Chair of the Regional Advisory Council,  
27 but it's certainly fair game to mention that and I would  
28 encourage that resolution.

29

30 MR. MARTIN: Mr. Chairman, I believe  
31 there's going to be hearings in Sitka during the ANB  
32 Convention and I will be there and I want to thank you,  
33 Dr. Garza, for bringing that up. I had meant to ask the  
34 Council for support in the way of a resolution. When we  
35 were deliberating this issue, I came twice before you and  
36 ask you your support by way of resolution and that helped  
37 our cause.

38

39 Thank you.

40

41 CHAIRMAN LITTLEFIELD: The dates are,  
42 Wednesday the Advisory Panel is going to be taking  
43 testimony on subsistence at 8:00 o'clock in the morning,  
44 and also Saturday on the 9th, the whole Council will be  
45 taking testimony on halibut subsistence proposals. Would  
46 you recommend that this resolution, that if we were to  
47 adopt it, be sent to the InterTribal Fish and Wildlife or  
48 who would you recommend that that resolution be directed  
49 to you?

50

1 MR. MARTIN: To InterTribal Commission.

2

3 CHAIRMAN LITTLEFIELD: Dr. Schroeder, if  
4 you could explain how we could craft this resolution and  
5 maybe we could get the help of Mr. Boyd, this obviously  
6 needs to be on the table and I and others could reference  
7 it by Wednesday of next week, so how could we make it  
8 work and get this resolution to the right place?

9

10 DR. SCHROEDER: Mr. Chairman, a  
11 resolution passed by the Council is a matter of public  
12 record once it's passed by the Council. So you could  
13 report that resolution. If we were sending something out  
14 as a piece of correspondence then we need to route  
15 through OSM and follow our correspondence policy. That's  
16 my take on it.

17

18 CHAIRMAN LITTLEFIELD: Okay, so generally  
19 resolutions are sent to somebody, we should either send  
20 it to ourselves or send it to OSM.

21

22 Mr. Boyd.

23

24 MR. BOYD: Mr. Chair, understanding the  
25 concerns of the Council with regard to the halibut, the  
26 change in the halibut regulations which are not within  
27 our jurisdiction, but I understand that you want to be  
28 able to speak to that, I would suggest you send it to the  
29 Board and then we would -- one approach would be the  
30 Board could then forward your comments as your comments  
31 to the appropriate authority.

32

33 CHAIRMAN LITTLEFIELD: Can you get all  
34 this done by Wednesday at 8:00 a.m.

35

36 MR. BOYD: That's a week from now, right?

37

38 CHAIRMAN LITTLEFIELD: (Nods  
39 affirmatively)

40

41 MR. BOYD: Sure, we can do anything, Mr.  
42 Chair.

43

44 CHAIRMAN LITTLEFIELD: Okay, because we'd  
45 like to -- it's important that we have that. We  
46 recognize that halibut is not within the authority but it  
47 is a wildlife -- fish and wildlife and renewable resource  
48 in the state of Alaska and we have the right to comment  
49 on those things and that's why we want to take that  
50 action.

1 MR. BOYD: I think it would be doable if  
2 we had it in hand in a reasonable amount of time, I think  
3 we could get it forwarded.

4  
5 CHAIRMAN LITTLEFIELD: Okay, thank you.  
6 Dr. Garza is busily whacking on the computer and we're  
7 going to have that language and -- are you ready?

8  
9 DR. GARZA: Just a minute.

10  
11 CHAIRMAN LITTLEFIELD: At ease for a  
12 minute. You get two doctors on a keyboard and you never  
13 know what's going to happen.

14  
15 (Laughter)

16  
17 CHAIRMAN LITTLEFIELD: Just bear with us  
18 for a minute, we're going to make sure that this is read  
19 into the record so that it at least becomes part of the  
20 permanent record even if it doesn't go any farther than  
21 that.

22  
23 (Off record)

24  
25 (On record)

26  
27 CHAIRMAN LITTLEFIELD: Mr. Boyd, we'll  
28 keep you here and we'll run a copy of this out of the  
29 printer and hand this to you before you take off, Mr.  
30 Boyd.

31  
32 MR. BOYD: Yes, Mr. Chair.

33  
34 CHAIRMAN LITTLEFIELD: We're going to  
35 print a copy for you and I assume the Council is shortly  
36 going to adopt it and we'll make sure you have that in  
37 hand to take with you today so we can get quick action on  
38 it.

39  
40 We'll give it a try here, are you ready.  
41 Dr. Garza.

42  
43 DR. GARZA: So, Mr. Chairman, I'll talk  
44 while he's cleaning it up.

45  
46 So the intent of the resolution is to,  
47 one, note that we have already supported the creation of  
48 the subsistence halibut fishery through letter and  
49 through resolution in the past and that those should be  
50 brought forward.

1 Note that the Council is considering  
2 reducing the fishing opportunity, the subsistence halibut  
3 fishing opportunity.

4  
5 That such recommendation that they're  
6 considering is not based on data, there's only been like  
7 one and a half years of halibut subsistence fishing, and  
8 that the recommendation for this reduction is also not  
9 addressing existing conservation concerns. There's been  
10 no data that's demonstrated that the subsistence  
11 fishermen have had any impact on the halibut stocks.

12  
13 So the therefore be it resolved is that  
14 Southeast Regional Advisory Council does not support any  
15 reduction in subsistence halibut fishery and I would add  
16 another, which I didn't put in there, and further  
17 therefore be it resolved that such recommendation not be  
18 brought be back until several years of data have been --  
19 I'm losing it, go ahead, established.

20  
21 CHAIRMAN LITTLEFIELD: Normally when you  
22 have an allocation plan it's appropriate to wait several  
23 years, at least three to five years before you start  
24 making responses to that so you have the ability to  
25 recognize what's happening there. And I would recommend  
26 five years, that five years is used by the State of  
27 Alaska on their allocation plan between the net fisheries  
28 and the trollers and I think five years is appropriate  
29 here.

30  
31 DR. GARZA: So the final therefore be it  
32 resolved would indicate that no changes to the  
33 subsistence halibut fishery regulations be considered for  
34 five years.

35  
36 (Pause)

37  
38 CHAIRMAN LITTLEFIELD: Okay, we're just  
39 about there if somebody would make a motion to adopt the  
40 language that's shown on the screen, we could probably  
41 get going on this.

42  
43 MR. KITKA: Mr. Chairman.

44  
45 CHAIRMAN LITTLEFIELD: Mr. Kitka.

46  
47 MR. KITKA: I would move that we adopt  
48 the language that's on the screen.

49  
50 CHAIRMAN LITTLEFIELD: Is there a second.

1 MR. DOUVILLE: I second.

2

3 CHAIRMAN LITTLEFIELD: Okay. There's a  
4 motion and a second to approve the language resolution as  
5 shown on the screen, and it's still being adapted as we  
6 speak, but it basically captures the intent shown there  
7 that SERAC is in opposition to changes to the existing  
8 North Pacific Fisheries Management Halibut Subsistence  
9 Program and we're further opposed to those changes for a  
10 period of five years, we need to allow them time to make  
11 sure there's some kind of effect from what's happened.  
12 And all the whereas' should cover that, is it all up  
13 there now?

14

(Council nods affirmatively)

15

16 CHAIRMAN LITTLEFIELD: Okay, because the  
17 transcript does not have this screen available, let's  
18 make sure if we have it that we can read it into the  
19 record.  
20

21

22 DR. GARZA: Mr. Chairman, the resolution  
23 is as follows:

24

25 Whereas, SERAC supported implementation  
26 of the subsistence halibut fishing regulations through  
27 letter and action, and;

28

29 Whereas, the North Pacific Fishery  
30 Management Council is considering reducing the fishing  
31 opportunity, and:

32

33 Whereas, such recommendation is not based  
34 on data, and;

35

36 Whereas, such recommendation does not  
37 address existing conservation concerns;

38

39 Therefore be it resolved, SERAC does not  
40 support any reduction in subsistence halibut opportunity;

41

42 Further be it resolved, that changes in  
43 the subsistence halibut fishing regulations remain in  
44 force for five years in order to allow for sufficient  
45 experience with the fishery to permit evaluation of  
46 subsistence uses and needs.

47

48 That is the resolution.

49

50 CHAIRMAN LITTLEFIELD: The resolution

1 before you, is there any discussion.  
2  
3 (No comments)  
4  
5 CHAIRMAN LITTLEFIELD: All in favor of  
6 this resolution please signify by saying aye.  
7  
8 IN UNISON: Aye.  
9  
10 CHAIRMAN LITTLEFIELD: All those opposed,  
11 same sign.  
12  
13 (No opposing votes)  
14  
15 CHAIRMAN LITTLEFIELD: The resolution  
16 note at the bottom is unanimous.  
17  
18 You have the last word, Mr. Martin.  
19  
20 MR. MARTIN: Thank you very much Chairman  
21 Littlefield and members of the Council.  
22  
23 CHAIRMAN LITTLEFIELD: Thank you, very  
24 much. At this time we're going to wrap it up here but  
25 we're going to first go to the members of the audience  
26 that would like to have the last word, we can go around  
27 in turn, we'll start here with Mr. Capra probably and  
28 we'll work our way down and anybody that wants to come up  
29 and say final comments and then the Council and Staff up  
30 here will have the final say.  
31  
32 Mr. Capra.  
33  
34 MR. CAPRA: Jim Capra with the National  
35 Park Service. Mr. Chairman, Council members, I just want  
36 to thank you for the chance to be here. I appreciate  
37 working on what little bit that we do for Southeast and  
38 look forward to seeing you in Petersburg.  
39  
40 MR. SEE: This is Michael See. As a  
41 subsistence user and as Vice-President of the Hoonah  
42 Indian Association, I'd like to thank the Board for all  
43 their efforts and also the achievements that we've gotten  
44 so far.  
45  
46 Thank you, very much.  
47  
48 MS. JAMES: Once again, I'm Denise James  
49 and I'm here from Saxman, sent by the IRA and I'd like to  
50 thank you all for the opportunity to have been here and

1 for the diligent work you have done. I was overwhelmed,  
2 like I said, I received the package shortly before  
3 arriving here and as an individual, again, I'd like to  
4 thank you for what you're doing.

5  
6 Thanks.

7  
8 MS. CARTWRIGHT: Mr. Chair. Members of  
9 the Council. I'm Meg Cartwright from Alaska Department  
10 of Fish and Game. And I just want to thank you very much  
11 for your support on the Klawock Lake project for funding  
12 for another two years. The capacity building has been  
13 phenomenal, but, equally the crews that we've got from  
14 the tribal governments have been phenomenal as well, so  
15 thank you very much.

16  
17 MS. CRAPELLA: I just want to thank you  
18 on behalf of Southeast Alaska Conservation Council,  
19 SEACC, for the great work that you do. And SEACC really  
20 values its relationship with this Council and hopes to be  
21 at the next meeting. And Dr. Garza, one thing I didn't  
22 have in front of me but I just wanted to let you know,  
23 you said that you weren't sure whether there were any  
24 timber sales being planned or being worked on or roads  
25 happening down there in South Tongass and I do know that  
26 Exchange Cove in Northwest POW is in the pre-roading  
27 stage and Staney Creek area of POW is in the planning  
28 stage so monies are going towards those timber sales, and  
29 that's all I wanted to add, and thank you very much.

30  
31 MS. CRAIG: Thank you, Mr. Chairman, and  
32 members of the Council. I realize that Mr. Truitt is  
33 gone and has about the best manners of anybody I know,  
34 and if he was here he would say thank you for all the  
35 work that you've done as well as thank you for the  
36 funding that made it possible for he and members of the  
37 Sitka Tribal Staff as well as Staff and Council from 11  
38 other tribes to attend this meeting. And we're  
39 appreciative of all the work that you do.

40  
41 Thank you.

42  
43 CHAIRMAN LITTLEFIELD: Thank you.  
44 Anybody else in the back there.

45  
46 (No comments)

47  
48 CHAIRMAN LITTLEFIELD: Okay, we're moving  
49 over into Staff area. We have some Staff in the back,  
50 we'll start there and then Mr. Kessler and then we'll

1 work our way to Staff up here.

2

3 Mr. Johnson.

4

5 MR. JOHNSON: I, too, just want to say  
6 thanks, Mr. Chairman, and Council for the opportunity to  
7 be able to be able to work with this group. It's gone on  
8 several years now and each year it gets a little better  
9 and again, I want to thank you for the work that the  
10 Council does.

11

12 Thank you.

13

14 MR. VANALEN: Mr. Chairman. Members of  
15 the Council. I just want to thank you again for your  
16 deliberation and consideration on the stock, status and  
17 trend kind of projects, I know that's a tough one and I  
18 know we didn't have much money.

19

20 One thing I just want to point out, it's  
21 been on the back table, is just a quick, I think, three  
22 page handout summarizing the work that the Hoonah Indian  
23 Association has been doing in the past three years and a  
24 little work that we've done in Yakutat.

25

26 Thank you.

27

28 CHAIRMAN LITTLEFIELD: Thank you.

29

30 MR. SUMINSKI: Mr. Chairman. Council. I  
31 just wanted to just express to you that I hope the  
32 information that I provided to you at this meeting was  
33 helpful and I also wanted to thank everybody for the card  
34 that you got for Mary and I.

35

36 Thank you.

37

38 CHAIRMAN LITTLEFIELD: Jim, did you have  
39 any closing comments.

40

41 (No comments)

42

43 CHAIRMAN LITTLEFIELD: Okay, Mr. Kessler.

44

45 DR. SCHROEDER: No comments.

46

47 CHAIRMAN LITTLEFIELD: No comments from  
48 the InterAgency Staff Committee.

49

50 (Laughter)

1 MR. KESSLER: Mr. Chairman and Council, I  
2 was really going to say that this is my voluntary walk  
3 rather than the involuntary walk.

4  
5 Anyway, thank you very much for all the  
6 work that you do and it's been a pleasure working with  
7 you and I look forward to continuing to work with you.  
8 This has been my third meeting with you and I'm just  
9 continually impressed with how well this process seems to  
10 work. And I really look forward to working with the  
11 Council on our new program, the Wildlife Information  
12 Services, I hope that it does get funded as we  
13 anticipate, and that we can, over the next year, bring  
14 this whole process to fruition.

15  
16 So thanks again.

17  
18 CHAIRMAN LITTLEFIELD: Let's go back --  
19 no, let's go to Tina first and then we'll work our way up  
20 here and then we'll go to Dr. Schroeder and then we'll  
21 take the Council. State your name for the record please.

22  
23 (Laughter)

24  
25 DR. SCHROEDER: Turn your microphone on  
26 would you please.

27  
28 (Laughter)

29  
30 REPORTER: My name is Tina and I've been  
31 the court reporter for a few years. I just want to say  
32 it's nice to work with you and thanks for having me every  
33 year and I'll see you guys in Petersburg next year.

34  
35 Bye.

36  
37 CHAIRMAN LITTLEFIELD: You do a great job  
38 on those transcripts. I'm amazed sometimes that you  
39 capture all that, but thank you.

40  
41 REPORTER: Thank you.

42  
43 CHAIRMAN LITTLEFIELD: Cal.

44  
45 MR. CASIPIT: Thank you, Mr. Chairman.  
46 Cal Casipit, Staff fish biologist for the Forest Service  
47 for the subsistence program.

48  
49 This Council continues to do amazing work  
50 and I'm continually impressed with the quality of work

1 that's done and the quality of the recommendations that  
2 come from this Council. I'm also impressed with the  
3 attention to details that you all do for us. I also am  
4 very appreciative of your work, I know it's all  
5 volunteered, I know you don't get paid for this, and in  
6 my mind that is the ultimate public service to the  
7 public's we serve. I will continue to continue working  
8 with you guys to make sure that the subsistence needs are  
9 taken care of and our rural residents have all the  
10 opportunity they need to meet their subsistence needs.

11  
12 I really appreciate working with you  
13 guys, I consider all of you my friends and not only just  
14 Council members, I get an incredible amount of energy  
15 after these meetings from interacting with you and  
16 sharing meals with you and sharing dances with you, it is  
17 truly an invigorating and fulfilling experience for me  
18 and I can't imagine myself doing anything else.

19  
20 Thank you.

21  
22 CHAIRMAN LITTLEFIELD: Thank you.

23  
24 DR. SCHROEDER: I'd like to thank all the  
25 Council members and all the meeting participants,  
26 particularly those of you who are still here, who stuck  
27 it out to the last day and I think a special award to go  
28 to SEACC for coming for four days in a row to bring that  
29 issue before us.

30  
31 I also really appreciated at this meeting  
32 how well it worked to have Sitka Tribe nest its meeting  
33 with our meeting, that greatly contributed to having a  
34 lot more public input than we have had in quite a few  
35 meetings. So hopefully we can do things in the future  
36 that way as well. I also really wanted to thank people  
37 for the great food they brought by for Tuesday evening's  
38 event. The Staff tend to work pretty hard on these  
39 things and we're all tired out and then I realize these  
40 are jobs and I just second what Cal had to say that we  
41 all should really be aware of the kind of unending  
42 demands that we put on people who participate in the  
43 public process, not only at these Council meetings and  
44 doing the prep work for this but there's a lot of  
45 committee work that our Councils volunteer for. So I  
46 think the Staff, in particular, owe a big thanks to the  
47 Council for being so involved.

48  
49 On that score, I'd also like more  
50 suggestions from the Council, we're doing a -- I think

1 the Council's doing an excellent job. I think our Staff  
2 support's pretty good. But that isn't to say we can't do  
3 a better job, so we're open to any improvements people  
4 might think of.

5  
6 Gunaxcheesh.

7  
8 CHAIRMAN LITTLEFIELD: Thank you. We'll  
9 go this way to Mr. Hernandez and then we'll work our way  
10 this way and I'll be last.

11  
12 MR. HERNANDEZ: Thank you, Mr. Chairman.  
13 As always it's been a very interesting and informative  
14 meeting. I really look forward to coming to these  
15 meetings and get a chance to learn a lot of stuff while  
16 I'm here and it's a real pleasure working with this  
17 Council, it's a great group. I want to thank  
18 particularly the members of the public that take the time  
19 to come and testify before us, it's really helpful, I  
20 appreciate -- I've seen some people who have been here  
21 every day from the public and I've got to commend them  
22 for that, and your testimony is just very important to  
23 us.

24  
25 Thank you.

26  
27 MR. DOUVILLE: Thank you, Mr. Chairman.  
28 It's a pleasure to be here. I appreciate all the work  
29 that Staff does, you guys do a good job. And especially  
30 like, Mr. Hernandez, the public testimony from the  
31 villages is really great. But other than that I would  
32 hope that all of our effort bears fruit at the next  
33 level.

34  
35 DR. GARZA: I'm beat. It was a great  
36 meeting.

37  
38 (Laughter)

39  
40 CHAIRMAN LITTLEFIELD: That's the  
41 shortest speech on record.

42  
43 (Laughter)

44  
45 CHAIRMAN LITTLEFIELD: Mr. Kitka.

46  
47 MR. KITKA: Thank you, Mr. Chairman. I  
48 appreciate all of Staff's work. We had tremendous  
49 information we had to absorb and I really appreciated the  
50 community's coming up and giving public testimony. I'm

1 not too sure whether I'll be here at the next meeting  
2 since we haven't gotten the appointments at this point  
3 yet, so some us don't know whether we'll still be on the  
4 Council, so it was great.

5  
6 Thank you.

7  
8 MR. BANGS: Thank you, Mr. Chairman. I'd  
9 just like to say that it was definitely a learning  
10 experience and I appreciate everyone's hard work and  
11 patience and involvement in this process.

12  
13 Hopefully, we can come up with a way to  
14 encourage more written public comment and have more  
15 involvement from the local Fish and Game Advisory  
16 Committees and what not, I noticed that we didn't have  
17 any comments from those and I think that that's something  
18 that we could try to work towards, is getting more public  
19 involvement. Coordinating the meeting with the Sitka  
20 Tribe worked out really well and I appreciate the people  
21 that allowed us to use this facility, and it was just a  
22 good meeting.

23  
24 Thank you.

25  
26 CHAIRMAN LITTLEFIELD: Thank you. I'm  
27 going to give my older brother, Mr. Stokes, the last  
28 action in this and that's because I had a gaff when we  
29 first started and it wasn't the kind you catch fish with,  
30 it was forgetting to allow the traditional story to be  
31 told as well as opening the meeting. That's our  
32 tradition, we normally do that, and I just ran right  
33 through it so I'm going to let Mr. Stokes have the last  
34 word.

35  
36 But I would like to thank the Staff for  
37 the presentations and also I want to make sure Mr. Turek  
38 and Ms. See, that I was really appreciative to see the  
39 comments that you brought forward. I want to make sure  
40 that you understand that we know we each have jobs to do  
41 but we want to see those papers, hopefully, as soon as  
42 possible, and I did appreciate you bringing them forward  
43 the next day, and they don't make me feel bad when I know  
44 you're opposed to me because I'm kind of expecting that  
45 anyway.

46  
47 (Laughter)

48  
49 CHAIRMAN LITTLEFIELD: But it's okay to  
50 do that, and hopefully if Staff could have -- everybody

1 could have this stuff to the Council ahead of time it's  
2 really going to make a difference. I did get a CD quite  
3 early, and I was really happy with that, it had the board  
4 book on there and then several days later I got another  
5 board book by regular mail and I said, who, this is  
6 pretty good and then two days after that I got one by  
7 Federal Express.

8

9 (Laughter)

10

11 CHAIRMAN LITTLEFIELD: So I don't know  
12 how all that worked, but I was glad to get all the board  
13 books so Federal Express didn't work too well.

14

15 So it was good to see everybody again and  
16 the dinner we had the other night was quite a deal, that  
17 black cod, um, man, that was great, I'm still wishing I  
18 had more of that. So anyway, thanks to Staff for all  
19 their good help, thanks to the Council, you've got  
20 volunteers up here. All of you have been volunteering  
21 for duty and I really appreciate that and I want to make  
22 sure that everybody understands that.

23

24 Lastly, we had three members of the  
25 Federal Subsistence Board attend this meeting, I think  
26 that's kind of almost unique. I don't know if it is or  
27 not but we do appreciate you stopping by. I appreciate  
28 Mr. Boyd, from OSM, spending the entire meeting with us,  
29 that's -- a couple years ago that didn't happen they  
30 always had to go on Wednesday or something, but anyway,  
31 we appreciate you sticking with us until the bitter end.

32

33 Thank you, very much. Mr. Stokes, you  
34 can close it any way you wish.

35

36 MR. STOKES: Well, I'd like to thank  
37 everyone for all their support, both State and Federal.  
38 I know I was asked if we were getting anywhere with the  
39 State and I said, yes, if they were all like Mr. Turek's  
40 office we'd be doing 100 percent.

41

42 But I would like to thank Cal and Dr.  
43 Garza for their support in -- well, the office -- all of  
44 them, but mainly them because they've been an extra lot  
45 of help in order to get the subsistence season on the  
46 Stikene River. While we got our foot in the door for the  
47 sockeye we would like to continue for the king salmon and  
48 the coho.

49

50 And I was just thinking here, talking to

1 Terry, he just got married here recently and reminded me  
2 of a joke I heard many years ago.

3

4 (Laughter)

5

6 MR. STOKES: A fellow was out, way out,  
7 he was subsistence fishing and he got word that his  
8 mother-in-law had passed away and his contact said, what  
9 do you recommend, embalming, burial or cremation and he  
10 responded take no chances order all three.

11

12 (Laughter)

13

14 MR. STOKES: Well, I would like to thank  
15 this Council for all their support and hope we will get  
16 some eggs on the kelp next year.

17

18 Let's have a word of prayer. Heavenly  
19 Father, we are so thankful that we come to thy today. We  
20 know that you are ever present with us, Lord we pray that  
21 you will continue to be with us and we pray you will take  
22 each and everyone safely home, we ask in thy name.

23

24 Amen.

25

26 CHAIRMAN LITTLEFIELD: You guys want to  
27 learn a Tlingit word. Xooxcha, that's it.

28

29 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 423 through 535 contain a full, true and correct Transcript of the VOLUME IV, SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by Salena Hile on the 30th day of September 2004, beginning at the hour of 8:00 o'clock a.m. at Juneau, Alaska;

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

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

DATED at Anchorage, Alaska, this 15th day of October 2004.

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