

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

SOUTHCENTRAL FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

Anchorage, Alaska
December 8, 2006
9:00 o'clock a.m.

COUNCIL MEMBERS PRESENT:

- Ralph Lohse, Chairman
- Doug Blossom
- Tom Carpenter
- Fred Elvsaas
- Richard Greg Encelewski
- James Showalter
- Gloria Stickwan

- Regional Council Coordinator, Donald Mike

Recorded and transcribed by:
Computer Matrix Court Reporters, LLC
3522 West 27th Avenue
Anchorage, AK 99517
907-243-0668
jpk@gci.net

1 P R O C E E D I N G S

2
3 (Anchorage, Alaska - 12/8/2006)

4
5 (On record)

6
7 CHAIRMAN LOHSE: I'd like to call this
8 special meeting of the Southcentral Alaska Subsistence
9 Regional Advisory Council in session. Today is, if I
10 remember right, December the 9th?

11
12 MR. CARPENTER: 8th.

13
14 CHAIRMAN LOHSE: 8th. December the 8th.
15 It says that right here, 2006. With that, Donald, would
16 you make a roll call and see if we have a quorum
17 established.

18
19 MR. MIKE: Thank you, Mr. Chair. Donald
20 Mike, regional Council coordinator. Mr. Chair, we have
21 some newly appointed members to the Council and today we
22 have Mr. Fred Elvsaas from Seldovia. So I'll start out
23 with the roll call.

24
25 Mr. Robert Churchill.

26
27 (No comments)

28
29 MR. MIKE: Mr. Churchill stated that he
30 would try to be here so maybe he will be a little bit
31 late.

32
33 Mr. Pete Kompkoff.

34
35 (No comments)

36
37 MR. MIKE: I contacted Mr. Kompkoff and
38 he stated to me that he's got other commitments that he's
39 got going right now and he's going to submit his
40 resignation to the Council.

41
42 Mr. Doug Blossom.

43
44 MR. BLOSSOM: Here.

45
46 MR. MIKE: Mr. Greg Encelewski.

47
48 MR. ENCELEWSKI: Here.

49
50 MR. MIKE: Patricia Waggoner. She's one

1 of our newest appointed members to the Council and she's
2 currently out of state.

3
4 Mr. John Lamb. Mr. John Lamb from Hiland
5 Lake is one of our newly appointed members, and before
6 you can do any travel we have to do some administrative
7 paperwork for Mr. Lamb.

8
9 Ms. Gloria Stickwan.

10
11 MS. STICKWAN: Here.

12
13 MR. MIKE: Mr. Dean Wilson.

14
15 (No comments)

16
17 MR. MIKE: Mr. Dean Wilson stated that he
18 would not be able to make the meeting, he's got other
19 commitments he's doing at Kenny Lake.

20
21 Mr. James Showalter.

22
23 MR. SHOWALTER: Here.

24
25 MR. MIKE: Mr. Ralph Lohse.

26
27 CHAIRMAN LOHSE: Here.

28
29 MR. MIKE: Mr. Tom Carpenter.

30
31 MR. CARPENTER: Here.

32
33 MR. MIKE: Mr. Fred Elvsaas.

34
35 MR. ELVSAAS: Here.

36
37 MR. MIKE: Mr. Chair. We have seven
38 members present, you have quorum. Thank you.

39
40 CHAIRMAN LOHSE: Thank you, Donald. With
41 that, we'd like to welcome everybody to this meeting.
42 And I think everybody pretty much knows what this special
43 meeting is about so I don't have to explain that to
44 everybody. But what I would like to do is I would like
45 to go around and get an introduction from the people that
46 are here.

47
48 The Council has just introduced
49 themselves in the roll call, if we feel the need to
50 introduce ourselves again we can. But we'd like to have

1 an introduction by all the people who are out in the
2 audience, and people on line, if there are people on
3 line. So with that, let's start with the people on line
4 and then let's just start over here and go around the
5 room. Are there anybody on line that would like to
6 introduce themselves.

7

8 MR. SONNEVIL: Yes, Mr. Chair. This is
9 Gary Sonnevil with Fish and Wildlife Service in Kenai.

10

11 CHAIRMAN LOHSE: Thank you, Gary.

12

13 MR. WEST: Mr. Chair. This is Robin
14 West, joined by Ken Hall (ph) at Kenai Refuge, also down
15 here in Soldotna.

16

17 CHAIRMAN LOHSE: Thank you, Robin. Do we
18 have any others.

19

20 (No comments)

21

22 CHAIRMAN LOHSE: Thank you.

23

24 MR. MCBRIDE: My name's Doug McBride, OSM
25 Staff.

26

27 MR. PROBASCO: Pete Probasco, OSM.

28

29 MS. WILKINSON: Ann Wilkinson, OSM.

30

31 MR, KNAUER: Bill Knauer, OSM.

32

33 MR. BERG: Good morning, Jerry Berg with
34 Fish and Wildlife Service, Staff Committee.

35

36 MS. H. ARMSTRONG: Helen Armstrong, OSM.
37 I'm the anthropologist that is supporting this Council.

38

39 MS. WILLIAMS: Liz Williams,
40 anthropologist at OSM.

41

42 MR. EDENSHAW: Cliff Edenshaw, Bristol
43 Bay coordinator, OSM.

44

45 MS. PETRIVELLI: Pat Petrivelli,
46 anthropologist for BIA.

47

48 MR. BRYDEN: Jeff Bryden, U.S. Forest
49 Service law enforcement.

50

1 MR. ZEMKE: Steve Zemke, subsistence
2 coordinator for Chugach National Forest.
3
4 MS. GOTTLIEB: Hi. I'm Judy Gottlieb,
5 Federal Subsistence Board, National Park Service. And I
6 want to welcome the Chair back to the table.
7
8 MR. STARKEY: Sky Starkey representing
9 Ninilchik Tribe.
10
11 MR. ENCELEWSKI: I'm Ivan Encelewski from
12 the Ninilchik Tribe.
13
14 MS. TAKESHORSE: Brenda Takeshorse,
15 Native liaison, BLM.
16
17 MR. ARDIZZONE: Chuck Ardizzone, Staff
18 Committee member, Bureau of Land Management.
19
20 MR. WILLIAMS: Darrel Williams, NTC.
21
22 MR. ODMAN: Kenny Odman, NTC.
23
24 MR. NELSON: Dave Nelson, National Park
25 Service.
26
27 MR. HILSINGER: John Hilsinger,
28 Department of Fish and Game.
29
30 MR. JACK: Carl Jack, Staff Committee.
31
32 CHAIRMAN LOHSE: Okay, the only one we
33 don't have is our recorder, and we've all met him before,
34 but maybe he could introduce himself.
35
36 REPORTER: I'm Nathan.
37
38 CHAIRMAN LOHSE: And, Nathan, you got
39 anything you want to tell people.
40
41 REPORTER: No, I'm good.
42
43 (Laughter)
44
45 CHAIRMAN LOHSE: Okay. I was just
46 wondering if you had any instructions to make sure you
47 press your mic button, or if you want to speak come
48 forward to this table up here so that he can get a good
49 record of it.
50

1 REPORTER: That's good.
2
3 (Laughter)
4
5 CHAIRMAN LOHSE: With that, we're going
6 to take a look at our agenda. And I see that everything
7 is in the positive on the agenda. Any comments, Donald.
8
9 MR. MIKE: Thank you, Mr. Chair. After
10 reviewing and adoption of the agenda, Mr. Chair, I'd like
11 to include an introduction by Mr. Pete Probasco and then
12 followed by Ann Wilkinson and she'll give you an overview
13 of the subcommittee's role and function.
14
15 Thank you, Mr. Chair.
16
17 CHAIRMAN LOHSE: Thank you, Donald. That
18 would be between four and five, right?
19
20 MR. MIKE: That's correct, Mr. Chair.
21
22 CHAIRMAN LOHSE: Okay. And then I would
23 like to add after that, public testimony, if that's okay
24 with the rest of the Council.
25
26 (Council nods affirmatively)
27
28 CHAIRMAN LOHSE: So we'll take public
29 testimony after we have our introduction and before we go
30 into discussion and things like that.
31
32 Any other additions or corrections you'd
33 like to give to the agenda.
34
35 Donald.
36
37 MR. MIKE: Mr. Chair. Just for the
38 Council, we have additional people that may call in to
39 testify and we'll hear a beep and just for the Council it
40 might be a good idea to acknowledge the presence.
41
42 CHAIRMAN LOHSE: Thank you, Donald.
43
44 (No comments)
45
46 CHAIRMAN LOHSE: Hearing none, a motion
47 to adopt the agenda is in order.
48
49 MR. CARPENTER: So moved.
50

1 CHAIRMAN LOHSE: The revised agenda.
2
3 MR. SHOWALTER: Second.
4
5 CHAIRMAN LOHSE: It's been moved and
6 seconded to adopt the agenda as revised. All in favor
7 signify by saying aye.
8
9 IN UNISON: Aye.
10
11 CHAIRMAN LOHSE: All opposed, signify by
12 saying nay.
13
14 (No opposing votes)
15
16 CHAIRMAN LOHSE: Motion carries.
17
18 Okay, with that we'll go into our introduction by Pete
19 and then Ann on the role of the Staff and from there
20 we'll take public testimony and then go into our
21 deliberations.
22
23 MR. PROBASCO: Good morning, Mr. Chair.
24 And welcome back Fred, glad to have you back at the
25 table.
26
27 I just thought I'd say a few words. I
28 think you captured very well, Ralph, saying that, I
29 think, everybody knows why we're here. Just to refresh
30 Council members, the purpose of this meeting was a
31 meeting requested by your acting Chair at the Board
32 meeting and concurrence by the Board members at their
33 last meeting where they took up the discussion of the
34 proposal for the 11th Council. OSM was asked to try to
35 expediently get a meeting together of the Southcentral
36 Regional Advisory Council to, again, discuss the topic of
37 a subcommittee to report to the Southcentral Council
38 dealing with the Kenai Peninsula issues and proposals
39 that you will be deliberating on in March.
40
41 Ralph and I and Tom talked, just prior to
42 this meeting, and after reviewing some of the
43 information, particularly the transcripts from last
44 spring, if you recall, at that point in time the Board
45 had met with the Council and made a proposal to do what
46 they called a stakeholder's group. It became very
47 evident that there was a misunderstanding, particularly
48 from Council members and I take responsibility for that
49 that we should have, OSM should have done a better job of
50 helping the Council to understand what is meant by a

1 stakeholder's group or a subcommittee. And where it
2 really hit home is at the Homer meeting when Mr. Blossom
3 put a motion on the table to form a subcommittee and his
4 thoughts were that -- or an advisory committee, and his
5 thoughts at that point in time were that it would report
6 back to the Council, well, in fact, his motion was an
7 advisory committee of the Board and it would not report
8 back to the Council.

9
10 The issue before you is a subcommittee of
11 the Council. A subcommittee of the Council is your
12 committee. That whatever work is accomplished by that
13 committee reports back to the Council and it's up to the
14 Council to determine what is forwarded to the Board for
15 their deliberation. So it's your committee, it's not
16 independent of, and doesn't work independent of the
17 Southcentral Regional Advisory Council. If this Council
18 elects to form a subcommittee I have set aside some
19 funding to assist in this. Issues that you should
20 discuss today would be membership. I know that the
21 Ninilchik Tribal Council has developed a proposal for
22 your consideration. I think it is a good proposal.
23 There is a couple things that Ann will clarify on that
24 that cannot be accomplished; I think those are important
25 to understand.

26
27 The funding would help for the obvious
28 things, of course, to support Council members travel,
29 meeting locations, and also I set aside some funding for
30 a potential facilitator. We have found in dealing with
31 subsistence issues, most recently, the Unit 2 deer issue,
32 that a facilitator was one of the elements, key elements
33 that provided the success for that committee. So that's
34 for your consideration as well.

35
36 I asked Donald to -- and first I want to
37 thank Donald for a lot of effort to put this meeting
38 together and to scramble to get the proper notices out,
39 et cetera, and Donald did a great job of getting this
40 together and I appreciate you guys juggling your schedule
41 to make the quorum. Donald sent you the transcripts from
42 the Board meeting.

43
44 It's important to grasp what the Board
45 and Mr. Carpenter were talking about, and those are Pages
46 171 to 176. It's very clear why we're here, what the
47 Board's direction were to OSM.

48
49 And with that, Mr. Chair, I will end and
50 take any questions, if there are any.

1 Mr. Chair.
2
3 CHAIRMAN LOHSE: Thank you, Pete. Does
4 anybody have any questions for Pete at this time.
5
6 MS. STICKWAN: I do.
7
8 CHAIRMAN LOHSE: Gloria.
9
10 MS. STICKWAN: Would this subcommittee be
11 -- does it have to comply with FACA?
12
13 MR. PROBASCO: Mr. Chair. Ann's going to
14 get to those topics, so Ms. Stickwan I would save your
15 question for Ann. She's our FACA expert.
16
17 CHAIRMAN LOHSE: Okay. Any other
18 questions for Pete.
19
20 (No comments)
21
22 CHAIRMAN LOHSE: Well, Pete, we'll just
23 wait and see how the discussions and the wishes of the
24 Council come out and we can work from there then.
25
26 Thank you.
27
28 Ann.
29
30 MS. WILKINSON: Good morning, Mr.
31 Chairman. Members of the Council. My name is Ann
32 Wilkinson and I am the FACA coordinator for OSM, and I
33 oversee the Regional Council system.
34
35 A subcommittee is defined in FACA as a
36 group, generally not subject to FACA that
37 reports to an advisory committee, in this
38 case the Council, not to the Federal
39 agency or any particular Federal officer
40 or officers, whether or not its members
41 come in part or in whole from the
42 Council.
43
44 The Board, however, would approve the
45 formation of a subcommittee and the operation of a
46 subcommittee. In other words, you just have to get the
47 Board's approval, and I think that's pretty well obvious
48 that you do have.
49
50 A subcommittee would report entirely to

1 the Council. And all their work would be given over to
2 the Council when they have completed the job. The DFO
3 would have to attend every meeting. And keep a good and
4 accurate record of what occurs at the meetings. Any
5 agency members who want to know what happens at the
6 meetings will need to attend, they will not be reporting
7 to them, the Council will not be reporting to them about
8 your work. However, non-agency members of this group who
9 are appointed as representatives of a particular
10 organization, such as Ninilchik or the Kenai Sportfishing
11 Association, they would be expected to report to their
12 organizations.

13

14 Once the subcommittee has completed its
15 work it turns over all of its documents and makes a full
16 report in public at a Council meeting so that everyone
17 who's involved has an opportunity to hear what they did
18 and how they did it, and then the Council makes the
19 decision about what they want to do with that
20 information.

21

22 Just a couple of things about the
23 Ninilchik suggestions for the Council, about forming the
24 work group. It doesn't matter what you call it, a work
25 group, stakeholder's group, a subcommittee, if we're
26 going to use the information and we're paying for it, we
27 have to be involved, so when they talk about being
28 completely separate and independent from the Council and
29 the Board, that's not feasible.

30

31 But basically that's all there is about
32 that.

33

34 If you have any questions I'll be glad to
35 answer them.

36

37 CHAIRMAN LOHSE: Anybody have any
38 questions. I think we have a question on the phone right
39 there, would you like to ask -- or are you just reporting
40 in?

41

42 Donald.

43

44 MR. MIKE: This is Donald Mike, Fish and
45 Wildlife Service, who just called in?

46

47 DR. CHEN: Good morning, Donald, this is
48 Glenn Chen from the Bureau of Indian Affairs.

49

50 MR. MIKE: Hi, Glenn, welcome.

1 CHAIRMAN LOHSE: Okay, with that, any
2 questions for Ann.

3
4 (No comments)

5
6 CHAIRMAN LOHSE: I have one question,
7 Ann.

8
9 Basically if I got this right, if any
10 member of the agency wants to know what's going on in the
11 meetings they have to attend and just get the information
12 themselves because a report will not be made from the
13 meetings and issued to the agencies, but members of the
14 committee can report what happened in the meeting to
15 people of, their, like, interest. So it's not a
16 confidential meeting, a member can share the information
17 with somebody else but it's just a matter of sharing
18 information, it's not a matter of giving a report

19
20 MS. WILKINSON: Yes, that's correct. In
21 fact it's a good idea to have the subcommittee meetings
22 be open, if you possibly can.

23
24 CHAIRMAN LOHSE: Yeah.

25
26 MS. WILKINSON: Not necessarily to take
27 testimony but just allow people to observe. The whole
28 reason behind not having reports to agency members is to
29 keep it separate so that the agency will not be seen as
30 having any particularly undue influence over the work of
31 the subcommittee.

32
33 CHAIRMAN LOHSE: Thank you, Ann. Now,
34 could the working group, if it's an open meeting, could
35 they ask for testimony from people who are attending,
36 non-voting members?

37
38 MS. WILKINSON: Yes, they can.

39
40 CHAIRMAN LOHSE: They can.

41
42 MS. WILKINSON: Yes.

43
44 CHAIRMAN LOHSE: Okay. Doug.

45
46 MR. BLOSSOM: Yeah, Mr. Chair. Ann, I
47 got a couple questions. One, I guess, it's probably not
48 desirable to have RAC members even present at this
49 workshop, right, it'd be best that we stay away so we're
50 the judge and not the jury?

1 CHAIRMAN LOHSE: Ann.

2

3 MS. WILKINSON: I think that's a call for
4 the particular situation, you can make that. But most
5 frequently at least one member of the -- I'm just talking
6 about committee's in general, if a committee decides to
7 form a subcommittee at least one committee member is on
8 that subcommittee, generally.

9

10 MR. BLOSSOM: Yeah, Mr. Chair. And
11 that's been my problem all along is that then that one
12 RAC member reports back to the rest of the RAC and they
13 don't really get the whole story, they get his slant of
14 it and I don't like that.

15

16 My second question is, you or one of your
17 Staff will be present at all these meetings and kind of
18 keep record of it then, is that what I see happening?

19

20 MS. WILKINSON: Two things. Yes, Donald
21 will be required to attend all the meetings and he'll
22 take records of everything, keep records.

23

24 The other thing is about the individual
25 Council member reporting back to the Council, until the
26 subcommittee is ready to give its report to the Council,
27 nobody should be saying anything to the Council. But
28 when that's done then the subcommittee turns over all
29 their materials, their full report, every little thing
30 they used for research, any materials they gathered at
31 all, anything they've written as a group, that goes to
32 the Council, it becomes property of the Council and the
33 Council makes a decision what to do with all that
34 information. And so whoever, from the subcommittee, is
35 giving the report to the Council is the one that they
36 hear from, and that could be a Council member or not,
37 whoever -- generally whoever is the Chairman of the
38 subcommittee, or if you have a facilitator that person
39 may do it.

40

41 CHAIRMAN LOHSE: Doug.

42

43 MR. BLOSSOM: Mr. Chair, I got one more
44 question. We have a program called Sound Off on the
45 Kenai, and it's just wild lately about this issue, and
46 the one thing I see that has to happen is you or someone
47 that's knowledgeable needs to be on that program and at
48 these meetings and tell them what subsistence is about
49 and what the priority is and what the rules are, because
50 it's -- I mean you should hear the Sound Off program, it

1 just gets wild and they don't understand what the rules
2 are. And so I guess if we're going to have something
3 like this, someone like you is going to have to stay in
4 charge and keep that on track and not let it get off and
5 get it sidelined.

6

7

CHAIRMAN LOHSE: Ann.

8

9

MS. WILKINSON: Yes, most definitely at
10 the beginning of any group, when they first form the
11 group, we will have to have a time when we explain to
12 them about Title VIII and what the requirements are that
13 they're going to have to meet under Title VIII, that's
14 what we function under and no matter what they do needs
15 to, if it was in that scope, and, so, yes, the
16 facilitator is very familiar -- that we are considering
17 using, is very familiar with Title VIII and certainly we
18 will be watching. I don't know what our schedule for
19 travel would be or anything but I'd be more than glad to
20 oversee that.

21

22

CHAIRMAN LOHSE: Gloria.

23

24

MS. STICKWAN: How many people would be
25 on the subcommittee and who would be the facilitator,
26 would it be an outsider or from the agency?

27

28

MS. WILKINSON: Mr. Chairman. Gloria.
29 How many people would be on the subcommittee would be up
30 to the Council and the Board, but generally it's not a
31 good idea to involve too many people or you can't get
32 anything done. A smaller number is good, but you need to
33 have enough to represent everyone who needs to have a
34 voice. That's -- I think that answers it -- oh, and the
35 facilitator, yes, the facilitator we've used before,
36 Forest Service issues and then we used her for the public
37 meetings, she's very good, and if she's available we
38 certainly will hope to use her again.

39

40

CHAIRMAN LOHSE: Thank you, Ann. I'm
41 just going to speak to, I think, what Doug's question,
42 what he was getting at. I don't think it just needs to
43 be done to the committee at the start of the formation of
44 the committee. It's a controversial enough thing that we
45 need -- if we're going to have a facilitator or if
46 there's going to be a facilitator, it's very important
47 that at the start of every meeting a little introduction
48 is given that points these things out because we're
49 dealing, not just with the committee, we're dealing with
50 attendees, members of the public, members of the audience

1 and the boundaries and the guidelines and the purpose of
2 the committee needs to be made very clear to everybody in
3 attendance otherwise it can deteriorate into a radio talk
4 show.

5

6

Pete.

7

8

MR. PROBASCO: Mr. Chair. Mr. Blossom.

9 I haven't heard of the Sound Off program but we have seen
10 a lot of the paper articles and Judy Gottlieb had made a
11 proposal to my Staff, Maureen Clark, who's head of our
12 public affairs and Maureen's currently working on compass
13 pieces for the Kenai Peninsula audience to do what you're
14 envisioning, to bring people up to speed, what the
15 Federal Subsistence Program is about, why are we on the
16 Kenai Peninsula, et cetera. So we'll take a look at the
17 Sound Off too but we do have some work in progress.

18

19

Mr. Chair.

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

Thank you.

CHAIRMAN LOHSE: Thank you, Greg. Any
other questions or comments for Ann.

Tom.

1 MR. CARPENTER: Yeah, I guess just to
2 comment in regards to what both Pete and Ann said. I
3 think it's important, Doug, that somebody from the RAC be
4 involved in this working group, you know, because the
5 final report is going to be issued back to the Council,
6 if a work group is established, to basically report what
7 happened at the meetings. I don't necessarily think that
8 one or two members of this RAC's opinions would hopefully
9 influence the rest of the RAC in regards to what would
10 happen in the long run. But I think it's important that
11 we include RAC members.

12
13 The other thing is I think it's vitally
14 important that a facilitator, if this were to happen, be
15 put in charge. I've worked with the facilitator Ann's
16 talking with, she's from Juneau, on a couple different
17 fisheries and wildlife resource projects and she was very
18 good, she kept the time at the meeting and I think the
19 discussion was pretty productive and it was also pretty
20 non-confrontational. And when we're talking about this
21 area here that's going to be very important.

22
23 So I think we can discuss more about
24 that, you know, when we get into the proposal, but I
25 think those two things are important.

26
27 CHAIRMAN LOHSE: Any other comments or
28 questions for Ann.

29
30 (No comments)

31
32 CHAIRMAN LOHSE: Thank you, Ann. Okay,
33 with that we're going to take testimony at this point in
34 time. And I've only got one slip in front of me, if
35 anybody else wants to testify I'd like them to put a
36 green slip forward. And what we'd like to do is we'll
37 take testimony at this point in time and then we're going
38 to take a coffee break and everybody can refill their
39 coffee cup or unfill themselves or something like that,
40 and then we will go into our regular meeting then.

41
42 Sky.

43
44 MR. STARKEY: Yes, thank you, Mr.
45 Chairman. And Ivan is up here, too. Ivan Encelewski, go
46 ahead.

47
48 MR. ENCELEWSKI: Ninilchik Traditional
49 Council, Ivan Encelewski.

50

1 MR. STARKEY: Mr. Chairman, thank you for
2 this opportunity to present some ideas. I hope all of
3 you have in front of you what Ninilchik's suggestions
4 are. I just want to be very clear that I look forward to
5 the opportunity to talk to Ann about this, but the tribe
6 doesn't feel like there should be a subcommittee at all
7 of the RAC. It seems like there's a way to meet all the
8 goals and all the reasons for you being here.

9
10 First of all we think it's really
11 important that the RAC, Southcentral RAC maintain it's
12 independence, it's integrity, it's process and it's
13 purpose under ANILCA, and not to go down the sidetrack of
14 subcommittee and stakeholder groups. The Federal system
15 has a process in place. You have proposals for
16 subsistence fisheries that have been in front of you for
17 years and have gone through this process that will be
18 presented to you in March that are being analyzed and
19 that will go to the Federal Board. We don't see any
20 reason why that process and the integrity of that process
21 should be jeopardized or thrown into a subcommittee
22 process.

23
24 On the other hand there is very good
25 reason, including Sound Off and all the other things that
26 you have said to get the user groups on the Kenai
27 Peninsula together and to talk, to sit down and exchange
28 ideas, to sit down and have discussions about their
29 concerns, and to exchange information so that we all
30 understand each other better. That way working from the
31 grassroots up people will become educated. I agree that
32 there's a need for the Federal government to come up and
33 explain what the law is, but my experience with these
34 issues is that people aren't going to listen to the
35 Federal government telling what the law is, they're going
36 to be listening -- the way for the Kenai River
37 Sportsfisher Association to understand things better is
38 to come to a meeting and for them to explain to their
39 membership what's going on. I mean that's how we're
40 going to eventually get to a place where we're talking.
41 What we need is the opportunity to sit down and to talk
42 together. And we need your support in just facilitating
43 that.

44
45 A subcommittee is far too formal. It
46 will dampen debate. I mean if you have a RAC member at
47 the table and you have, you know, a formal subcommittee
48 and there's FACA and blah, blah, blah, and it's going to
49 be discussing proposals, I'm going to be a lot less
50 likely to tell my clients that they should go in and just

1 be completely open and free because I feel like, you
2 know, they're going to be jeopardizing themselves to all
3 kinds of influences and they're going to have to
4 manipulate things through the report, and blah, blah,
5 blah, it's just not going to be a -- it's not going to be
6 a free-flowing exchange of information and ideas and
7 people getting together, and that's what we need at the
8 beginning here.

9
10 And so what we've tried to put together
11 is a way to accomplish two things, to maintain the
12 integrity of this system and to let you work through your
13 process and to get people together with a facilitator and
14 the support of the Federal government. And, you know, if
15 it can't come through the RAC budget maybe we can get a
16 grant from BIA, maybe the Borough can get a grant and
17 pull it together and be the facilitator. It doesn't have
18 to be the Federal -- OSM, they can be involved if they
19 want. It could be, you know, this needs to be coming
20 from the user groups and for people to get together and
21 want to do this to be able to talk to each other and
22 everybody understanding that it's in their own best
23 interest to come together and talk about things and try
24 to reach agreement about how this is all going to work.
25 So I mean what we put down as a goal is just that:

26
27 An opportunity for representatives from
28 user groups to come together to exchange
29 information, concerns and ideas.

30
31 Noticeably absent from that is to provide
32 a report and recommendation to the Regional Council about
33 how the fisheries should be implemented; that is your
34 job. You do a fine job of that and I just don't see that
35 a subcommittee, a committee of 10 people, how are we
36 going to craft together a fish proposal, that's a big,
37 you know, that's a -- you know, if this thing is done
38 properly, and people come together and there's not a lot
39 of pressure and we develop a relationship and talk and it
40 happens for awhile and people want to continue it,
41 voluntarily, it could be that next year in October, you
42 know, when you meet for fisheries proposals you might get
43 a fishery proposal out of this group, in a voluntary,
44 timely, organized kind of way. But to push people to try
45 to do that at this point in time is, I don't think, would
46 be productive.

47
48 So that's the goal and then the key
49 ground rules would just be no further delays in RAC or
50 Federal Subsistence Board action on the fishery proposals

1 that are before you. It would be completely separate and
2 independent from the RAC and the Federal Subsistence
3 Board, participants agree to acknowledge and work within
4 the customary and traditional use determinations and the
5 subsistence opportunity mandated by ANILCA so people
6 wouldn't be getting in there and arguing about whether
7 there should be subsistence; it would just be there is
8 going to be subsistence, how are we all going to work
9 together to try to make this thing work for all of us.
10 And fishery proposals that are already submitted wouldn't
11 be discussed in that group unless the maker of that
12 proposal wants to throw it on the table and say here we
13 go, what do you guys think about this. And then no
14 report would issue from this group at all unless every
15 member of that group, the representatives say, we agree
16 on this report and we want to issue and we think it's
17 time to issue it. And I think that would be a real -- it
18 would just -- everybody then would understand that
19 they're all there to work together and nobody is being
20 pressured, they're not being forced and nothing is going
21 to come out of this unless people -- unless it achieves
22 something good.

23

24 And then the membership that we suggest
25 are the three tribes that are on the Kenai that have used
26 this, the Salamatoff, Ninilchik and the Kenaitze Tribe,
27 the Kenai River Sportsfish Association. And I personally
28 called some of these organizations to try to figure out
29 who the major players and representatives were on the
30 Kenai, and this may not be a complete list but most
31 people thought it was pretty good. The Kenai River
32 Professional Guide's Association to represent the
33 sportsfishing people; Upper Cook Inlet Drift Association
34 and the Alaska Peninsula Fisheries Association to look at
35 the commercial drift and setnetters; the Borough; the
36 state of Alaska. I talked to McKie Campbell yesterday
37 and I've talked to him during the weeks and tried to get
38 a commitment out of the State as to whether they could
39 come to this kind of a table and participate whether they
40 thought it was a good idea and McKie, personally, thought
41 it was a good idea but since the new Governor was only
42 sworn in two days ago didn't know how that administration
43 would come out. But they've been invited and, you know,
44 I don't know what else to do but it certainly wasn't a
45 no, they thought it was a good idea. And then, you know,
46 someone from the community of Cooper Landing and somebody
47 from the community of Hope. And then in addition to that
48 the persons who have made proposals in the hopper should
49 be at the meetings, but maybe not have the same sort of
50 membership status. And then the State Advisory Committee

1 members. And the reason why we didn't put them on as
2 members is they have their own process, they have their
3 own integrity, they have people that they work through
4 and, you know, if they come to the meeting they can go
5 back and talk to their advisory committees and they can
6 take positions on things. So that was our thinking on
7 membership.

8
9 And then staffing, and, again, if OSM
10 thinks that FACA is a problem and they don't want to be
11 involved, all we'd like is for this Regional Council to
12 just endorse it and say we think this is a good concept
13 and if OSM can't fund it, you know, we'll ask everybody
14 to do it voluntarily, we'll ask everybody to chip in for
15 a facilitator, you know, we're willing to try to make it
16 happen. We just don't want to get hung up on that
17 process because just I think it would be -- it will
18 hamper the whole goal of everything. But we thought it
19 would be good if OSM could provide logistic and financial
20 support, only meaning, you know, making sure that if
21 there's communications that need to happen or if there's
22 papers that need to be copied or whatever, just that kind
23 of very fundamental support and to provide some -- to pay
24 for the facilitator. And we think a facilitator is a
25 really good idea.

26
27 And then, you know, it'd be really nice
28 if OSM and the State provided their biologists so
29 everybody would know just the technical information, not
30 the policy stuff, don't want to hear any of your policy
31 stuff, we just want to know the status of the stocks, how
32 it's being harvested, where it might fit in, what the
33 outlooks are, all the kind of things that you guys, who
34 are fishermen, you know, want to hear when you're looking
35 at fishery issues.

36
37 And then a process, I mean we think the
38 process should be just very simple, just one initial
39 meeting. First meeting, public meeting, public notice,
40 here, have a time for public comment and then, you know,
41 have it somewhere central like Kenai or Soldotna. Have
42 the technical advisors there if they're willing -- if the
43 State and Feds are willing to participate, hopefully they
44 will be, to come in and give the reports on the stock,
45 status and what not. I, myself, hopefully don't -- I
46 mean I don't think there's a role for a lawyer but if the
47 Feds want to put their lawyer up there, that's fine, and
48 to explain ANILCA or whatever. But anyway we didn't
49 think that was -- we thought that having the biological
50 information was the most important thing.

1 And then have the group meet, first
2 meeting. And after the meeting, the facilitator would
3 just say, shall we meet again, you know, if we should
4 meet again and everybody thinks this has been productive,
5 where should we meet and when and let it go, and let it
6 move as it needs to move and let people, themselves,
7 determine whether this process is working for them and if
8 they want to move forward with it. And, you know, and --
9 I've been involved in other things like this on
10 subsistence on some controversial things throughout the
11 state and we didn't FACA, you know -- you know, maybe the
12 State would even organize this. The State has organized
13 similar things, you know, there's been huge controversies
14 with caribou up on the Arctic -- in the Arctic Northwest,
15 there's been-- you know the Sitka deer thing is not the
16 first thing that ever came up in the state. And, you
17 know, I just don't think we need -- you know, again, I
18 want to emphasize it does not need to be a subcommittee
19 of the RAC to accomplish the goals of getting people
20 together to talk about how to make things work on the
21 Kenai.

22

23 Thank you.

24

25 CHAIRMAN LOHSE: Thank you, Sky. Tom.

26

27 MR. CARPENTER: Yeah, Sky, thanks for
28 coming and bringing some of your ideas from Ninilchik
29 forward to us.

30

31 I guess the first thing I'd like to say
32 is, at least, in my opinion, the main reason that we're
33 here right now is because this is a controversial subject
34 on the Kenai Peninsula and there's a lot of people
35 involved. And, you know, last year the Board asked this
36 Council to consider having a working group on the
37 Peninsula and at the time the RAC did not feel that that
38 needed to take place. Well, you know, you were at the
39 last meeting, the last Board meeting and I was there, and
40 through the discussions that I heard it was obvious that
41 there needed to be some sort of process that take place
42 on the Kenai Peninsula to gather ideas and see if we
43 could make this thing work in a peaceful manner.

44

45 I guess the real problem I have is that I
46 think that it has to be associated with the Council. The
47 reason I say that is is I think if we would go forward
48 and it wasn't associated with the Council, that it would
49 basically by an advisory committee that the Board had the
50 option to implement, but that would circumvent this whole

1 process. And I think that was some of the concern that
2 the RAC members had, was that the RAC wanted to be
3 involved in the final decision that it brought forward,
4 their decision, what they would advise the Board to do in
5 regards to these proposals. And I think if you didn't
6 include the RAC in that decision-making process, that
7 it's getting away from what the goal of this -- actually
8 this meeting is.

9

10 At least that's my opinion.

11

12 You know, I think that some of the
13 membership, you know, stakeholder groups that you have
14 listed here, I think that's a pretty good list of people
15 that ought to be included. I did have one question in
16 regards to, at least in my opinion, it out to be -- this
17 needs to be pretty limited. I think eight, 10, 12 member
18 group is significant, you could get together most of the
19 stakeholders if not all of them. I think the -- the
20 other question is that I'm not so sure that these
21 meetings, I think to keep control of these meetings and
22 to get the most production out of them, I think public
23 comment, that's questionable, you know, I think that can
24 be debated, but that's questionable. And I guess the
25 only other real question I had is, you know, it's in
26 regards to this list of people that you have listed here.
27 What is the difference between the Kenai River Sportfish
28 Association and the Professional Guide's Association? Do
29 you have any idea, I was just curious when I was looking
30 at the list, because the list sounds great but isn't that
31 -- aren't those people affiliated with each other?

32

33 MR. STARKEY: Mr. Chairman. Mr.
34 Carpenter. To be honest with you I don't really know.
35 Again, I called the Kenai River Sportsfish Association
36 because I was looking for some input on this list in
37 trying to say, you know, what does -- do you guys cover
38 the sportsfishermen, you know, is there.....

39

40 MR. CARPENTER: Right.

41

42 MR. STARKEY:someone else that
43 should be on from the sportsfishermen, and they suggested
44 the professional guides. And I don't know if the
45 breakdown between them is Kenai River Sportsfish
46 Association is more the recreational users and there's a
47 -- I mean I bet Doug probably knows the answer to that
48 but I honestly don't know that.

49

50 MR. CARPENTER: Yeah, that's fine, I mean

1 we can discuss that when we bring this up. I mean.....

2

3 MR. STARKEY: But I did want to -- excuse
4 me, could.....

5

6 MR. CARPENTER: Go ahead.

7

8 MR. STARKEY: Before I lose track I did
9 want to just talk about this public testimony business,
10 and we purposely only put it in for the first meeting and
11 we'd let the group decide whether it was a good idea or
12 bad idea after that. But we thought maybe at the first
13 meeting there would be people who hadn't gotten on the
14 list who might want to talk or make their concerns known,
15 it might be good to have one opportunity at the beginning
16 to hear from people, but whether or not that would be a
17 good idea subsequent to that would probably -- I agree, I
18 mean that could be -- there could be times when the
19 committee would just want to meet and not have to go
20 through that.

21

22 MR. CARPENTER: Right.

23

24 MR. STARKEY: And I would hope that there
25 would be that potential and so we just thought -- and,
26 again, that's only a suggestion to that.

27

28 MR. CARPENTER: I guess just one more
29 comment. I think, you know, touching on something you
30 said, I think we have a commitment from OSM in regard to
31 funding. So I'm not necessarily concerned about that,
32 especially if the RAC's involved. I think it's been
33 demonstrated, at least, from the Board's perspective that
34 the Board wants this to happen because they think it's
35 necessary and obviously the RAC will decide today if they
36 think it's necessary but I'm not so much concerned with
37 the funding. Obviously funding is an issue, but I don't
38 necessarily think that we have that problem.

39

40 And I guess the last thing I'd like to
41 say and I'm curious to how you'd feel about this, I don't
42 necessarily think that this working group is there to
43 draft proposals because that was one of the concerns the
44 RAC had. The RAC wants proposals to be brought to them
45 and then have the RAC decide, you know, just like the
46 normal process works. But I think we -- and like you say
47 we have 12 or 14 existing fisheries proposals that are
48 going to be brought forward to the RAC, and I think at
49 least from my perspective what could be gained from this
50 working group is that this group, being, you know, a

1 combination of all the user groups on the Peninsula would
2 be able to look at the merits brought forward in these
3 proposals in regards to bag limits, harvest, means,
4 methods, areas and they could talk about all the
5 concerns. And that maybe, not bringing a proposal
6 forward to the RAC, but they would bring a recommendation
7 forward to the RAC in regards to the merits of the
8 proposals. There might be -- it seems like there might
9 be a way to come to an agreement as to, you know, how
10 some of these processes might be brought forward and
11 regulated and managed. And I think that would be what I
12 would see as the goal of this working group but I'm
13 curious to see what you have to say about that.

14

15 MR. STARKEY: Okay. Mr. Chairman. Mr.
16 Carpenter. Ideally that is what would happen, is ideally
17 is people would come to the table in good faith and
18 talking about -- looking at the proposals and saying, you
19 know, we see the need and here's our suggestions and
20 recommendations on how to make it better or how to make
21 it work better, and ideally that is the way things would
22 happen.

23

24 The concern is that if that is the
25 explicit goal, rather than a suggested or recommended
26 goal, and you're asking for a report to the Council and
27 you're making it a subcommittee of the Council, if the
28 group isn't working well and we're not communicating
29 well, we're not going to get there; you know what I'm
30 saying, it'll just be kind of a more -- it'll just be a
31 place where people will be airing their grievances and
32 not getting to the place where you guys will want us to
33 get, which is to come in with a good recommendation that
34 will pave the way to a good decision. And so that was
35 the reason -- we see that as a goal, but the reason that
36 we wanted to shape things in this more unstructured way
37 was to try to get there in a way that people would come
38 to the table and we would see working together -- and
39 inevitably in this group, if we meet more than once,
40 those proposals are going to get on the table you know
41 that they are and they'll be discussed. But that's
42 different than putting it as the goal and having the
43 report and having it be a subcommittee, I think, and
44 that's our view.

45

46 MR. CARPENTER: Yeah.

47

48 MR. STARKEY: If you wanted to have the
49 RAC be involved, I mean certainly it could be recommended
50 that the group make a report to the RAC or however, you

1 know, the involvement needed to be structured so long as
2 that report was one that was only issued after everybody
3 had consensus that that report should issue and what it
4 should say; that sort of thing.

5
6 MR. CARPENTER: Yeah, I think it's
7 inevitable that the proposals that we have before us,
8 they're coming to this Council regardless of what this
9 working group, if it's established, comes up with. I
10 just think that with that being said, that if you take
11 these people that you have listed here, are a group of
12 people that we come together with and let's say, for
13 example, they look at all the proposals and one of the
14 main methods of harvest is dipnetting, for example, I
15 think that a group like that could say, yeah, that that's
16 a reasonable idea, that's a reasonable way of harvesting
17 fish in this area and they could make that
18 recommendation, yeah, to the RAC, that, yeah, we think
19 that that's a good idea. And I agree with you it's going
20 to be hard to do but I think that one of the ways you can
21 do it is with a facilitator and I think we have to try.

22
23 I guess that's my opinion.

24
25 So, anyway, I'll be quiet now.

26
27 CHAIRMAN LOHSE: Thank you, Tom. Greg.

28
29 MR. ENCELEWSKI: Yeah, Mr. Chairman, and
30 Mr. Starkey. I just wanted to make a couple comments.

31
32 I guess I'm not so sure I agree with
33 everything we're working toward here. And the reason I
34 say that, what I see as the group, whether it's of the
35 RAC or whether it's this group, that there has to be a
36 starting point of talking. And the reason I state that
37 is these proposals, like Tom finally got to at the end
38 here is that they're all coming before the RAC anyway,
39 they're going to be deliberated on and they're going to
40 be acted on by the RAC. And quite honestly there's very
41 few proposals on here, it's certainly nothing that the
42 RAC can't handle. It's very minute in the long scheme of
43 things.

44
45 The problem is is to get some consensus
46 and start working and building some relations of how we
47 use it, means and methods, et cetera. And, you know, you
48 got a sports association that wants to rescind all
49 customary and traditional use, so there's no good faith
50 on their part to even work with us at this point. So

1 what I see is by this group, being independent of the RAC
2 or however we go about it, is a starting point for people
3 to start talking and say, yeah, maybe we can support
4 these methods and means or, you know, here's where the
5 hang ups are or whatever. Ultimately it comes back to
6 the Southcentral RAC and I think they can handle it and I
7 think we should be a committee of ourselves.

8

9 That's my opinion, thank you.

10

11 CHAIRMAN LOHSE: Thank you, Greg. Sky, I
12 just got one question and it's not really -- well, I
13 guess it's really a question.

14

15 We have a list of who we think or who you
16 think should be a member but how would you end up picking
17 the actu -- who would decide who is the actual members of
18 the committee? I mean if there's -- if this is just a
19 group that meets, well, you know, like when we have our
20 advisory committee meetings, or used to have our advisory
21 committee meetings in Prince William Sound, everybody
22 that was there got to vote on who was members of the
23 advisory committee. All you had to do was show up at the
24 first meeting and then you voted to pick your advisory
25 committee.

26

27 How would you come up with your member --
28 I mean how would you come up with your membership for a
29 working group, I'll use the word working group rather
30 than committee, a working group like this, how would you
31 end up deciding who was going to represent the Upper Cook
32 Inlet Drift Association or the Kenai River Sports
33 Association or the Cooper Landing -- the hard ones I see
34 are Cooper Landing community or Hope community; how would
35 you decide, who, in the Hope community where we have --
36 we know for a fact we have very conflicting interests in
37 the Hope community; how would you end up deciding who was
38 going to represent them on the committee, you know, and
39 that's what I see as where somehow or another it has to
40 be under, and I don't like to use the word under
41 somebody's authority but somebody has to be able to make
42 that decision to try to get a balanced committee so that
43 you've got a starting place.

44

45 Have you got some ideas on that?

46

47 MR. STARKEY: Thank you, Mr. Chairman.
48 Yes, we did. Again, in talking to some of these groups
49 before I put together this list, the anticipation would
50 be that the tribes would appoint one member. You'd

1 contact the tribes and say, you know, designate an
2 official member.

3

4 CHAIRMAN LOHSE: Uh-huh.

5

6 MR. STARKEY: And that would be a person,
7 or an alternate, if that person can't make it. The same
8 thing with all these associations that are well
9 organized, the Kenai River Sportsfish and Kenai River
10 Professional -- I don't know anything about this
11 professional guide's association, but I assume they have
12 an executive director or someone. UCIDA is well
13 organized and so is the Kenai Peninsula Fishermen's
14 Association. So they have executive directors and what
15 not, they could appoint one member. The Borough, of
16 course, and the State. But Cooper Landing and Hope, I
17 don't know anything about how they're organized, but our
18 thought there was that for those two communities we could
19 then turn to the Fish and Game Advisory Committee and
20 whoever their member is of their community to the State
21 Fish and Game Advisory Committee, invite that person into
22 this group.

23

24 So that was our thinking about how to
25 structure the members.

26

27 CHAIRMAN LOHSE: Thank you. Because
28 those were the two that I had my biggest question on.
29 Because I recognize that all of the rest of them are
30 organized enough that they could pick a representative.
31 But I was under the impression that both Cooper Landing
32 and Hope were fairly unstructured communities, I guess is
33 a good way to put it, that would have pretty big
34 conflicting interests in the community itself. But if
35 there is an advisory committee in each of those
36 communities that would be a good starting point.

37

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

39

40 CHAIRMAN LOHSE: Any other questions.

41

42 (No comments)

43

44 CHAIRMAN LOHSE: I'll have one more then,
45 Sky, before we go.

46

47 If the only way that you could get
48 funding for something like this would be to have it as,
49 again, a very unstructured subcommittee of the RAC to the
50 point where, you know, eventually anything this committee

1 comes up with is going to be presented to the RAC, and I
2 agree with you 100 percent that I don't think the
3 committee should give a report unless it has a consensus
4 report, I mean that, to me, would be -- otherwise the
5 report isn't worth anything, you know, or the direction
6 isn't worth anything. And that may be very hard to get
7 and then, again, when we get people really to sit down
8 and talk together and sit around the table and everything
9 it may be a little easier than we think. We can't tell
10 until we do it.

11
12 And if the only way to do it was to have
13 it as a nominal subcommittee or working committee of the
14 RAC, in other words the RAC recognizes the need for it,
15 and that anything that it's going to present, my question
16 has always been, to me, I look at -- and that was my
17 objection to the working group to start off with, is the
18 working group's recommendation doesn't get deference, the
19 RAC's recommendation gets deference. The working group
20 can present something to the RAC, the RAC has the
21 authority to say, you know, we don't like what you did
22 and this one individual over here as a proposal, we think
23 it has more merit and we will support that rather than
24 the working group. There has to be the understanding
25 that the working group is not something that the RAC has
26 to rubber stamp. But at the same time if the only way to
27 get this working group is to have it as a working group
28 under the RAC to get the funding, with the recognition
29 that what it comes up with, the product it comes up with,
30 is not the RAC's recommendation; it's a working group's
31 advisory to the RAC, which the RAC can accept and reject,
32 and it has to be gotten by consensus.

33
34 Would something like that more fit what
35 you're talking about doing right here?

36
37 Would something like that be acceptable
38 under the criteria that you're looking at right here?

39
40 MR. STARKEY: Thank you, Mr. Chairman. I
41 would like to talk with the tribe and get back with you
42 specifically on that.

43
44 But I think here's the primary concern
45 and we certainly trust however this RAC's going to come
46 out on this issue. What I hear you saying and I could be
47 -- what I hear you saying is that you're as concerned as
48 we are about maintaining the integrity of the RAC process
49 and this, whatever it's called, and however it turns out
50 to be, would not at all be viewed or in operation be

1 allowed to perform in any way that interfered with your
2 process and the integrity of this system, and that's our
3 main concern as well.

4

5 CHAIRMAN LOHSE: I think from our
6 original discussion when we turned down the whole idea,
7 that that was at the crux of the thing. We didn't want
8 to view this working committee as doing the RAC's work
9 and having the RAC's deference.

10

11 The integrity of the RAC, the RAC is the
12 one that makes the decision as to -- now, that doesn't
13 mean the working group can't put a proposal in front of
14 the Board and then that proposal would get the same
15 weight as if it came out of any other individual or any
16 other group, because it's an open process and that can
17 happen, but the fact that it was a subcommittee of the
18 RAC does not carry the RAC's deference to the Board. The
19 RAC's decision as to whether to support what comes out of
20 the working group carries the deference of the RAC and
21 not the working group itself. Because that was one of
22 the big concerns we had was basically the integrity of
23 the RAC, this would be a way to circumvent the RAC, have
24 a working group, they'd present it to the Board, and you
25 don't have a need for the RAC, you know.

26

27 MR. STARKEY: Uh-huh.

28

29 CHAIRMAN LOHSE: And I think that that's
30 the concerns -- if I look at that -- that's the concerns
31 you're trying to express in saying keeping it separate
32 from the RAC?

33

34 MR. STARKEY: That's correct, Mr.
35 Chairman.

36

37 CHAIRMAN LOHSE: Okay.

38

39 MR. STARKEY: Thank you, Mr. Chairman.
40 Any comments from you?

41

42 MR. ENCELEWSKI: No, thank you. I think
43 Sky articulated our comments very well and appreciate
44 your time.

45

46 Thank you.

47

48 CHAIRMAN LOHSE: Okay, thank you. We
49 have one more request before we have our coffee break.
50 Darrel. And he'll be his usual short brief self so that

1 we can.....

2

3 (Laughter)

4

5 CHAIRMAN LOHSE: He's got coffee.

6

7 MR. WILLIAMS: I brought coffee.

8

9 CHAIRMAN LOHSE: Put your coffee back
10 over there until you're done.

11

12 (Laughter)

13

14 MR. WILLIAMS: Mr. Chairman. Members of
15 the Board. My name is Darrel Williams. And I think I
16 know just about everybody. Some new folks, which is
17 great, I'm glad to see that.

18

19 I have a couple of comments I just really
20 would like to share on this whole group. I agree with
21 what they're trying to do. And I believe some of the big
22 issues that I'd really like to discuss would be, as far
23 as the membership of a committee, if you do a committee
24 -- actually here let me back up first.

25

26 I want to go back and still maintain the
27 whole position you guys have done a wonderful job. This
28 RAC has phenomenal knowledge of the area. They've made
29 great decisions. And I haven't seen anything that shows
30 otherwise.

31

32 Which, when we were in Homer, we actually
33 discussed it a little bit. I really believe a lot of
34 that comes from this particular group listens to the
35 users, the users are the true experts. Now, with that
36 said, we've seen a lot of different things that have come
37 up here in the last couple years on this. My favorite is
38 Jim Fall's study, and we've talked about that at great
39 length. What I'm afraid of on some of this, depending on
40 the stakeholders, if the stakeholders have too strong of
41 a group of membership we're going to have more Jim Fall
42 studies come up here that are not accurate or legitimate.
43 We're going to have more work from Marianne See sitting
44 here saying that weighted averages don't exist. Those
45 are very poor positions, so we start talking about having
46 the State and other interest groups like that have too
47 much control of a stakeholder group, it becomes a very
48 scary position for the users because the users are such a
49 small group of people trying to do something. And what I
50 haven't really heard is that the users need to be

1 involved. Here at the RAC the users are directly
2 involved. The users can come here and talk at the table
3 and they can sit and deliver their views.

4
5 You know, and I really believe that that
6 even goes on and even addresses issues as far as peer
7 review and things like that. If it's difficult for them
8 to get it to the table they're not going to be able to
9 look at it, then the RAC themselves won't get good
10 information from the agencies and that could lead to
11 making poor decisions. And like I said, you guys have
12 done a wonderful job.

13
14 That's really the root of it.

15
16 Just one other comment I had as far as
17 the deference. That makes me a little concerned too
18 because we've seen how deference has been given to this
19 RAC before, and I did not care for that. So I just had
20 to point that out as a matter of record.

21
22 Thank you.

23
24 So does anybody have any questions for
25 me.

26
27 CHAIRMAN LOHSE: Darrel, I got one
28 question. If you have various users in a committee like
29 that but the only way that the committee forwards
30 anything is if they reach consensus, then the smallest
31 minority user has control of what's submitted. I mean
32 basically any member of that user group can, and I'll use
33 the word, nullify or sabotage all the work that the rest
34 of them do.

35
36 MR. WILLIAMS: Uh-huh, that's true.

37
38 CHAIRMAN LOHSE: Am I correct on that, if
39 it's a consensus.

40
41 MR. WILLIAMS: I believe you are.

42
43 CHAIRMAN LOHSE: Because I think a
44 consensus means 100 percent agreement that we don't all
45 like what's here but we can live with it. I mean that's
46 my idea of consensus, is, to me, I -- when we did the
47 allocation thing, my comment was, when we sat down at the
48 meeting, is if we come away with this and anybody likes
49 this we failed.

50

1 MR. WILLIAMS: Uh-huh.

2

3 CHAIRMAN LOHSE: Because everybody could
4 say this isn't what I want but I can live with this.

5

6 MR. WILLIAMS: Uh-huh.

7

8 CHAIRMAN LOHSE: Because that's what a
9 consensus is. If somebody goes away from the meeting
10 feeling that we got everything we wanted then you didn't
11 reach a consensus. But basically if you're going to put
12 something out that's a consensus everybody has to agree
13 that we can live with what we're presenting right here
14 and so no member could control what the others decide,
15 any member could nullify what the others decide.

16

17 MR. WILLIAMS: Thank you, Mr. Chair.
18 Members of the Board. I think Mr. Blossom and Mr.
19 Encelewski probably pointed out best, when you look at
20 the media campaign that's been happening on this issue,
21 it's very scary to want to go catch a couple of fish and
22 you have people who are uniformed, which also shows a
23 failure of the system, who are making decisions publicly
24 and we all sit back, as a very small group of people
25 saying, oh, wow, look at this, there's a survey done in
26 the Kenai Peninsula Clarion where, I believe, 80 percent
27 of the people disagreed with what the Federal Subsistence
28 Board, however, when you looked at the bias of the
29 survey, same thing, back to methodology and design, it
30 was horrible, it was atrocious, it was awful. And those
31 are the kinds of things when you live -- when you come
32 from the rural community, you sit back and you look at
33 that, it's a scary thing. And so when I hear these kind
34 of issues come up here, again, it's a scary thing, and
35 I'd like to point that out because it all sounds good
36 when we start talking about consensus and then you get to
37 these meetings and folks are saying, well, you know,
38 maybe consensus should be 80 percent, maybe it should be
39 50, maybe it should be 55 and then they're going to
40 discuss that and then they're going to make decisions
41 based on that. And the sportfishermen, they're going to
42 be three of those guys compared to the one rural guy,
43 that's how it works.

44

45 You know, these things get convoluted as
46 they go along and that's what's really kind of scary
47 about it. So I think that everybody at Ninilchik worked
48 really hard in putting together the proposal, I think
49 there's some very good issues in there.

50

1 The money trap comes up a lot in a lot of
2 different avenues of life and if it's more of a funding
3 issue than it is anything else, you know, gosh, maybe we
4 should take another look back at the RAC because you guys
5 have done a good job. I mean I have not seen a failure
6 yet. So I just wanted to give you kudos.

7
8 CHAIRMAN LOHSE: I've got two questions
9 then.

10
11 Do you kind of get the feeling sometimes
12 that people are uninformed on purpose because in general
13 most interest groups don't like to inform their members
14 about information that benefits the other side? And I
15 mean that's just a natural tendency of human beings, and
16 so consequently if you could come up with a forum where
17 this information can be presented then nobody has the
18 excuse that they are uninformed and don't have the
19 information. And that's kind of what I would see the
20 main purpose of a working group would be, would be not so
21 much to come up with proposals but to inform everybody
22 what -- you know, what has to be -- you know what
23 criteria they're operating under.

24
25 Because I think, like you, I think that
26 most surveys are slanted to the point that they come up
27 with the answer that the person wants to get.

28
29 And from that standpoint, if you had a --
30 if it turned out that this ended up being, however you
31 say, working group, subcommittee, whatever you want to
32 call it, under the sponsorship of the RAC, recognizing,
33 at least at this point in time, that this RAC recognizes
34 that it does not, whatever this subcommittee, working
35 group or whatever you want to call it, does not usurp the
36 authority of the RAC as far as making decisions and
37 presenting things with deference to the -- do you think
38 something like that could be worked out for funding or do
39 you think it would be better just to keep it as separate
40 as possible?

41
42 MR. WILLIAMS: Mr. Chair. I really, on a
43 personal note, people need to talk. There's no doubt
44 about that.

45
46 However, from what I've seen go on here
47 in the last couple of years, there comes a point in time
48 where there's so many people should have so much opinion
49 about something and then it needs to end. The last
50 couple of Southcentral RAC meetings we've had people come

1 from a couple of different, these stakeholders groups to
2 represent themselves there, and it was pretty clear they
3 didn't understand the issue by listening to their
4 testimony. And so it makes it difficult without having a
5 group of people who have a working knowledge of what
6 needs to happen, to include them in a discussion group is
7 one thing, to give them the ability to make decisions
8 about what the group does is something else.

9
10 So it's a tough question to answer. But
11 if you have folks with working knowledge and I tend to
12 prefer the users, the Federally-qualified subsistence
13 users being able to participate in that, then you really
14 have something because these people have a better idea of
15 what they need and what the rules are and what's going
16 on, they have to go get their permits and so on and so
17 forth to be able to do these kind of harvests.

18
19 So does that answer your question?

20
21 CHAIRMAN LOHSE: No.

22
23 MR. WILLIAMS: No.

24
25 (Laughter)

26
27 CHAIRMAN LOHSE: No, and yes.

28
29 MR. WILLIAMS: If.....

30
31 CHAIRMAN LOHSE: Basically what you're
32 saying is you have strong reservations about trying to do
33 this under the auspice or the support or sponsorship of
34 the RAC, but it needs to be done but you don't -- just
35 like the rest of us, you don't know how to do it.

36
37 MR. WILLIAMS: If you could define the
38 membership, basically on what it would be, and that's
39 what I really liked about Mr. Starkey's proposal and what
40 not, about contacting the rural users, having tribal
41 representatives, people who have direct interest in these
42 things, and then having stakeholders involved, too, I
43 think that's a great idea and it gives us somewhere to
44 start.

45
46 The part that I'm concerned about is what
47 I've seen at the RAC meetings here, when these people
48 from these interest groups who've come in and said, well,
49 every Alaskan is a qualified subsistence user. Well,
50 it's kind of the semantics and a play on words, and when

1 we get into that we get right back into a Jim Fall
2 survey. And that's where I get very concerned, where,
3 you know, to look at this, there's a lot of things that
4 can happen, there's a lot of ways you can play with
5 numbers and data and present information, we all know
6 that.

7

8 But the real concern, and what I always
9 go back to, is the same thing, the RAC does a great job.
10 I haven't seen anybody do a bad job yet.

11

12 CHAIRMAN LOHSE: Well, thanks for the
13 pats on the back, Darrel, but I don't think that.....

14

15 MR. WILLIAMS: Okay.

16

17 CHAIRMAN LOHSE:that will supply
18 what -- I'm not sure everybody agrees with you, let's put
19 it that way.

20

21 MR. WILLIAMS: And I'm sure, I'm sure,
22 Mr. Chair.

23

24 CHAIRMAN LOHSE: With that, any other
25 questions for Darrel.

26

27 (No comments)

28

29 CHAIRMAN LOHSE: Any other comments on
30 what Darrel's brought up.

31

32 (No comments)

33

34 CHAIRMAN LOHSE: Okay, we're going to
35 take a 10 minute break.

36

37 (Off record)

38

39 (On record)

40

41 CHAIRMAN LOHSE: Everybody can get their
42 coffee and sit down for a few minutes and we'll get
43 started -- oh, the coffee just started, when the coffee's
44 done we'll take a break so you can go fill your coffee
45 cups.

46

47 (Pause)

48

49 CHAIRMAN LOHSE: I'd like to call this
50 work session or meeting or whatever we're calling this

1 back in session. And, Ann, maybe you can clarify this,
2 is this a work session, is this a meeting, or is this
3 a.....

4

5 MR. CARPENTER: A special meeting.

6

7 CHAIRMAN LOHSE:a special meeting.

8

9 MS. WILKINSON: It's a regular meeting.

10

11 CHAIRMAN LOHSE: This is a regular
12 meeting. Okay, I'll call this special regular meeting
13 back in session.

14

15 (Laughter)

16

17 CHAIRMAN LOHSE: Okay. Ann, it's been
18 requested by a couple of the Council members that you
19 come back up, they'd like to ask you some questions.

20

21 MS. WILKINSON: Okay.

22

23 CHAIRMAN LOHSE: Doug.

24

25 MR. BLOSSOM: Mr. Chairman. Ann, I
26 guess, the main thing I see here what can they talk
27 about? They're going to have to recognize, first, Title
28 VIII, right, they're going to have to realize that there
29 is a customary and traditional use for these areas and
30 that they have to supply them with some resource; is that
31 true?

32

33 MS. WILKINSON: Yes, it is. They will
34 have -- when the group first gets together they will be
35 instructed in Title VIII and what the customary and
36 traditional use determinations are and what their
37 parameters are according to that law.

38

39 MR. BLOSSOM: So, Mr. Chair, I see the
40 first fishery proposal says to rescind the customary and
41 traditional use for the Kenai Peninsula. They won't have
42 any -- are they going to talk about that or that's not
43 even in the parameter of what they're going to discuss?

44

45 MS. WILKINSON: Mr. Chairman. Mr.
46 Blossom. When this group is formed, let me back up here
47 a little and explain something.

48

49 When the group is formed -- I talked to
50 the facilitator about how she would put together this

1 working group and how she would conduct it, subcommittee,
2 and she assured me that the first part of the meeting
3 would be to go over the parameters of the law that people
4 have to work within, what it is now.

5
6 And then secondly, they would discuss the
7 goals and operations of the meeting. And it would be up
8 to them to determine how they were going to function and
9 what they were going to look at.

10
11 So they would have a goal set for them,
12 you know, by the Council but they have to interpret that
13 goal and work toward it and decide how they're going to
14 do it themselves, and they have that time at the first
15 meeting to work that out. And then if they get all that
16 lined out, how they're going to operate, then they
17 proceed.

18
19 But they will, I'm sure, be looking at
20 the proposals and they're going to discuss other things
21 and management strategies so they could talk about just
22 anything in getting to the goal.

23
24 CHAIRMAN LOHSE: Doug, can I ask you a
25 question. But basically what you were asking Ann is
26 whether they could discuss how to nullify what's already
27 been -- decisions that have already been made as far as
28 the recognition of customary and traditional; am I right?

29
30 MR. BLOSSOM: Mr. Chair, that's correct.

31
32 CHAIRMAN LOHSE: And that would be
33 outside of their parameter, wouldn't it?

34
35 MS. WILKINSON: Well, yeah, the Council
36 will decide basically what they're going to talk about
37 and what their goal is. But whether they can discuss
38 that or not, I don't know. They can discuss it just
39 probably enough to say, well, we can't go there. But I
40 don't know what, frankly, whether they would discuss it,
41 how in-depth, but I would think not because that would be
42 counter-productive.

43
44 I'm sorry, I don't know what you want
45 from that.

46
47 CHAIRMAN LOHSE: Tom, do you have.....

48
49 MR. CARPENTER: Yeah, I would just say
50 that I think the Council, or this RAC can set the

1 parameters.....
2
3 MS. WILKINSON: Right. Right.
4 That's.....
5
6 MR. CARPENTER:of what, you know,
7 this is going to be our subcommittee.
8
9 MS. WILKINSON: Right.
10
11 MR. CARPENTER: And when we bring this up
12 for debate here in a little bit, we're going to be able
13 to set what we think this RAC wants this.....
14
15 MS. WILKINSON: Right.
16
17 MR. CARPENTER:working group to
18 come up with.
19
20 MS. WILKINSON: Uh-huh.
21
22 MR. CARPENTER: We can set the parameters
23 as to what can be discussed and what can be recommended
24 back to the RAC. And I also think that, you know, it was
25 talked about earlier that there needs to be a consensus
26 of all the people that we put on to this working group
27 and if there's not then that recommendation, you know,
28 you can't really bring anything forward. So I don't
29 think that this working group would have the ability to
30 bring back to the RAC that we want the C&T for the Kenai
31 Peninsula, you know, that's already a done deal.
32
33 MS. WILKINSON: Yeah.
34
35 CHAIRMAN LOHSE: Okay. Thank you, Tom.
36 Ann, could -- or Pete, could we say as a subcommittee of
37 this RAC what we would like you to work on, our methods
38 and means to accomplish priorities that are already set,
39 not discuss priorities and C&T?
40
41 MS. WILKINSON: Yes, you certainly could.
42 And, in fact, that's in line with what the Board was
43 asking for. That they wouldn't revisit something that's
44 already been decided but that you would look at how to
45 carry that out.
46
47 CHAIRMAN LOHSE: Okay, that's method and
48 means to carry out priorities and recognition that's
49 already.....
50

1 MS. STICKWAN: Can I ask a question.
2
3 CHAIRMAN LOHSE:taken place.
4
5 Gloria.
6
7 MS. STICKWAN: Is that legal, can we do
8 that? Can we do that, is that legal, telling them not to
9 -- what they can and cannot discuss?
10
11 MS. WILKINSON: Well, it's a subcommittee
12 of the Council so you can tell them what you want them to
13 do. But I mean as for legality.....
14
15 MS. STICKWAN: I mean if they bring up
16 C&T, can we tell them that we don't want them.....
17
18 MS. WILKINSON: Right.
19
20 MS. STICKWAN:and that will hold in
21 court? That will?
22
23 MR. PROBASCO: Mr. Chair.
24
25 CHAIRMAN LOHSE: Pete.
26
27 MR. PROBASCO: Mr. Chair. And
28 specifically speaking to Mr. Stickwan and Mr. Blossom's
29 concern. You could draft a concept of a charge of what
30 you want this committee to work on, and possible language
31 within that concept is based on the current C&T findings
32 for the Kenai Peninsula, which includes for the Kasilof
33 River, the community of Ninilchik; for the Kenai River,
34 the communities of Hope, Cooper Landing and Ninilchik, we
35 would like you to address those proposals that look at
36 methods and means only. Make it very clear and make that
37 as your charge.
38
39 Mr. Chair.
40
41 CHAIRMAN LOHSE: And that doesn't
42 preclude them as individuals discussing something else,
43 but as far as including it in a report, the report would
44 be on what we charge them to look at. And if they don't
45 come up with a consensus on that they could just say, we
46 have no report.
47
48 MS. WILKINSON: That's correct.
49
50 CHAIRMAN LOHSE: Any other questions for

1 Ann or Pete.

2

3 (No comments)

4

5 CHAIRMAN LOHSE: Ann, I had just one
6 other question. Underneath FACA, is the title of this,
7 I'll say group, I'll just use the word, group, right now,
8 is the title a matter of semantics or is the title a
9 matter of importance? I mean if we call it a working
10 group of the RAC or we call it a subcommittee of the RAC
11 does that make any difference?

12

13 MS. WILKINSON: Well, I'm reminded of
14 that if it looks like a duck, walks like a duck, sounds
15 like a duck, it's a duck. No matter what you call it
16 it's going to be a subcommittee.

17

18 CHAIRMAN LOHSE: Okay.

19

20 MS. WILKINSON: As long as it reports
21 back to this Council.

22

23 CHAIRMAN LOHSE: If it reports to the
24 RAC, and it reports only to the RAC, then it's a
25 subcommittee of the RAC. If it reports to the Board and
26 it reports only to the Board, it becomes a subcommittee
27 of the Board, not of the RAC?

28

29 MS. WILKINSON: That's correct.

30

31 CHAIRMAN LOHSE: And what would happen if
32 it reported to both?

33

34 MS. WILKINSON: Well, I don't know. If
35 it was formed as a subcommittee for the Council and
36 reported to the Board that would be stepping outside.....

37

38 CHAIRMAN LOHSE: Okay, it would be out of
39 line to do that?

40

41 MS. WILKINSON: Yes, it would be quite
42 out of line.

43

44 CHAIRMAN LOHSE: So as an individual of
45 that working group, subcommittee or anything else, they
46 could not present a copy of their report to the Board.

47

48 MS. WILKINSON: No.

49

50 CHAIRMAN LOHSE: The copy of the report

1 would have to go through the RAC and the RAC could decide
2 whether to forward it, whether to forward it in full,
3 whether it forwarded part of it, whether to reject the
4 whole thing or part of it.

5
6 MS. WILKINSON: That's right. Whatever
7 the subcommittee forwards to the Council becomes the
8 property of the Council and you can use any part or none
9 or all of it.

10
11 Any individual who serves on that
12 subcommittee can, as an individual or as a representative
13 of the other organization that they came to the
14 subcommittee representing can bring forward something to
15 the Board but they cannot do it as a member of that
16 subcommittee.

17
18 CHAIRMAN LOHSE: Right. They cannot do
19 it saying that while we were working on this
20 subcommittee, this is what the subcommittee agreed to.
21 They can say this is what I think, this is what our
22 organization thinks, or something like that, but they
23 can't carry the weight of the subcommittee any farther
24 forward than to the RAC?

25
26 MS. WILKINSON: That's correct.

27
28 CHAIRMAN LOHSE: Okay. Because I think
29 that's part of the fear of a lot of individuals that if
30 somebody doesn't get their way on the subcommittee,
31 they'll just take the subcommittee's report and present
32 it as the subcommittee's report to the Board and overstep
33 the authority. So thank you for that clarification.

34
35 Donald.

36
37 MR. MIKE: Thank you, Mr. Chair. I just
38 wanted to remind the Council if they could provide
39 opportunity for those on line that want to provide
40 testimony, comments or questions.

41
42 Thank you, Mr. Chair.

43
44 CHAIRMAN LOHSE: Thank you, Donald. do
45 we have anybody on line that would like to make comments
46 at this point in time.

47
48 (No comments)

49
50 CHAIRMAN LOHSE: Hearing none, we'll go

1 on.

2

3 Okay, with that, we're on Item 5 on our
4 agenda. And while it's put in the affirmative and we put
5 all of our motions in the affirmative, we have the
6 opportunity at this point in time to point it up or point
7 it down. If somebody would like to make a motion in line
8 with Item 5 on our agenda we can go forward.

9

10 Tom.

11

12 MR. CARPENTER: Mr. Chairman. I would
13 move that the Southcentral Regional Advisory Council
14 adopt the formation of a subcommittee to the Southcentral
15 Regional Advisory Council with matters to be discussed
16 around C&T determinations for method, means, bag limits
17 for Ninilchik, Hope and Cooper Landing.

18

19 MR. BLOSSOM: Second.

20

21 CHAIRMAN LOHSE: It's been moved and
22 seconded that we have a -- if I understand it, that we
23 form this subcommittee to evaluate fishing regulation
24 proposals for the Kenai Peninsula around methods and
25 means, under current -- did you use the word, current,
26 under current C&T?

27

28 MR. CARPENTER: The idea was, was that
29 there are established C&T for those three.....

30

31 CHAIRMAN LOHSE: Okay. Current
32 established C&T.

33

34 MR. CARPENTER:communities and that
35 the discussion should be based around methods, means, bag
36 limits, biological issues in regards to management
37 practices in relationship with the current C&Ts that are
38 already in law.

39

40 CHAIRMAN LOHSE: Okay, thank you. And,
41 Doug, is that.....

42

43 MR. BLOSSOM: Yes.

44

45 CHAIRMAN LOHSE:that meets what you
46 were -- discussion.

47

48 Doug.

49

50 MR. BLOSSOM: Mr. Chair. I still don't

1 see a need for this special working group, however, I've
2 listened to Sound Off and I've seen our local papers and
3 I think the public needs to be informed time after time
4 until they understand that Title VIII of ANILCA is there
5 and if they don't get that changed, that's what we live
6 by.

7
8 And the second reason, like Ms. Gottlieb
9 protected our Southcentral RAC, I'm very pleased that she
10 did that, but I hear them saying that they would like a
11 committee, and, so, you know, I think because the Federal
12 Subsistence Board would like a committee I'm willing to
13 try to make something work.

14
15 But that's my thoughts right now.

16
17 CHAIRMAN LOHSE: Thank you, Doug.

18
19 Tom.

20
21 MR. CARPENTER: Yeah. I think, you know,
22 maybe I should just speak a little bit to the -- I mean
23 the members of the RAC because I was the one representing
24 the RAC at the last Board meeting. If you've taken the
25 time to read the transcripts, at least, in my estimation,
26 I was quite confident that if I didn't speak up at the
27 time to call this special meeting to at least get the
28 opinions of the RAC in regards to formation of this
29 subcommittee, that we were going to be circumvented and
30 that the Board was, at least in my position, the Board
31 was going to move to form its own advisory committee to
32 form this working group to come up with the same ideas
33 that we are asking of the working group now.

34
35 Maybe I took a stab at it, hopefully it
36 was the right one, but I didn't want the RAC to be
37 circumvented, I wanted us to ultimately have the final
38 say as to what we wanted to forward on to the Federal
39 Board in regards to fisheries proposals and in regards to
40 the ideas that might come from this working group. And I
41 didn't think that the RAC was going to have the ability
42 to do that if the Board formed its own advisory
43 committee.

44
45 So hopefully everybody understands on the
46 Council why that happened and why we are here now. If
47 you don't agree with me, you know, I apologize, but I
48 thought it was in the best interest to at least get the
49 Council's perception, you know, as to should we go
50 forward this way or not. And I'm quite confident that if

1 this doesn't happen that the Federal Board will initiate
2 its won process and I don't necessarily think that that's
3 the way that this system is set up to work. So having
4 said that, I think that there are ways that we can
5 formulate what we want discussed at this meeting.

6
7 I think Doug has a good point, that the
8 people of the Kenai need to be informed as much as
9 possible in regards to Title VIII, that there are
10 customary and traditional use determinations that have
11 been made and that this process is going to go forward
12 and that there is going to be potentially some sort of
13 harvest and I think that a working group like this, can
14 at least sit down and at least look at the basic means
15 like means, methods, bag limits, possibly biological
16 concerns that the people have in these areas and at least
17 possibly they could come back to the RAC with a consensus
18 opinion, like Ralph said, that, yeah, maybe we all don't
19 agree completely with this but I think it's a way that we
20 can, at least, move on to the future and hopefully the
21 confrontation level will be kept to a minimum.

22
23 So anyway I just thought I'd say that
24 and, you know, I guess the only other thing that I have a
25 question about is the membership list and I think we need
26 to discuss that who, we, as a Council, think ought to be
27 put on to this working group. The one thing I would say
28 in regards to the membership, at least the suggestions
29 that Ninilchik brought forward, was that, I think if
30 you're going to include the state of Alaska in this, if
31 they would even participate, I think that you have to
32 include the Kenai Wildlife Refuge manager or somebody,
33 somebody, the Forest Service or include neither. I don't
34 think that the State should be involved in the work group
35 and not necessarily the Federal manager or we should just
36 have neither, you know, I think that's our prerogative.

37
38 And I do think that we need to keep the
39 list of participants to a minimum. I think the smaller,
40 more constrict group of people that you can put together,
41 the more production you're going to get out of it,
42 especially with a professional facilitator.

43
44 So those are my suggestions and I'm
45 curious to hear what everybody else has to say.

46
47 CHAIRMAN LOHSE: Thank you, Tom. Greg.

48
49 MR. ENCELEWSKI: Mr. Chairman. Members
50 of the committee. I guess I'll just make a comment

1 myself.

2

3 I guess I need to state that, you know, I
4 really -- I'm real concerned that this is another way of
5 circumventing the determinations that have been made and
6 how we're going to move forward. I truly would like to
7 see a working group that could work together and come
8 with a consensus with methods and means. I question
9 whether that could be done when we have people on that
10 list that actually want to take away the C&T. So I think
11 that's going to be a challenge. And if there is a group,
12 I definitely would want to see that there has to be 100
13 percent consensus that has to come back to the RAC here
14 and the RAC has ultimate say so. I think it's long
15 overdue that the RAC should -- we told them over and over
16 again on this subcommittee and whether the Federal Board
17 wants to form theirs or not, so be it, and we'll see
18 where that falls, but, you know, we've made the decision
19 in the past that we would take the public testimony, go
20 through the process and these things would be aired
21 through the RAC here. And I personally feel that's the
22 way it should be done.

23

24 I have no qualms about forming a group
25 that could work together but I think you're going to have
26 pressure, you're going to have special interests pushed
27 again, and it's just another long process that's going to
28 not necessarily gain a whole lot. I wish it would, but
29 I'll be truthful, I'm not so sure it will.

30

31 Thank you.

32

33 CHAIRMAN LOHSE: Thank you, Greg. And I
34 kind of agree with you that, you know, it may not gain a
35 lot but it may, at least gain the idea that people will
36 sit down and talk to each other and the one piece of
37 information that will go out is that C&T is current law
38 and won't go away just because they wish it would go
39 away. And so how do you live with the current law that's
40 in place, you know, and that's going to be a hard one but
41 that's exactly what you said and that's what the fear has
42 been on the Kenai, is that, until -- and that's what I
43 said at the Board meeting that -- and I put their feet to
44 the fire, that they had to make a C&T decision because as
45 long as the C&T decision wasn't made nothing would be
46 discussed as to how to implement subsistence, the
47 discussion would be how to eliminate it. And now the C&T
48 decision has been made, it is law, and what's going to
49 have to be brought up is how do you work under the law
50 that is currently in place.

1 And that alone, if that idea gets across
2 to people that would be -- to me, that would be a step in
3 the right direction.

4
5 Gloria.

6
7 MS. STICKWAN: Right now we have state of
8 Alaska, a lawsuit against the -- the State has a lawsuit
9 against the Feds on C&T for Chistochina. You know,
10 whatever the court's decide, you know, if they have to go
11 back and redo C&T, if there has to be -- whatever
12 decision they make, you know, it may have to be talked
13 about in the future. I mean that's something we got to
14 think about.

15
16 CHAIRMAN LOHSE: Thank you, Gloria.
17 James.

18
19 MR. SHOWALTER: Yes. We've got -- we
20 always talk about C&T and we've always omitted Seldovia,
21 Port Graham, and Nanwalek. They are on the Kenai
22 Peninsula so all I'm bringing that up again, is where and
23 what position do we know they're rural and all I want to
24 know is where do we put them in place with this?

25
26 Thank you.

27
28 CHAIRMAN LOHSE: Thank you, James.
29 That's a good question. We don't have a finding for C&T
30 for them on these rivers, do we, at this point in time --
31 no. So until that C&T would be found this committee
32 would only work with C&Ts that are already established on
33 these river systems because that's what the whole idea of
34 this committee would be, would be on methods and means,
35 to implement current law that's in place.

36
37 So now when or if C&T is found for them
38 then they would be under, you know, the consideration of
39 the committee for methods and means to implement what
40 they're doing.

41
42 MS. STICKWAN: They don't have to be,
43 right?

44
45 CHAIRMAN LOHSE: But they don't have to
46 be, right.

47
48 Doug.

49
50 MR. BLOSSOM: Yeah, Mr. Chair, I

1 guess.....

2

3 MR. ELVSAAS: Thank you, Mr. Chairman.

4

5 MR. BLOSSOM: Oops, go ahead.

6

7 MR. ELVSAAS: This is my first
8 involvement in this meeting and at this point I have more
9 questions in my mind about this whole thing. The Kenai
10 River affects the whole Kenai Peninsula and Mr. Showalter
11 is right, Seldovia, Port Graham, Nanwalek area affected,
12 but so is Seward and all of the areas along the road.
13 Everybody targets the Kenai.

14

15 But in regards to this committee, I think
16 it's a wonderful idea but I don't think it has a chance
17 in hell of working.

18

19 The people you want to sit down and talk
20 at the table won't talk. They may talk to each other
21 nicely and so forth but after the meeting's over they got
22 their own agendas, they're going to go on about their own
23 way and if you had consensus in a meeting you'll find
24 people participating in that but making their own
25 proposals. When it comes to timing on proposals for the
26 RAC, are you going to send all the Kenai type proposals
27 to the committee for recommendation before you act on
28 them; that's going to delay everything at least a year,
29 just because of the way the committee here works.

30

31 So that's some of the real concerns I see
32 here. It's nice to think that we could all get together
33 and talk this out and agree on something, even if, as you
34 said, Mr. Chairman, we don't fully agree with it but we
35 can live with it. I don't think the Kenai River issue is
36 something people can live with unless they have their own
37 way.

38

39 (Laughter)

40

41 MR. ELVSAAS: The other thing is -- I
42 mean that too.

43

44 (Laughter)

45

46 MR. ELVSAAS: The other thing is the idea
47 of having a separate committee that's not responsible to
48 the RAC, I don't believe you can ever delegate authority
49 without responsibility, and that's what you would be
50 doing.

1 My thought on that right away is if these
2 people want this why don't they do it on their own, the
3 idea of a BIA funding concept came up, and there's other
4 ways to do that if that's the problem, if it was just a
5 matter of money to meet to come up with reasonable ideas;
6 I think that could be overcome. But I don't believe the
7 end results going to result in reasonable ideas timely
8 for the RAC to act on them.

9
10 And so with my limited experience with
11 this thing, I would just say that I don't want to throw
12 confusion into it but I am confused and I really can't
13 support either a committee or any other way at this
14 point, I just don't think it's going to work. But if the
15 RAC decides to have a committee, I think that first you
16 need to try to work it under the authority of the RAC,
17 delegate the committee but then decide are you really
18 going to use it, are you going to really listen to it,
19 are you going to listen to the people that disagree with
20 the committee. You know you're supposed to be open-
21 minded when you attend these sessions, and now you're
22 going to set out a committee to give you advice but you
23 may find better advice outside the committee.

24
25 So there was talk, Mr. Carpenter
26 mentioned about the Board may decide to set their own
27 committee. Well, that's well and good, but what is it
28 going to do, is it going to replace this committee then,
29 you know, that's something we have to look at. If it
30 replaces the RAC, then we kind of defeated the whole
31 purpose, so I don't think that the Board itself would do
32 that. I just think that the system works right now even
33 though we have different user groups and different
34 concepts and, you know, allocation is always a problem,
35 methods of catch and so forth is a problem. Using the
36 resource for food or fun is a problem. And setting up
37 this committee is not going to solve any of those
38 problems.

39
40 So with that I would say at this point I
41 just -- from what I know of it at this point I just
42 couldn't support it.

43
44 Thank you.

45
46 CHAIRMAN LOHSE: Thank you, Fred. I
47 personally would think that we would have to listen to
48 the committee and we would have to give equal opportunity
49 to those that were outside of the committee to listen to
50 it. And the idea was if it was a RAC committee it would

1 report to the RAC instead of reporting to the Board so
2 that at least it would have to go under the authority of
3 the RAC.

4
5 I agree with you that it's totally
6 possible that what will come out of the committee will be
7 nothing, but I've also been extremely surprised a couple
8 other times on facilitated meetings as to after a long
9 enough time period and I'm thinking of things like
10 allocation also in Prince William Sound, that after a
11 long enough time with enough meetings people actually
12 start listening to each other and start talking to each
13 other, and while they may not agree, they may be capable
14 -- people are much more capable than you think of coming
15 up with, okay, this is inevitable, how do we make
16 something we can all live with. And that would be the
17 best hope I'd have for it. But I kind of have the same
18 idea that you did, that right off the bat we're not going
19 to get anything that's going to solve these proposals
20 that are in front of us for -- and we still have to keep
21 a timely schedule and go with what's already here.

22
23 But you know we've said time and time and
24 time again that, you know, no regulation is cast in
25 stone, it all can come back up for reconsideration. So
26 if we come up with methods and bag limits on these
27 proposals that are before us and we get better advice in
28 the future we can change them, one way or the other. But
29 we still have to give timely credence or timely
30 consideration to what's in front of us. And, I, like
31 you, don't think -- I would love it if they could, but I
32 doubt if a committee can come up with anything in that
33 kind of a short notice.

34
35 But are we looking at the short notice or
36 are we looking at something that's going to go long
37 enough that we get people on the Kenai to actually start
38 working together, you know, and that would be my
39 question.

40
41 Doug, you were going to say something
42 before -- oh, Fred.

43
44 MR. ELVSAAS: Thank you, Mr. Chairman. I
45 just want to say, you know, it's always been a concern of
46 mine, the Kenai people are the prime users of the Kenai
47 River for centuries and they never could get recognition
48 to the use of their own river. So, you know, we don't
49 want to rehash that all over again although I totally
50 support their position on the tribe and the people and so

1 forth.

2

3

4 And another thing I wanted to mention
5 that talking about Sound Off and other news things, it
6 was even printed in the Anchorage paper that the
7 allocation in the upper Kenai was for the Ninilchik Tribe
8 members when, in fact, it's for everybody, and that needs
9 to be addressed also.

9

10 CHAIRMAN LOHSE: That's the kind of
11 thing.....

12

13

14 MR. ELVSAAS: The last thing I want to
15 say is, you know, I thank Mr. Showalter for worrying
16 about Seldovia catching fish on the Kenai but we try to
17 stop them before they get to the Kenai.

17

18 (Laughter)

19

20 MR. SHOWALTER: You do a pretty good job,
21 too.

22

23

24 (Laughter)

24

25 CHAIRMAN LOHSE: Thank you, Fred.

26

27

28 MR. BLOSSOM: Mr. Chair. Yeah, I think
29 we have a motion on the floor that I would assume once we
30 take that up or down, then we would get into who would
31 belong and who wouldn't. But if we get to that point,
32 just so that we don't lose that train, is there's only
33 like three of these dozen groups right now that have C&T
34 finding, so I would think that cities like Seldovia and
35 Nanwalek and Port Graham should be also included if they
36 wish to be.

36

37

38 CHAIRMAN LOHSE: Okay. We have a motion
39 on the floor, any more discussion on the motion.

39

40

41 (No comments)

41

42

43 CHAIRMAN LOHSE: Hearing none, the
44 question is in order.

44

45

46

47

48

49

50

51 CHAIRMAN LOHSE: Nobody's even going to
52 call the question.

53

54

55

56

57

58

59

60

61

62

63

64

65

MR. CARPENTER: I'll just make one more

1 comment before I call the question.

2

3 You know I'm not from the Kenai Peninsula
4 and most of you that are here today are and I understand
5 some of your concerns, and I understand what Fred's
6 saying, too, that -- I'm not necessarily sure that this
7 working group is going to get -- there's going to be
8 anything productive come out of it at all but I think
9 we're in a position to try and see if something
10 productive could come out of it. Because this issue is
11 going to continue until eternity unless we start
12 somewhere. And the worst thing we can do is fail, but I
13 think we need to try.

14

15 And I think that the way that this motion
16 reads right now, I think that the RAC has more control
17 over the outcome and it's final recommendation to the
18 Board in regards to proposals and ideas that come before
19 us and so I would have to be in favor of the working
20 group for those reasons at this time, and I think we can
21 reevaluate in the future, at future meetings, if it's
22 working or if it's not and make a recommendation in the
23 future, but I think we need to try somewhere.

24

25 So saying nothing further, I'll call the
26 question on the motion and.....

27

28 MS. STICKWAN: Wait.....

29

30 CHAIRMAN LOHSE: Gloria's got a question.

31

32 MR. CARPENTER: Go ahead.

33

34 MS. STICKWAN: Well, I guess he answered
35 my question but we're just -- we're leaving it open as to
36 whether it's a working group or a subcommittee, right,
37 we're not -- because I heard what a U.S. Fish and
38 Wildlife, what a subcommittee is and then I heard what
39 Ninilchik said is a working group, so we're leaving that
40 open for discussion, right?

41

42 CHAIRMAN LOHSE: Gloria, I think what Ann
43 told us is that it really doesn't matter whether we call
44 it a working group or a subcommittee because of its
45 answering to the RAC, it acts as a subcommittee of the
46 RAC. And that's the one thing about it that Tom didn't
47 bring up or that Doug didn't bring up, too, is the RAC is
48 the one that's going to decide whether or not the working
49 group accomplished something worthwhile or failed, I mean
50 if it comes to us. And so basically whether we call it

1 our working group or whether we call it our subcommittee,
2 by law it's a subcommittee underneath us, you know.

3

4 In other words it answers to us not to
5 the Board. It answers to us not to somebody else.

6

7 Doug.

8

9 MR. BLOSSOM: Yeah, Mr. Chair, maybe I
10 wasn't clear clear back at the start. But even though
11 I've had lots of reservations and originally bucked it,
12 I'm going to vote for this.

13

14 CHAIRMAN LOHSE: Greg.

15

16 MR. ENCELEWSKI: Yeah, Mr. Chairman,
17 before I could vote for it one way or the other, I would
18 like to have a little more definition of what that
19 subcommittee is going to do.

20

21 I know they talked about the C&T issues
22 only but I think it has to have some more specifics
23 before I could vote for it.

24

25 CHAIRMAN LOHSE: Can you give me some
26 examples Greg.

27

28 MR. ENCELEWSKI: The example would be
29 that in my statement earlier where I said that they would
30 have to have consensus, you know, what would be the
31 ground work for them for the C&T and, you know, exactly
32 what they're delegated from us to work on. I mean if we
33 form a subcommittee and they're kind of wide open, I'd
34 like it pretty narrow of these issues, and also I'd like
35 it to state in there that it does not -- definitely would
36 not interfere with the cycle and these proposals that are
37 in our regular cycle.

38

39 CHAIRMAN LOHSE: Thank you, Greg. I
40 think the way the motion was written, it says under --
41 basically under current C&T findings. In other words,
42 they do not discuss C&T, they discuss methods, means, bag
43 limits and biological implications and that's it. I mean
44 that's what they present to us; am I correct.

45

46 Doug.

47

48 MR. BLOSSOM: Yeah, Mr. Chair. Greg,
49 that's why alluded to that we will look at this document
50 after we vote the other up or down and this is where

1 you'll put those kind of things in. I mean some of it's
2 in there right now. That's why I asked the question a
3 minute ago.

4
5 CHAIRMAN LOHSE: Yeah. Greg.

6
7 MR. ENCELEWSKI: Yeah, well, we're not
8 voting on that document.

9
10 MR. BLOSSOM: No, not until we do the
11 other one.

12
13 MR. ENCELEWSKI: Yeah.

14
15 MS. STICKWAN: This covers all wildlife
16 and fisheries so.....

17
18 CHAIRMAN LOHSE: No.

19
20 MS. STICKWAN: Just fisheries.

21
22 CHAIRMAN LOHSE: Just fisheries, from
23 what I understand, yes, because, in fact, that's
24 basically what they.....

25
26 MS. STICKWAN: That should be part of our
27 motion.

28
29 CHAIRMAN LOHSE:said. It is. It
30 was.....

31
32 MS. STICKWAN: No, it wasn't.

33
34 CHAIRMAN LOHSE:I thought.

35
36 MR. CARPENTER: I guess let me clear
37 about my motion. My motion is specific. The working
38 group's goal is specific to C&Ts that have already been
39 established for Ninilchik, Hope and Cooper Landing. And
40 specific to those C&Ts, the working group's goal is to
41 come up with recommendations to the RAC in regards to
42 methods, means, and bag limits in regards to proposals
43 dealing with those three C&Ts, that's it.

44
45 CHAIRMAN LOHSE: For fisheries on the
46 Kenai.....

47
48 MR. CARPENTER: For fisheries only.

49
50 CHAIRMAN LOHSE:because.....

1 MR. CARPENTER: Fisheries only.
2
3 CHAIRMAN LOHSE: Fisheries on the Kenai
4 and Kasilof River.
5
6 MR. CARPENTER: On the Kenai and -- yes.
7
8 CHAIRMAN LOHSE: Yeah.
9
10 MR. CARPENTER: And I think, you know, I
11 could go into more specifics that I have written down
12 here and understanding some of your concerns I agree that
13 there ought to be consensus as to who ends up being on
14 the committee that's one thing. I think something that
15 Ann said, there needs to be Title VIII introduction,
16 understand that this working group must be working under
17 current law that's in place, recommendation to the RAC
18 must be a consensus opinion. And, you know.....
19
20 CHAIRMAN LOHSE: But Tom those aren't
21 part of the motion that's on the table.
22
23 MR. CARPENTER: No, they're not part of
24 this motion but they're.....
25
26 CHAIRMAN LOHSE: The motion is whether or
27 not -- my understanding of the motion is whether or not
28 we will form this subcommittee for dealing with methods,
29 means, bag limits.....
30
31 MR. CARPENTER: Right.
32
33 CHAIRMAN LOHSE:and resources for
34 the current C&T finders [sic] on the Kasilof and Kenai
35 River.
36
37 MR. CARPENTER: But they're specific to
38 those three C&Ts and to those specific areas in regards
39 to those C&Ts.
40
41 CHAIRMAN LOHSE: Yeah. So okay any other
42 discussion.
43
44 MR. CARPENTER: I call the question.
45
46 CHAIRMAN LOHSE: Question's been called.
47 All in favor signify by saying aye.
48
49 IN UNISON: Aye.
50

1 CHAIRMAN LOHSE: All opposed, signify by
2 saying nay.
3
4 MR. ELVSAAS: Nay.
5
6 MR. ENCELEWSKI: Nay.
7
8 CHAIRMAN LOHSE: Motion carries with one
9 opposition. Was there an abstention?
10
11
12 MR. ENCELEWSKI: I was opposed, but I
13 didn't quite hear you.
14
15 CHAIRMAN LOHSE: Okay, there's two
16 opposed. Two oppositions. Okay, so now we've a motion
17 to form this subcommittee. Now, we have to decide the
18 parameters like the -- we have already decided the
19 parameters of what it's going to discuss, it's going to
20 be methods, means, bag limits and biological
21 considerations on the Kenai and the Kasilof River for
22 fisheries that are under current C&T findings. That part
23 of it's done.
24
25 Now, we have to go into how this
26 committee's going to operate, who's going to be on the
27 committee, and from that standpoint we'll go from there.
28
29 Anybody have a motion or something to put
30 on the table.
31
32 Doug.
33
34 MR. BLOSSOM: Mr. Chair. I guess I think
35 we should take Ninilchik's suggestion as a working page
36 and maybe we can amend it some.
37
38 So I will make the motion that we take
39 Ninilchik's suggestions and in the original one I'm going
40 to -- before it gets amended I'm going to say that Refuge
41 manager and Forest Service should be included on the list
42 and that RAC members may participate but only as
43 listeners. So that's my motion.
44
45 CHAIRMAN LOHSE: Okay. One question,
46 Doug, how about bullet No. 2 where it said, will be
47 completely separate and independent from the RAC, that
48 has to be struck, right?
49
50 MR. BLOSSOM: That has to be struck,

1 right.

2

3 CHAIRMAN LOHSE: That has to be struck.

4

5 MR. BLOSSOM: Yeah.

6

7 CHAIRMAN LOHSE: But otherwise you would
8 like to add the other two organizations to the list of
9 members and RAC members would only participate as
10 listeners.

11

12 MR. BLOSSOM: And there's also a typo
13 error there. It's not Alaska Peninsula Fishery, it's
14 Kenai Peninsula Fishery Association.

15

16 CHAIRMAN LOHSE: Okay. It's Kenai
17 Peninsula Fishery Association.

18

19 MS. STICKWAN: I have a question. I
20 guess it's understood that the Board's not part of that,
21 right?

22

23 CHAIRMAN LOHSE: Right. That's the idea
24 with having it as a RAC committee instead of a Board
25 committee.

26

27 MR. BLOSSOM: Yeah.

28

29 CHAIRMAN LOHSE: Okay. You're putting
30 that forward as a motion. Do I hear a second.

31

32 (No comments)

33

34 CHAIRMAN LOHSE: Hearing none, we'll.....

35

36 MR. CARPENTER: I'll second it for
37 purposes of discussion.

38

39 CHAIRMAN LOHSE: Okay. We have a motion
40 on the table to use Ninilchik's suggestions for a Kenai
41 Fishery User Work Group, or in this case a subcommittee
42 underneath the SCRAC.

43

44 Pete, do you have some comments.

45

46 MR. PROBASCO: Yes, Mr. Chair. Just
47 following on the lines of what you were looking at, the
48 bullets, again, it's up to the Council what they want the
49 committee to address, but bullet No. 4, just a
50 clarification, once a proposal is submitted and published

1 it is no longer the proponent's proposal it is the
2 Federal Subsistence Program's proposal. So that one
3 there is -- the proposals are out for the public to
4 review and comment on.

5

6 Mr. Chair.

7

8 CHAIRMAN LOHSE: So basically what you're
9 saying is the line that says without the consent of the
10 maker of the proposal would have to be struck because
11 those are public proposals now?

12

13 MR. PROBASCO: At this time, that's
14 correct, Mr. Chair.

15

16 MR. CARPENTER: I got a question.

17

18 CHAIRMAN LOHSE: Tom.

19

20 MR. CARPENTER: Yeah, Pete, in regards to
21 this list of people that we're considering here for our
22 entities, what -- I must admit this might be the first
23 time that I've ever been to a RAC meeting where there is
24 no State representative here -- is there one here?

25

26 CHAIRMAN LOHSE: Yep.

27

28 MR. CARPENTER: I'm sorry, excuse me.
29 Well, the reason I brought that up was, is I was
30 wondering if that was going to be the position that the
31 State was taking in regards to participating in this.
32 Because if that's the case then it would behoove us not
33 to include them in our list, but maybe you have different
34 information.

35

36 CHAIRMAN LOHSE: Pete.

37

38 MR. PROBASCO: Mr. Chair. Mr. Carpenter.
39 I, too, along like Mr. Starkey, have talked with the
40 Department of Fish and Game, we have no clear answer.
41 Maybe Mr. Hilsinger has one at this point, but as of last
42 night there was no clear answer if they were going to
43 participate in this process.

44

45 Committees that I've usually -- and I'm
46 going under the assumption that we're looking at the
47 Ninilchik, and they were talking about voting, usually
48 agencies form as technical advisors and they're not
49 voting members, so that's just something to consider. I
50 would feel more comfortable for the Federal Staff to be

1 in that role, providing technical advice, counsel,
2 biological concerns, et cetera, et cetera.

3

4 So, Mr. Chair, those are my comments.

5

6 CHAIRMAN LOHSE: Thank you, Pete. You
7 expressed one of my concerns. Because I don't think
8 under current -- I don't like to use the word, law, but
9 current working relationships in the ADF&G, that a member
10 of the ADF&G is in a position to do any compromise or
11 consensus, he pretty much would have to -- he pretty much
12 would have to stick with the Department's policy and
13 position. And I might be wrong on that and if you'd like
14 to correct me on that I would be willing to take the
15 correction. But I think as a person from the ADF&G you
16 pretty much don't have the authority to go against ADF&G
17 policy and procedures, do you?

18

19 MR. HILSINGER: Mr. Chairman. For the
20 record my name's John Hilsinger.

21

22 I guess at this point in the process the
23 only thing I can really tell you is that I'm here to
24 listen and take notes and I've been taking notes to the
25 best of my ability to send those back to the Department.
26 And at this point the Department would have to get back
27 to the Council on what it's position would be or whether
28 and how it might participate.

29

30 CHAIRMAN LOHSE: Well, that's what I was
31 thinking and that's why I would hate to see the
32 Department not there for technical advice and not there
33 for presenting their positions and that, but at the same
34 time I don't believe that a member of the Department
35 could vote for something that was against Department
36 policy. I mean I just haven't seen that in the past.
37 And I think that would put that individual on the line,
38 job-wise even, so I would question having them as a
39 voting member.

40

41 Pete.

42

43 MR. PROBASCO: Mr. Chair. Also on the
44 Federal side we are, we work for the Federal Subsistence
45 Program, the head of that program dealing with
46 regulations as the Federal Subsistence Board, I would
47 feel much more comfortable with Federal Staff being
48 technical advisors because the decision is the Board's
49 decision and you would not want Federal Staff to mislead,
50 possibly, the public thinking that was the Federal

1 Board's position.

2

3 Mr. Chair.

4

5 CHAIRMAN LOHSE: Thank you, Pete.

6

7 Tom.

8

9 MR. CARPENTER: Yeah, Mr. Chairman, thank
10 you. I would agree with Pete, you know, one of the
11 things that I assume that we were going to consider is
12 that a recommendation that be brought out of this working
13 group be a consensus recommendation and not, you know,
14 directing any blame or criticism towards the State, but
15 the State has an obvious different opinion in regards to
16 both C&Ts and some of the determinations that the Federal
17 Board has made. And I don't think that if you had
18 somebody like the State or Federal Staff on it, it would
19 be fair to the working group because I don't think you'd
20 ever come up with a consensus, potentially positive
21 consensus recommendation that could be brought back to
22 the RAC. So it would be my suggestion that we strike
23 both the State and the Federal Staff from the working
24 group and that they be allowed to participate as
25 technical experts but not as voting members.

26

27 CHAIRMAN LOHSE: Do we have somebody on
28 the phone that would like to comment.

29

30 (No comments)

31

32 CHAIRMAN LOHSE: No. Correct me if I'm
33 wrong, Pete, under current State law, which says that
34 every resident of Alaska is a subsistence user, a member
35 of the State staff would have a hard time making a
36 statement that this applies only to subsistence users
37 from Ninilchik, Cooper Landing and Hope, I mean I don't
38 think they could even do it by policy, by law, because
39 they're statement is that every Alaskan is a subsistence
40 user.

41

42 MR. PROBASCO: Mr. Lohse, Mr. Chair. Not
43 to dodge your question but I think Mr. Hilsinger would be
44 the appropriate person to answer that for the State.

45

46 CHAIRMAN LOHSE: Well, I was trying not
47 to put him on the spot.

48

49 (Laughter)

50

1 MR. HILSINGER: Thank you, Mr. Chairman.
2 I think your assessment's exactly correct.
3
4 CHAIRMAN LOHSE: Thank you. Okay. So at
5 this point in time we're discussing things that are on
6 this motion that's on the table so we're within the
7 bounds of that.
8
9 Fred.
10
11 MR. ELVSAAS: Thank you, Mr. Chairman.
12 Yeah, I see this, you know, if you're going to follow
13 this format from Ninilchik, it's the users of the Kenai,
14 and even the Kenai Borough is not considered a user so I
15 would strike all public agencies from the committee, at
16 least from the voting part. Attendance is something
17 else.
18
19 CHAIRMAN LOHSE: Thank you. Greg.
20
21 MR. ENCELEWSKI: Yeah, Mr. Chairman, I
22 would agree with that. The Kenai Peninsula Borough would
23 be struck.
24
25 CHAIRMAN LOHSE: But they could give
26 technical advice, they could be there as like any member
27 of the public but they'd be a non-voting member of the
28 group.
29
30 MR. ENCELEWSKI: Correct.
31
32 CHAIRMAN LOHSE: Tom.
33
34 MR. CARPENTER: I just have one, maybe a
35 legal question and maybe Ken can advise us in regards to
36 this. But under the current, at least, RAC membership
37 guidelines, there can be people appointed to the RAC as
38 long as they're in the region that we're dealing with.
39 Like there's been somebody that's been appointed from
40 Palmer, which is a nonrural community, do we have the
41 same of obligation with the subcommittee like this, or
42 working group to include people that are of the same
43 status, like say the Kenai Borough, for example, or do we
44 have no obligation to do that?
45
46 MR. LORD: No. You have no legal --
47 there are no restrictions as far as who you can invite to
48 be on the working group. But I would remind you that the
49 real goal here is to get the people on the ground to get
50 together and come up with some decisions that works for

1 everybody. So that's not legal advice, that's my own
2 personal view of how the best way to drive this train.

3

4 MR. CARPENTER: Thanks.

5

6 CHAIRMAN LOHSE: Okay, it's been
7 suggested that we leave the Kenai Peninsula Borough as a
8 -- I guess just as a government agency of the Kenai
9 Peninsula, right, that we leave it off as a member, I
10 mean they can come and they can send a representative to
11 listen, they can come and give some comments like any
12 other member of the public but they would be a nonvoting
13 member.

14

15 I don't know if we need to vote on that
16 kind of stuff or we discuss that stuff now and we come up
17 with a final consensus on this and then vote on the final
18 package or do we need to vote on these as amendments
19 because you presented this as a paper.

20

21 Doug.

22

23 MR. BLOSSOM: Yeah, Mr. Chair, I only
24 took Ninilchik because they're the people involved and I
25 thought if they submitted this paper we probably should
26 use it. But I see even the Ninilchik representative
27 doesn't care for it.

28

29 (Laughter)

30

31 MR. BLOSSOM: But we got to have
32 something to go on so we can amend this or do whatever.

33

34 CHAIRMAN LOHSE: Greg.

35

36 MR. ENCELEWSKI: It wasn't submitted by
37 me necessarily. I seen it the first time this morning.

38

39 (Laughter)

40

41 CHAIRMAN LOHSE: Yeah. Well, if it's --
42 I think we're within our bounds, if it's agreeable to the
43 rest of the Council, that we have this piece of paper in
44 front of us, it's been put in front of us as a motion,
45 that we can discuss this piece of paper and then at the
46 end we can come up with a final wording of this piece of
47 paper and that would be our amended motion, if that's
48 agreeable to the rest of the Council.

49

50 Greg.

1 MR. ENCELEWSKI: Yeah, Mr. Chairman,
2 that's agreeable to me. I just wanted to make one other
3 comment.

4
5 That this was, if it was outside of the
6 RAC than -- than the Borough, it would have been
7 different, but under these conditions if they're actually
8 going to -- it makes it a little different who should be
9 on there.

10
11 CHAIRMAN LOHSE: Yeah.

12
13 MS. STICKWAN: I was reading -- I was
14 reading, I didn't hear what you said. I was reading
15 this, I didn't hear.

16
17 CHAIRMAN LOHSE: Oh, what I said.
18 Basically, Gloria, that, we, as a RAC have the authority
19 to discuss this without making a motion on each point,
20 and then at the end what we'll do is we'll submit an
21 amended version of this piece of paper. And what I'd
22 kind of like to do with it, if it's okay with the rest of
23 the RAC at this point in time, I'd like to start at the
24 top and just go down it piece by piece and see if there's
25 something we would like to change in each piece, if
26 there's something we need to eliminate, if there's
27 something we need to add.

28
29 And with that I'd like to take a look at
30 the goal and I'd like to take a look at the goal, and I
31 think we expressed our goal in our original motion on the
32 formation of the committee. And if we need to use this
33 goal or substitute the goal that we wrote in our original
34 motion, that would be one thing that we could do at this
35 point, I mean we could discuss that at this point in
36 time, or whether we'd like to take this goal and add our
37 motion to it. It's up to the rest of the Council,
38 however, you'd like to deal with that part.

39
40 Let's take the first thing, the goal.

41
42 Tom.

43
44 MR. CARPENTER: Yeah, Mr. Chair. I think
45 our goal is pretty specific and I think we need to stick
46 to specifics to keep the discussion limited. I think you
47 could -- if we didn't do that the discussion would become
48 very broad and I don't think it would be very productive.

49
50 The only thing that I would consider in

1 regards to something that it says here, you know, at
2 least my opinion was was that the working group would be
3 established, there would be a facilitator and that the
4 working group would come up with a consensus
5 recommendation or not and that would be that.

6
7 In regards to public testimony, I guess
8 if the people on the Council want to leave off people
9 like the Kenai Borough and, you know, people like that,
10 that you almost have to allow for public testimony
11 because they're key ingredients within the region. I
12 personally didn't want to see public testimony because I
13 think we'd be there for about nine and a half days. And
14 I think that the people that represent the general make
15 up of this committee are, you know, the stakeholders and
16 I think we should focus more on that. So I think we need
17 to stick with the goal that we've set and in my opinion I
18 would still that we do not allow for public testimony, as
19 stated in the goal here that Ninilchik presented.

20
21 CHAIRMAN LOHSE: Thank you, Tom. Don't
22 you think that the opportunity for public testimony would
23 be up to the subcommittee or the working group at the
24 time of the meeting, they could decide how much public
25 testimony they wanted to listen to, they could set the
26 limits on it. I mean normally you give that kind of
27 authority to the committee that's doing the work.

28
29 MR. CARPENTER: Well, I think it's our
30 committee, we need to set all the guidelines. I think if
31 we don't set all the guidelines for this committee that
32 it -- I think it has the potential to get out of control
33 and I don't want to see that. Having a facilitator is
34 going to help things out there but, you know, that's my
35 opinion.

36
37 CHAIRMAN LOHSE: Thank you, Tom.

38
39 Gloria.

40
41 MS. STICKWAN: I don't like the idea of
42 public testimony because that seems like it's taking away
43 our authority for the subcommittee to do public
44 testimony. I think that people that go to these
45 meetings, you know, they could, I don't know, they could
46 discuss things, I'm sure but having a public testimony it
47 seems formal to me and taking away our authority and so I
48 don't like that.

49
50 CHAIRMAN LOHSE: Thank you, Gloria. Any

1 other comments.

2

3

Fred.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

Pete.

MR. PROBASCO: Mr. Chair. I would just add for your clarification that sometimes when we talk about Kenai River and Kasilof River, we think of the river only, these are drainages, so the Kasilof River would include Tustumena Lake. The Kenai River issue C&T findings also include the Swanson River complex. So the Kenai River drainage and the Swanson River complex.

Mr. Chair.

CHAIRMAN LOHSE: The Federal portion of them.

1 MR. PROBASCO: The Federal public waters.
2
3 CHAIRMAN LOHSE: Yeah, of the Kenai River
4 drainage.
5
6 Any other comments.
7
8 James.
9
10 MR. SHOWALTER: Yes. We're still on
11 goals, correct.
12
13 CHAIRMAN LOHSE: Kind of, yeah.
14
15 MR. SHOWALTER: Okay, on the last
16 sentence there's concerns and ideas about implementing
17 subsistence fishing. Okay, isn't that already
18 implemented and don't have to -- so couldn't implementing
19 be scratched on that?
20
21 CHAIRMAN LOHSE: James, I think at this
22 point in time we were talking about taking the goal that
23 we said in our original proposal, which would use that
24 instead of this, because we're -- that's the idea is the
25 findings have been done, now how do you decide on
26 methods, means, bag limits and resources available to
27 allow the subsistence fishery to take place. And that
28 was in our original proposal that Tom and Doug brought
29 forward, was that, it deals with, you know, the fisheries
30 that have current C&T findings on the Kenai drainage and
31 Kasilof drainage and that's all and it's on methods,
32 means, bag limits and resources. So that we don't get
33 spread too far.
34
35 I mean if we want to just start
36 exchanging ideas we could be there for a long, long time,
37 but what we're really concerned about is coming up with a
38 how do we implement what is current law. How do we give
39 a subsistence priority, a meaningful subsistence priority
40 on these two drainages under current C&T findings, and
41 that would be the goal.
42
43 Now, I'll have to disagree with Tom and
44 Gloria and I can't see how you can have public meetings
45 and get people to have ownership of an idea without
46 allowing public testimony. Now, how you want to limit
47 that public testimony so that it's not a nine day thing.
48 How you, as a committee, you know, if we form a committee
49 I think we have to give them the authority to listen to
50 whoever they'd like to listen to or decide not to listen

1 to, whoever they'd not like to listen to, but you're
2 going to have to give them the ability that if they want
3 to listen to somebody, if they want to allow public
4 testimony, if they want to give everybody two minutes at
5 the start of the meeting, if they want to give everybody
6 10 minutes, if they want to call on people when there's a
7 special need that they need information, I think the
8 committee has to have that authority. And, I mean,
9 that's not part of the goals and that's what we were
10 discussing. But at this point in time I would just have
11 to say my position would be if you're going to form a
12 committee you have to let them listen to people. If you
13 don't let them listen to people then you might as well
14 lock them off in a back room and give them baseball bats
15 and see who comes out the winner, you know, but that's
16 personal opinion and I'll leave it at that.

17
18 But if we can agree that the goal is what
19 our original motion was, then we can go on from there.

20
21 If we can't then let's come up with a
22 goal.

23
24 MS. STICKWAN: Public testimony wasn't
25 part of our goal.

26
27 CHAIRMAN LOHSE: No, public testimony's
28 not part of our goal and that's what I said. So it
29 really shouldn't been brought up at this point in time.

30
31 Okay, any comments.

32
33 MR. CARPENTER: Well, Mr. Chairman, the
34 only reason I brought it up is I was looking at the goal
35 that Ninilchik has and it says members of the public to
36 exchange information.....

37
38 CHAIRMAN LOHSE: Uh-huh.

39
40 MR. CARPENTER:and I thought that
41 that was considered public testimony, that's why I
42 brought it up.

43
44 CHAIRMAN LOHSE: Yeah, thank you, Tom.

45
46 MR. CARPENTER: But I think my consensus
47 is that we go with the goal that we've established in our
48 original motion, that would be my position.

49
50 CHAIRMAN LOHSE: Okay. If that's

1 agreeable, we'll go on to the next bullet.
2
3 The next bullet, will not result in
4 further delays. Is that going to be our Council's -- are
5 we going to accept that as a Council and have that as
6 part of our thing.
7
8 MR. ENCELEWSKI: Absolutely.
9
10 CHAIRMAN LOHSE: Do I hear any objections
11 to that. Gloria.
12
13 MS. STICKWAN: Further delays, is that
14 the same thing as being deferred?
15
16 CHAIRMAN LOHSE: Uh-huh.
17
18 MS. STICKWAN: Deferred proposals.
19
20 CHAIRMAN LOHSE: Uh-huh.
21
22 MS. STICKWAN: So they can't defer
23 proposals is what we're saying.
24
25 CHAIRMAN LOHSE: What we're saying is
26 that we will address proposals that are in front of us in
27 a timely manner on the schedule that they're supposed to
28 be.
29
30 MS. STICKWAN: The existing ones.
31
32 CHAIRMAN LOHSE: Uh?
33
34 MS. STICKWAN: The existing ones they
35 can't defer -- they can't defer these existing proposals,
36 that's what we're saying?
37
38 CHAIRMAN LOHSE: That's what we're
39 saying.
40
41 Tom.
42
43 MR. CARPENTER: I assume that we're
44 meaning that the Southcentral Council will not defer any
45 proposals.....
46
47 CHAIRMAN LOHSE: Right.
48
49 MR. CARPENTER:because of
50 information not coming forward in a timely manner from

1 this subcommittee.
2
3 CHAIRMAN LOHSE: Right.
4
5 MR. CARPENTER: We're not telling the
6 Board they can't.
7
8 CHAIRMAN LOHSE: Oh, no, the Board can
9 defer anything it wants.
10
11 MR. CARPENTER: Yeah, okay. Yes.
12
13 CHAIRMAN LOHSE: But we will address the
14 proposals that are in front of us in a timely manner.
15
16 MR. CARPENTER: Right.
17
18 CHAIRMAN LOHSE: Okay. The next one we
19 already agreed to strike, so we'll go on to bullet No. 4.
20 Participants agree to acknowledge and work within FSB C&T
21 use determinations and the subsistence opportunity
22 mandated by ANILCA. And we stated that in our goal, so I
23 think we can accept that one, right.
24
25 MR. ENCELEWSKI: Right.
26
27 CHAIRMAN LOHSE: Fisheries already
28 submitted to the SCRAC and FSB for consideration will not
29 be subject to the work group process without the consent
30 of the maker of the proposal. As has been pointed out to
31 us we can't have that comment in there because they are
32 now public property. They can work on them but that
33 doesn't mean that we have to wait for them to complete
34 their work before we act on them. So that one there
35 can't stand because those proposals are open to anybody
36 to work on right now.
37
38 Is that agreeable.
39
40 MR. BLOSSOM: You could just strike them
41 out and it would be -- so that they could do it.
42
43 CHAIRMAN LOHSE: You just strike the
44 whole thing.
45
46 MR. BLOSSOM: You can strike the whole
47 thing, yeah. Okay.
48
49 CHAIRMAN LOHSE: Because it doesn't --
50 because all proposals, they can act on any proposal that

1 they want to act on but we aren't going to wait for them
2 to act on.

3

4 MR. BLOSSOM: Uh-huh.

5

6 CHAIRMAN LOHSE: Okay. No reports shall
7 be issued for the work group unless the report is
8 approved through consensus by the membership of the
9 group.

10

11 How is that one for everybody.

12

13 MR. ENCELEWSKI: As long as we define
14 consensus, I guess.

15

16 CHAIRMAN LOHSE: What is consensus then,
17 Greg, by your definition?

18

19 MR. ENCELEWSKI: Well, my consensus would
20 be that right, wrong or indifferent, that they all agreed
21 on it.

22

23 MR. BLOSSOM: 100 percent.

24

25 MR. ENCELEWSKI: 100 percent.

26

27 CHAIRMAN LOHSE: That they agreed that
28 they could live with it?

29

30 MR. ENCELEWSKI: Correct.

31

32 CHAIRMAN LOHSE: Okay. Okay, so we'll
33 leave that one in there. Membership.

34

35 We've talked about some of the membership
36 on this. One of the things was to have government
37 agencies as tech advisors and not voting members and that
38 included the Kenai Peninsula Borough; is that agreeable
39 to everybody.

40

41 MR. BLOSSOM: Yes.

42

43 CHAIRMAN LOHSE: Do you see any other
44 members that should be added or any other members that
45 you would say should be taken off.

46

47 Tom.

48

49 MR. CARPENTER: Mr. Chairman. I think
50 that it's not stated in this particular list of people,

1 but I think, at least my opinion would be, that there be
2 two RAC members that would be on this working group. One
3 should be from the Kenai Peninsula from somebody, and
4 it'd probably be fair if there was one that wasn't from
5 the Kenai Peninsula just so that you had a -- I guess a
6 better view as to when we're discussing it in the future
7 as to what actually went on.

8

9 I'm not real concerned one way or the
10 other. Doug, if you have hardships about RAC members
11 voting because we're ultimately going to vote in the
12 future, I do think that one of the RAC members should be
13 the Chairman in regards to dealing with public testimony,
14 if we allow that setting, time limits, in regards to
15 public testimony and just some things like that.

16

17 But that's all I got.

18

19 CHAIRMAN LOHSE: Doug.

20

21 MR. BLOSSOM: Mr. Chair. Tom, I guess
22 that's where we disagree. That's what the facilitator,
23 he's to run the meeting. And I want -- you know if we
24 want more RAC members there, that's fine, but I want them
25 to be there as listeners and they can participate but we
26 don't want us to run the show. We're going to judge all
27 this work when they get done, we shouldn't be helping
28 judge it ahead of time.

29

30 CHAIRMAN LOHSE: Other comments on that.

31 Greg.

32

33 MR. ENCELEWSKI: Yeah, I would agree with
34 Doug. Because especially you certainly wouldn't want to
35 Chair the meeting from the RAC.

36

37 CHAIRMAN LOHSE: Any other comments.

38 Gloria.

39

40 MS. STICKWAN: Yeah, I agree with just as
41 listeners or participation but not as a member.

42

43 CHAIRMAN LOHSE: Can you live with that

44 Tom?

45

46 MR. CARPENTER: Well, I guess if it's
47 going to be listeners then I would assume that there
48 should be two listeners from the Kenai Peninsula then.

49

50 CHAIRMAN LOHSE: Doug.

1 MR. BLOSSOM: Yeah, Mr. Chair, I'm not
2 saying I'm not willing to participate, I'd be glad to.
3 But I don't think we should run the show, I think that we
4 shouldn't be the -- I won't name names, we shouldn't be
5 like some Board of Fish people that just run these
6 committees. I think we should be there and participate
7 but don't do what I've seen.

8
9 CHAIRMAN LOHSE: Pete, do we run into any
10 legal problems that way?

11
12 MR. PROBASCO: As far as legal problems,
13 no, Mr. Chair, you're perfectly within your bounds. I
14 would hope Council members would participate but how they
15 do that is strictly up to you.

16
17 Just a couple points for you to consider.
18 I think Mr. Starkey and I were going back in time, we
19 have Alaska Peninsula Fishery Association, I think that's
20 Kenai Peninsula.

21
22 MR. STARKEY: Yeah, I already
23 changed.....

24
25 CHAIRMAN LOHSE: We've already corrected
26 that one.

27
28 MR. PROBASCO: Okay. And then the other
29 one is we have Ninilchik Tribe, I think they should be
30 members of this, but remember the C&T is for the
31 Ninilchik community, so you may want to consider that
32 also.

33
34 Mr. Chair.

35
36 CHAIRMAN LOHSE: Thank you, Pete. And
37 maybe we could do that in two ways, we could just -- we
38 could have a member of the tribe and a member of the
39 community if that's agreeable to everybody. Just.....

40
41 MR. BLOSSOM: I think that'd be good.

42
43 CHAIRMAN LOHSE: You think that would be
44 good.

45
46 MR. BLOSSOM: Uh-huh.

47
48 MR. ENCELEWSKI: Uh-huh.

49
50 MR. PROBASCO: Does Ninilchik have an

1 advisory committee?
2
3 MR. ENCELEWSKI: Yeah, we do.
4
5 MR. PROBASCO: So we.....
6
7 MS. STICKWAN: I have a question.
8
9 MR. PROBASCO:could.....
10
11 MS. STICKWAN: I have a question.
12
13 CHAIRMAN LOHSE: Gloria.
14
15 MS. STICKWAN: I thought we were adopting
16 this list as it's written and we're adding to it because
17 I thought, already, all these tribes were in there
18 already.
19
20 CHAIRMAN LOHSE: The tribe is in there.
21 We're looking at this list and we're deciding who to
22 adopt and who not and all the tribes are in there. We've
23 dropped the Kenai Peninsula Borough.....
24
25 MS. STICKWAN: Well, why are we -- why
26 did we just say now -- why did we just say Ninilchik
27 because -- oh, I guess they're not in here -- they are in
28 here.
29
30 CHAIRMAN LOHSE: We're keeping the
31 Ninilchik tribe, but we have to recognize the fact that
32 the Ninilchik Tribe has C&T and.....
33
34 MS. STICKWAN: I know but.....
35
36 CHAIRMAN LOHSE:and the.....
37
38 MS. STICKWAN:I -- I know but.....
39
40 CHAIRMAN LOHSE:community has C&T.
41
42 MS. STICKWAN: So we're just adopting
43 this list and it has all these other, Kenaitze Tribe,
44 Salmanof [sic], those are in there as well?
45
46 CHAIRMAN LOHSE: Uh-huh, right.
47
48 MS. STICKWAN: Okay. Because he confused
49 me when he said we should adopt Ninilchik when it's
50 already written in here.

1 CHAIRMAN LOHSE: No, while we're adopting
2 Ninilchik Tribe, they're saying that we should also have
3 a Ninilchik community representative that's not part of
4 the tribe, too.

5
6 MS. STICKWAN: Oh, that's what he said?
7

8 CHAIRMAN LOHSE: Yeah.
9

10 MS. STICKWAN: I thought he said tribe.
11

12 CHAIRMAN LOHSE: Yeah, no, the tribe is
13 already there. So if that's agreeable and the Kenai
14 Peninsula Fisheries Association instead of Alaska
15 Peninsula Fisheries Association; does that look like a
16 list that we can accept by consensus.
17

18 We'd have the Salamatoff Tribe, the
19 Ninilchik Tribe, a representative from the Ninilchik
20 community, the Kenaitze Tribe, the Kenai River
21 Sportfishing Association, Kenai River Professional
22 Guides, Upper Cook Inlet Drift Association, Kenai
23 Peninsula Fisheries Association, the Cooper Landing
24 community and the Hope community.
25

26 MR. CARPENTER: They're going to be the
27 AC Chairs that are going to be asked to represent those
28 communities?
29

30 CHAIRMAN LOHSE: Or the AC Chairs could
31 be asked -- or the ACs could be asked to recommend a
32 member to attend to represent them.
33

34 MR. CARPENTER: Okay.
35

36 CHAIRMAN LOHSE: You know, for the
37 community. And then the Forest Service, Fish and Game
38 Refuge manager, OSM, those all can be technical advisors
39 but they're not voting members of the committee, and
40 Kenai Peninsula Borough, too.
41

42 Is that an acceptable list to start off
43 with?
44

45 MR. BLOSSOM: Yep.
46

47 CHAIRMAN LOHSE: Okay. Okay, let's look
48 on the next page. Staff.
49

50 OSM will provide logistical and financial

1 support, can we agree to that?

2

3 MR. BLOSSOM: I guess.

4

5 CHAIRMAN LOHSE: Now, OSM and State,
6 ADF&G biologists as fishery technical advisors, in other
7 words that's basically what we said over here.

8

9 MR. ENCELEWSKI: Uh-huh.

10

11 CHAIRMAN LOHSE: That they're technical
12 advisors. And they will provide a professional
13 facilitator; is that agreeable.

14

15 MR. ENCELEWSKI: Yeah.

16

17 MR. BLOSSOM: Yep.

18

19 CHAIRMAN LOHSE: I think that's the only
20 thing that could make this work.

21

22 Doug.

23

24 MR. BLOSSOM: Mr. Chair. And that
25 person, I think, should run the meetings.

26

27 CHAIRMAN LOHSE: So, Doug, basically what
28 you're saying is we don't need a Chair and co-Chair of
29 the meetings, we'll just run them by facilitator; is that
30 a proper -- is that an okay way to run a meeting, okay,
31 if that can be done, I agree with you, Doug, because then
32 we won't have any, you know -- okay, process.

33

34 Let's take a look at the process and see
35 if there's anything we want to change here. The first
36 meeting of the work group will be a public meeting with
37 reasonable public notices and there'll be an opportunity
38 for public comment at this meeting. There's your public
39 testimony thing and this is where we would discuss that.

40

41 Again, the facilitator can -- we've had
42 some pretty hot meetings in the past where we gave
43 everybody the opportunity but just like the Board of Fish
44 you can set your criteria ahead of time and say that,
45 okay, everybody has an opportunity to speak but for the
46 sake that everybody gets an opportunity to speak, nobody
47 speaks twice until everybody's spoken once and you have
48 this much time period to speak; that's up to the
49 facilitator or up to the members of the work group. So
50 does that look like a reasonable first meeting right

1 there.

2

3 Greg.

4

5 MR. ENCELEWSKI: Yeah, Mr. Chairman, I
6 think it would be reasonable. I would think that if you
7 stuck to the goal of the meeting and it was explained and
8 their comment was to the goal of the meeting.....

9

10 CHAIRMAN LOHSE: Right.

11

12 MR. ENCELEWSKI:that would
13 eliminate a lot of the other comments.

14

15 CHAIRMAN LOHSE: That is a good point.
16 That if the public testimony is limited to the goal then
17 we get away from a lot of rhetoric as to whether or not
18 we should be here or not or anything like that, you know,
19 good.

20

21 First meeting in Kenai or Soldotna; is
22 that acceptable to this Council?

23

24 MR. BLOSSOM: Sounds good, that's where
25 it's at.

26

27 CHAIRMAN LOHSE: OSM and State technical
28 advisors present biological, stock, status and harvest
29 information and initial proposal information at the first
30 meeting; does that sound like a reasonable thing to
31 happen?

32

33 IN UNISON: Uh-huh.

34

35 CHAIRMAN LOHSE: And the group will
36 determine the future process, future meeting times and
37 places after the first meeting. And basically what we're
38 saying is we're forming this working group and they have
39 to figure out have to be a working group.

40

41 MR. ENCELEWSKI: Yep.

42

43 CHAIRMAN LOHSE: Okay.

44

45 IN UNISON: (Nods)

46

47 CHAIRMAN LOHSE: Okay. And group will
48 provide direction and tasks for technical advisors. In
49 other words, the group I would say can ask for, you know,
50 or maybe you can say provide, but basically the group

1 will ask for the advice that they want from the technical
2 advisors, not the technical advisors will decide what
3 information.....

4

5 MR. BLOSSOM: Right.

6

7 CHAIRMAN LOHSE:the group wants.
8 Pete, is that an acceptable way to look at that?

9

10 MR. ELVSAAS: I think they should
11 recommend the tasks.

12

13 CHAIRMAN LOHSE: Right.

14

15 MR. PROBASCO: The answer to that
16 question is, yes, Mr. Chair. And I want to broad
17 technical advisors, I think everybody's focusing on
18 biologists, we also have our social scientists that play
19 a very important role understanding TEK knowledge and I
20 think if it's okay with the group, when we talk about
21 technical advisors we're going to include them as well.

22

23 CHAIRMAN LOHSE: And how about legal
24 staff.

25

26 MR. PROBASCO: I don't want them there, I
27 mean.....

28

29 (Laughter)

30

31 MR. PROBASCO: Yeah, we can have Ken and
32 Sky and whoever else.

33

34 CHAIRMAN LOHSE: I mean to me all of
35 those -- that would come under OSM and State biologists
36 as advisors, you know, they can be asked, but I like the
37 fact that this group will ask for the advice that they
38 want instead of people telling them the advice that they
39 need.

40

41 Pete.

42

43 MR. PROBASCO: I think it's important,
44 Mr. Chair, that's the way to control the information, but
45 I also think the group has to understand that you also
46 charged them within ANILCA, ANILCA is very clear if
47 there's biological concerns that would have to come out.

48

49 CHAIRMAN LOHSE: That they can't ignore
50 them.

1 MR. PROBASCO: That's correct.
2
3 CHAIRMAN LOHSE: Okay. We're looking at
4 a possible schedule, first meeting in early January, is
5 it possible to get anything lined up that fast, Pete.
6
7 MR. PROBASCO: Possible, yes, Mr. Chair.
8 But keep in mind that the Board's already meeting in
9 early January so we're focusing a lot of energy on that
10 meeting and so I would -- if I may be so bold as to
11 recommend that we try to get a meeting in January,
12 hopefully the early part, but if we just look at the
13 early meeting in January I'm taking that to mean the
14 first two weeks and that's going to be difficult.
15
16 Mr. Chair.
17
18 CHAIRMAN LOHSE: Is it the consensus of
19 this Council that, you know, in January or early February
20 would be sufficient or do we feel a need that it needs to
21 be done already done by early January, I mean would we
22 want to put that kind of constraints on them or would we
23 just recognize that it should be done as an ASAP type of
24 thing or whatever?
25
26 Greg.
27
28 MR. ENCELEWSKI: Yeah, I just think that
29 you could do it as soon as possible and that we would
30 have time to deliberate on the findings before March.
31
32 CHAIRMAN LOHSE: Okay, so we'd be able to
33 at least have some initial findings before March.
34
35 Pete.
36
37 MR. PROBASCO: Mr. Chair. As soon as
38 this meeting's over we will start the process working
39 with whatever you come up with and identifying the
40 memberships, of course, then you get into trying to fit
41 everybody's calendar and that's why I'm cautious of
42 trying to make false expectations saying, yeah, we'll
43 have it in early January but you know what happens when
44 we start getting schedules into this.
45
46 Mr. Chair.
47
48 CHAIRMAN LOHSE: Thank you, Pete. And I
49 think what Greg was bringing up is that we'd like it as
50 soon as possible but we don't expect the impossible, you

1 know, we expect a good effort but recognizing just
2 exactly the things, the constraints that you just said.

3
4 Okay, is that a -- have the things that
5 we've discussed been a consensus of this -- can we put
6 that forward as our amended motion, that we take this
7 paper as we've amended it, by consensus, and use that for
8 our motion for our working group.

9
10 Doug.

11
12 MR. BLOSSOM: Yeah, Mr. Chair. I guess
13 that's fine with me. I just wondered, should we also
14 include in this that they're not to come up with new
15 proposals, they can amend existing proposals but not --
16 we're not looking for new proposals, this isn't their
17 charge.

18
19 CHAIRMAN LOHSE: Pete.

20
21 MR. PROBASCO: Mr. Chair. Mr. Blossom.
22 We started talking about that before the meeting, a lot
23 of times we talk about proposals, we really mean we're
24 talking about recommendations to the proposals. Your
25 motion is very clear that this committee will work on the
26 proposals that are before the Council and subsequently
27 the Board, so that's the parameters, omitting the C&T
28 proposals. So you're looking for recommendations of the
29 hopper of proposals minus the C&T that's currently before
30 the Board. You're not looking for them, at this time,
31 you may some time down the future, but at this time you
32 are not looking for them to develop proposals for the
33 next go around, which would be 2007.

34
35 Mr. Chair.

36
37 CHAIRMAN LOHSE: Recognizing that out of
38 their recommendations the Council may end up in the
39 future putting a proposal in of their own or something
40 like that.

41
42 MR. PROBASCO: Most definitely, Mr.
43 Chair. In fact the call for fishery proposals will
44 encompass your March meeting, so that's independent of
45 what we're working on right now.

46
47 Mr. Chair.

48
49 CHAIRMAN LOHSE: Okay. Do I hear a
50 motion to accept these Ninilchik suggestions as amended

1 by -- Gloria.

2

3 MS. STICKWAN: Well, if you don't mind,
4 I'd just rather see a clean copy before us with
5 everything we said before we vote on it.

6

7 CHAIRMAN LOHSE: Okay. Let's -- shall we
8 take a 10 minute break and write up a clean copy, would
9 that be.....

10

11 MR. PROBASCO: Well, I'm just looking to
12 see if Sky has an electronic one.

13

14 CHAIRMAN LOHSE: You have it,
15 electronically?

16

17 MR. STARKEY: I've got it on a little --
18 a little -- yeah, I got it.

19

20 MR. PROBASCO: We can do it.

21

22 CHAIRMAN LOHSE: What we've been saying?

23

24 MR. PROBASCO: Yes.

25

26 CHAIRMAN LOHSE: Okay, well, do it.

27

28 MR. PROBASCO: Are we going to break for
29 lunch -- no.

30

31 CHAIRMAN LOHSE: Well, we have somebody
32 that needs to leave at lunchtime and we'd hate to lose a
33 quorum before we have something in front of us that we
34 could vote, so 10 minutes, would that be sufficient -- 10
35 minutes.

36

37 MS. STICKWAN: You can vote as long as
38 you made a quorum at the beginning of the meeting, you
39 can vote on it.

40

41 CHAIRMAN LOHSE: Thank you.

42

43 (Off record)

44

45 (On record)

46

47 CHAIRMAN LOHSE: Okay, I'd like to call
48 this meeting back in session if everybody has a chance to
49 get a copy and sit down and let's take a look at it and
50 see if anybody sees something here that doesn't look like

1 what we came to a consensus on and we discussed it as a
2 Council, and if you see something that doesn't look like
3 -- like it's been omitted, or something that looks like
4 what we came to consensus on, let's discuss it, and then
5 if we can accept this as our amended version we'll have a
6 motion to that effect and we'll go from there.

7

8 I'll give everybody a couple of minutes
9 to take a look at it and see if they see any glaring
10 deficiencies or whatever.

11

12 Doug.

13

14 MR. BLOSSOM: Yeah, Mr. Chair, I guess
15 the one thing I think that -- the facilitator was going
16 to be the Chairman -- no?

17

18 CHAIRMAN LOHSE: Yeah, I think -- we
19 didn't have that written down but that was something that
20 we discussed and I think that would be worthwhile putting
21 in writing.

22

23 MS. STICKWAN: Well, she's just going to
24 facilitate.

25

26 CHAIRMAN LOHSE: Yeah, but we won't make
27 a Chairman out of anybody that's here.

28

29 MS. STICKWAN: Oh, okay.

30

31 CHAIRMAN LOHSE: The facilitator will run
32 the meeting as Chair, in other words there won't be an
33 elected Chair out of -- as a committee do we need to have
34 them elect a secretary so somebody's responsible for --
35 or will that be OSM Staff -- that will be OSM Staff?

36

37 MS. WILKINSON: Excuse me, Donald Mike
38 will be at the meetings and he'll be responsible for
39 taking minutes and keeping all the records, okay.

40

41 CHAIRMAN LOHSE: Okay. And so we don't
42 -- from what I understood before, we didn't need a Chair
43 or co-Chair, we can have the facilitator as running the
44 meeting; am I correct on that?

45

46 MR. PROBASCO: Uh-huh.

47

48 CHAIRMAN LOHSE: Okay. And that was
49 something that was brought up and if we want to put that
50 in writing we could put it right underneath the two SCRAC

1 members will participate but not be voting members, the
2 meetings will be Chaired by the facilitator?
3
4 MS. STICKWAN: Where's that at?
5
6 CHAIRMAN LOHSE: Right here on the front
7 page, right here, we can put meetings will be -- I'll say
8 Chaired, that just means run by the facilitator, right?
9
10 Pete, or should I use a different word?
11
12 MR. PROBASCO: That will work. I just
13 had one other clarification when you're done, Mr. Chair.
14
15 CHAIRMAN LOHSE: Okay.
16
17 MR. PROBASCO: Back up, the goals, Staff
18 was saying we should be clear, it should say methods,
19 means, seasons and harvest limits.
20
21 CHAIRMAN LOHSE: Okay. We need to add
22 seasons.
23
24 MR. PROBASCO: Correct.
25
26 CHAIRMAN LOHSE: Okay.
27
28 MR. PROBASCO: Thank you, Mr. Chair.
29
30 MR. ELVSAAS: Say that again.
31
32 MR. PROBASCO: Thank you, Mr. Chair.
33 Fred, on the very first sentence.
34
35 MR. ELVSAAS: Yeah.
36
37 MR. PROBASCO: To provide recommendations
38 on methods, means, insert seasons.....
39
40 MR. ELVSAAS: Okay.
41
42 MR. PROBASCO:and harvest limits.
43
44 CHAIRMAN LOHSE: Anybody else, even
45 that's not on the Council see anything that doesn't sound
46 like what we came up with as a consensus?
47
48 Sky.
49
50 MR. STARKEY: I just think it would be a

1 good idea on the goals, we forgot to put this in there,
2 where it says for existing fishery proposals, or existing
3 subsistence fishery proposals; don't want them going off
4 on commercial proposals.

5
6 CHAIRMAN LOHSE: Right. I think that's a
7 legitimate addition. Existing subsistence fishery
8 proposals. So that they don't think that they can start
9 dealing with sport or commercial fisheries.

10
11 Pete.

12
13 MR. PROBASCO: Go to Staff, and the
14 second line where it says OSM and State ADF&G, we need to
15 say Federal and State -- and the reason I say that is you
16 wanted to capture the Refuge manager.....

17
18 CHAIRMAN LOHSE: Okay.

19
20 MR. PROBASCO:or the in-season
21 manager for the Federal side, they do not.....

22
23 CHAIRMAN LOHSE: They're not OSM?

24
25 MR. PROBASCO: Correct.

26
27 CHAIRMAN LOHSE: Okay.

28
29 MS. STICKWAN: Where is that?

30
31 CHAIRMAN LOHSE: On this page right here,
32 cross off OSM and put Federal because that way the Forest
33 Service and Fish and Wildlife Service can do it too.

34
35 MR. ELVSAAS: Both OSM cross.....

36
37 CHAIRMAN LOHSE: No, just on this one,
38 just the second one, cross off OSM and put Federal.

39
40 Okay, anything else, Pete.

41
42 MR. PROBASCO: Just since we do have it,
43 for the record here, recall that before we took the break
44 that I wanted to clarify that the proposals that are
45 before you include the drainages Kenai and Kasilof and
46 outlying areas, the Swanson River drainage, so I think
47 the group wants this group to discuss all those proposals
48 dealing with those Federal waters that there's a C&T
49 finding for, i.e., the upper Kenai, so I'm just
50 clarifying that. I know what we mean but.....

1 CHAIRMAN LOHSE: Aren't they part of the
2 drainages?
3
4 MR. PROBASCO: Are they part of the
5 drainage, that's.....
6
7 MR. BLOSSOM: No, they're not.
8
9 MR. ENCELEWSKI: No, they're not.
10
11 MR. PROBASCO: No -- but they're part of
12 the upper Kenai -- go ahead, Doug.
13
14 CHAIRMAN LOHSE: How about for proposals
15 for the Kenai, Kasilof and other Federal waters within
16 the parameters, you know. The Kenai, Kasilof River and
17 other -- Kenai and Kasilof River drainages and other
18 Federal waters.
19
20 MR. PROBASCO: Very good.
21
22 CHAIRMAN LOHSE: That covers them all
23 then because you can't have anything to do with anyone
24 that's not Federal waters anyhow.
25
26 MR. BLOSSOM: Yeah, Mr. Chair.
27
28 CHAIRMAN LOHSE: Doug.
29
30 MR. BLOSSOM: Maybe Doug would tell us
31 what wouldn't be included -- what isn't in the Kenai
32 drainage or Kasilof drainage.
33
34 MR. MCBRIDE: (Not at microphone),
35 Sixmile (ph), that direction.
36
37 MR. BLOSSOM: Oh, okay. Okay.
38
39 CHAIRMAN LOHSE: Do we see anything else
40 that needed to be added to or changed, if we don't, a
41 motion to accept this as our charge to the working group
42 is in order.
43
44 MR. CARPENTER: Mr. Chairman. I move we
45 adopt the amended language.
46
47 CHAIRMAN LOHSE: Do I hear a second.
48
49 MR. BLOSSOM: Second.
50

1 CHAIRMAN LOHSE: It's been moved and
2 seconded that we adopt the amended language that we've
3 put for the Kenai Fishery User Work Group. We've had a
4 second. Do we have any further discussion.
5
6 (No comments)
7
8 CHAIRMAN LOHSE: If not, question's in
9 order.
10
11 MR. CARPENTER: Question.
12
13 CHAIRMAN LOHSE: Question's been called.
14 All in favor signify by saying aye.
15
16 IN UNISON: Aye.
17
18 CHAIRMAN LOHSE: All opposed, signify by
19 saying nay.
20
21 (No opposing votes)
22
23 CHAIRMAN LOHSE: Motion carries
24 unanimously.
25
26 MR. CARPENTER: You have to approve the
27 original motion now.
28
29 CHAIRMAN LOHSE: And now we have an
30 amended thing in front of us so now we need to vote on
31 the original motion as amended for the formation of this
32 work group. Do I hear a second to vote on the motion, as
33 amended.
34
35 MR. BLOSSOM: Second.
36
37 CHAIRMAN LOHSE: I didn't hear a motion
38 to start off with, did I?
39
40 MR. BLOSSOM: Oh, I thought Tom did.
41
42 MR. CARPENTER: I thought we were voting
43 on the original motion as amended.
44
45 CHAIRMAN LOHSE: Oh, do you think we
46 already did the vote?
47
48 MR. CARPENTER: No, we voted on the
49 amended language, we still have the original motion on
50 the table.

1 CHAIRMAN LOHSE: Okay.
2
3 MR. CARPENTER: So we have to vote on the
4 original motion.
5
6 CHAIRMAN LOHSE: That's what I said, we
7 have to vote on the original motion as amended.
8
9 MR. CARPENTER: Right.
10
11 CHAIRMAN LOHSE: We voted on the amended
12 language.
13
14 MR. CARPENTER: I call the question on
15 the amended motion.
16
17 CHAIRMAN LOHSE: Do I hear a second.
18
19 MR. BLOSSOM: Second.
20
21 CHAIRMAN LOHSE: Okay. Technicality.
22 All in favor -- oh, we may have to have discussion or
23 somebody has to call it -- my fault.
24
25 MR. CARPENTER: Call it.
26
27 CHAIRMAN LOHSE: You call it. Okay, all
28 in favor of the original motion as amended signify by
29 saying aye.
30
31 IN UNISON: Aye.
32
33 CHAIRMAN LOHSE: All opposed, signify by
34 saying nay.
35
36 (No opposing votes)
37
38 CHAIRMAN LOHSE: Motion carries. Okay,
39 now we go on to other business, right.
40
41 MR. ENCELEWSKI: Mr. Chairman.
42
43 CHAIRMAN LOHSE: Greg, would you like to
44 say something.
45
46 MR. ENCELEWSKI: Yeah, I would.....
47
48 MR. ELVSAAS: Mr. Chairman, I have to
49 leave at this point, thank you.
50

1 CHAIRMAN LOHSE: Thank you for being here
2 Fred.
3
4 MR. ENCELEWSKI: Yeah, Mr. Chairman, I
5 was just going to mention do we want to nominate or
6 appoint two members now to participate.
7
8 CHAIRMAN LOHSE: I was going to bring
9 that up under other business and ask for volunteers.
10
11 (Laughter)
12
13 CHAIRMAN LOHSE: Fred, don't run off yet.
14
15 (Laughter)
16
17 MR. ELVSAAS: I'm leaving.
18
19 MR. CARPENTER: I think Greg and Doug
20 would be excellent.
21
22 CHAIRMAN LOHSE: Okay. First of all I'm
23 going to ask Pete if these volunteers, you will -- as
24 part of our funding, though, you will provide for them
25 transportation and lodging to come to these meetings,
26 won't you?
27
28 MR. PROBASCO: We'll provide a bike and a
29 tent, Mr. Chair.
30
31 (Laughter)
32
33 MR. PROBASCO: No, we definitely will
34 provide travel and lodging.
35
36 CHAIRMAN LOHSE: Okay, they will be
37 provided for underneath the auspice of this meeting,
38 okay. Do I have any volunteers.
39
40 Doug and Greg. I think that's an
41 excellent choice because I think you guys are down on the
42 Kenai, you could save OSM lots of money by being there.
43 And you've already had rocks thrown at you before so you
44 know how to dodge them.
45
46 With that we can go on to any other
47 business, or do we need to vote on them as volunteers,
48 no, if they volunteered we don't need to vote on them.
49
50 Any other business.

1 Pete or Ann, have you got anything that
2 you think we should bring up.
3
4 Pete.
5
6 MR. PROBASCO: Just real quick, next week
7 the Board will deal with the rural determinations and
8 your representative, at that meeting, I understand, will
9 be Mr. Carpenter, in attendance, so it'll be a two day
10 meeting, possibly longer, Mr. Chair.
11
12 CHAIRMAN LOHSE: James.
13
14 MR. SHOWALTER: Yes, on that rural
15 meeting, what is it, Sterling becoming nonrural and here
16 I was rural and didn't know about it?
17
18 (Laughter)
19
20 MR. PROBASCO: Mr. Chair. Mr. Showalter.
21 What it's taking is the remainder of the Sterling area,
22 where it grew out to, so already a portion of Sterling is
23 nonrural. I believe that includes where you live.
24
25 Mr. Chair.
26
27 CHAIRMAN LOHSE: Okay. If there is no
28 other business, a motion to adjourn is.....
29
30 MR. CARPENTER: So moved.
31
32 CHAIRMAN LOHSE: Donald -- wait a second,
33 Donald had his hand up before you said that.
34
35 MR. MIKE: Thank you, Mr. Chair. With
36 the Council's concurrence, you know, as far as the rest
37 of the membership on that working group or subcommittee,
38 I'll probably work with Pete's office as far as who's
39 going to be serving on these individual organizations
40 that we identified and when we do identify them, I guess
41 we'll report to the Chair who they will be.
42
43 Thank you, Mr. Chair.
44
45 CHAIRMAN LOHSE: If I understand right,
46 you will basically be going to these organizations and
47 asking them for their recommendations but telling them
48 with what the criteria, I mean how that first -- what
49 kind of boundaries that person is going to have to
50 operate under, so that they don't get somebody that's --

1 tell them that it's not in their best interest to just
2 pick somebody that is going to be antagonistic because
3 then we won't accomplish anything, you know. That
4 doesn't mean that they can't have a difference of
5 opinion, but they have to be willing to talk and listen
6 and it would be nice if they were also knowledgeable of
7 not just their area but also knowledgeable of lifestyle
8 and subsistence use in the area.

9

10 Okay, with that Tom, I'll recognize you.

11

12 MR. CARPENTER: Motion to adjourn.

13

14 CHAIRMAN LOHSE: There's been a motion to
15 adjourn, do I hear a second.

16

17 MR. ENCELEWSKI: Second it.

18

19 CHAIRMAN LOHSE: It's been moved and
20 seconded to adjourn, I think we've had a fairly
21 productive meeting, and I think we did exactly the same
22 thing as what the working group is going to have to do.
23 We came to a consensus even if that's not what each one
24 of us would have wished, you know, so we'll see what
25 happens.

26

27 Thank you.

28

29 Meeting is adjourned.

30

31 (Off record)

32

33 (END OF PROCEEDINGS)

