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SOUTHCENTRAL ALASKA  
FEDERAL SUBSISTENCE REGIONAL  
ADVISORY COUNCIL

October 14, 1999

9:00 a.m.

Taken at:  
Hawthorne Suites  
1110 West 8th Avenue  
Anchorage, Alaska

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



1 REGION 2  
2 SOUTHCENTRAL ALASKA SUBSISTENCE  
3 REGIONAL ADVISORY COUNCIL  
4  
5 SEAT 1:  
6 GILBERT DEMENTI, SR.  
7 P.O. Box 14  
8 Cantwell, Alaska 99729  
9  
10 SEAT 2:  
11 KENNETH VLASOFF  
12 Box 161  
13 Tatitlek, Alaska 99677  
14  
15 SEAT 3:  
16 FRED H. ELVSAAS  
17 P.O. Box 133  
18 Seldovia, Alaska 99663  
19  
20 SEAT 4:  
21 ROY S. EWAN  
22 213 East 5th Avenue  
23 Anchorage, Alaska 99501  
24  
25 SEAT 5:  
26 CLARE SWAN  
27 P.O. Box 2332  
28 Kenai, Alaska 99611  
29  
30 SEAT 6:  
31 FRED JOHN, JR.  
32 P.O. Box 6024  
33 Mentasta Lake, Alaska 99780  
34  
35 SEAT 7:  
36 RALPH LOHSE, CHAIRMAN  
37 P.O. Box 14  
38 Cordova, Alaska 99574  
39  
40 COORDINATOR:  
41 HELGA EAKON  
42 Office of Subsistence Management  
43 1011 East Tudor Road  
44 Anchorage, Alaska 99503



1                   OCTOBER 14, 1999.

2                   MR. LOHSE: I'd like to call this  
3 fall meeting of the Southcentral Alaska Subsistence  
4 Regional Advisory Council to order.

5                   The time is a bit after 8:30 on the  
6 14th. We'd like to have a roll call. Helga.

7                   MS. EAKON: Yes. Gilbert Dementi,  
8 Sr.

9                   MR. DEMENTI: Here.

10                  MS. EAKON: Kenneth Vlasoff.

11                  MR. VLASOFF: Here.

12                  MS. EAKON: Fred Elvsaas.

13                  MR. ELVSAAS: Here.

14                  MS. EAKON: Roy Ewan.

15                  Clare Swan.

16                  MS. SWAN: Here.

17                  MS. EAKON: Fred John.

18                  MR. JOHN: Here.

19                  MS. EAKON: With six of seven members  
20 here, Mr. Chair, there is a forum.

21                  MR. LOHSE: We'd like to welcome all  
22 our guests and the staff and the people that worked  
23 to get this started and the rest of the council.

24                  We'd like to welcome our two new  
25 members, Fred Elvsaas and Ken Vlasoff. We'd like to  
also at this time acknowledge the service that two  
members who are not here that have been here in the  
past gave us. Ben Romig gave us many years of  
service, and Don Kompkoff filled in well for the  
temporary appointment that we had for him.

At this time what I'd like to do is  
I'd like to have everybody introduce themselves, and  
we'll start with the board here; and we'll just go  
down and around. I'd like you to stand, say who you  
are and who you represent and whether it's yourself  
or staff person or something like that; so we can  
kind of have an idea of who you are.

We'll start with Helga because she's  
our most important person. She's the one that keeps  
this whole thing going for us.

21                  MS. EAKON: Helga Eakon, regional  
22 council coordinator.

23                  MR. DEMENTI: Gilbert Dementi,  
24 Cantwell, Alaska.

25                  MS. SWAN: Clare Swan, Kenai.

                  MR. LOHSE: Ralph Lohse, Cordova.

                  MR. JOHN: Fred John, Mentasta Lake  
Village.

                  MR. VLASOFF: Kenneth Vlasoff,  
Tatitlek.



1 MR. ELVSAAS: Fred Elvsaas,  
2 Seldovia.

(Audience introductions.)

3 MR. LOHSE: Okay. It's good to see a  
4 lot of you. A lot of you we've seen before. A lot  
5 of you we've heard from before. I hope this meeting  
6 is informative to everybody and that everybody goes  
7 away feeling that they've at least had a chance to  
8 put some input into it.

9 With that, we're going to review and  
10 adopt the agenda that's in front of us.

11 Do I have a motion to adopt the  
12 motion that's in front of us?

13 MS. EAKON: Can I do a clarification,  
14 Mr. Chair?

15 MR. LOHSE: Yes.

16 MS. EAKON: When we get to item 8(a),  
17 Reconsideration of the Board's 1991 ruling,  
18 rural/nonrural determinations on the Kenai  
19 Peninsula, we will -- during the time we discuss  
20 this topic, you will also act on item No. 10, time  
21 and place of next public meeting; because the topic  
22 is going to drive your meeting date for the winter  
23 2000 meeting; I wanted to explain that.

24 Also, Tom Carpenter, who is the chair  
25 of Copper River/Prince William Sound Fish & Game  
26 Advisory Committee will be on the plane and expected  
27 to arrive around 10:00, but he asked that we wait  
28 for him when we come to the deferred proposal.

29 And that's it, Mr. Chair.

30 MR. LOHSE: Is that understood by the  
31 rest of the Board that, basically, what we're going  
32 to do under 8 is we're going to also have to  
33 consider our meeting date because we're going to  
34 work our meeting into making a hearing for that  
35 issue right there; and if it's agreeable to the rest  
36 of everybody else, we'll just wait on the  
37 proposal -- deferred proposal 7 and 12 until Tom  
38 gets here, which will probably be in time, but just  
39 in case we get there faster than I think we would.

40 Then a motion to adopt the agenda is  
41 in order.

42 MR. JOHN: I make a motion to adopt  
43 the agenda, proposals.

44 MS. SWAN: Second.

45 MR. LOHSE: Seconded by Clare.

46 Any discussion?

47 Question's in order.

48 MR. JOHN: Question.

49 MR. LOHSE: Question's been called.



1 All in favor of adopting the agenda that's in front  
of us, signify by saying "aye."  
2 SPEAKERS: Aye.  
MR. LOHSE: Opposed, signify by  
3 saying "nay."  
Motion carries.  
4 We look to the minutes of the March  
23rd, 1999 meeting. Motion to adopt is ordered.  
5 MS. SWAN: So moved.  
MR. LOHSE: Been moved that we adopt  
6 the minutes of March 23rd, 1995 meeting.  
MR. DEMENTI: Motion.  
7 MR. JOHN: Seconded.  
MR. LOHSE: Any changes?  
8 Clare, have you come across any?  
MS. SWAN: No.  
9 MR. LOHSE: Anybody else?  
Hearing no corrections or changes,  
10 the questions in order.  
MR. JOHN: Question.  
11 MR. LOHSE: Question has been  
called.  
12 All in favor signify by saying  
"aye."  
13 SPEAKERS: Aye.  
MR. LOHSE: Opposed signify by saying  
14 "nay."  
Motion carries.  
15 At this point in time we go into the  
election of our officers, and I turn this meeting  
16 over to Helga; and we need to elect a chair, vice  
chair, and secretary.  
17 MS. EAKON: Thank you.  
Every year at the fall meeting the  
18 regional council elects a chair, vice chair, and  
secretary. The chair is elected from among the  
19 regional council members and serves a one-year term  
but may serve more than one term as chairman;  
20 conducts regional council meetings; attends and  
represents a regional council at meetings of the  
21 board; comments on and provides valuable insight on  
proposals statewide; saves all reports and  
22 correspondence; and gives public statements from the  
council after the chair has expressed its consensus  
23 or has voted on the topics involved or designates  
someone to make these statements for him or her.  
24 Having said that, I will open the  
floor for nominations for the office of chair.  
25 MR. VLASOFF: I nominate Ralph  
Lohse.



1 MS. EAKON: Kenneth Vlasoff nominates  
Ralph Lohse.  
2 You need not make a second.  
Are there any other nominations?  
3 MR. JOHN: I make a motion that we  
have a unanimous consent.  
4 MS. EAKON: Fred John asks for a  
unanimous consent.  
5 All those in favor say "aye."  
SPEAKERS: Aye.  
6 MS. EAKON: Ralph Lohse is the  
chair.  
7 MR. LOHSE: I also feel honored.  
Thank you much.  
8 At this point in time, nominations  
are open for vice chair. Who can you twist the arm  
9 on to be vice president?  
MR. DEMENTI: I nominate Fred John.  
10 MS. SWAN: Ask for unanimous  
consent.  
11 MR. LOHSE: Ask for unanimous  
consent.  
12 All in favor, signify by saying  
"aye."  
13 SPEAKERS: Aye.  
MR. LOHSE: So, your arm's been  
14 twisted too.  
And the nominations are open for  
15 secretary. If the chair could nominate somebody, he  
would. Do I hear any nominations for secretary?  
16 MR. LOHSE: It's not --  
MR. LOHSE: Nomination has been for  
17 Clare Swan. Do I hear any other nominations?  
Hearing none, a motion for unanimous  
18 consent would be in order.  
MR. VLASOFF: So move.  
19 MR. LOHSE: So moved.  
All in favor, signify by saying  
20 "aye."  
SPEAKERS: Aye.  
21 MR. LOHSE: Okay. We're a very  
innovative bunch. We really rocked the boat.  
22 Okay. At this point in time, I saw  
some more people come in that we haven't had  
23 introductions from. I'd like to get introductions  
from the people who've come in while we were going  
24 through this process. Rachel, you're up front; you  
can start, and then we'll get anybody else that's  
25 out there in a chair that we haven't heard from.  
MS. MASON: I'm Rachel Mason. I work



1 as the anthropologist for this council.

2 MR. LOHSE: We'll just start in the  
3 front row and work our way back. If you haven't  
4 introduced yourself, stand up, introduce yourself,  
5 who you represent, where you're from.

6 (Audience members introduce  
7 themselves.)

8 MR. LOHSE: Okay. With that, we will  
9 go on.

10 We open our floor to public comments  
11 at this point in time. If you would wish to make  
12 your public comments, you can. If you have a  
13 specific issue that you're dealing with, you can  
14 request that your comments be saved until that  
15 issue. What we normally do is we go through the  
16 stack of blue cards that you filled out back there  
17 in order; and when your name comes up you can either  
18 comment now; or, like I said, if there's a specific  
19 issue you wish to speak to, you can ask that it be  
20 reserved for that issue.

21 Do we have cards? Are there public  
22 comment cards back there?

23 MS. EAKON: They are available,  
24 Mr. Chair.

25 MR. LOHSE: Could I get them?

MR. CLARK: There are none filled out  
here.

MR. LOHSE: There are none filled out  
here.

MR. LOHSE: There are none filled  
out?

For your information, there are cards  
for public comment on the back table. There are  
blue cards. We don't have a specific time period  
that we don't limit people to for public comment.  
You need to fill a card out if you'd like to make  
public comment. Like I said, if there's a specific  
issue you need to talk to, you can put it on the  
card. When your name comes up, you can tell us  
that's what it's for.

With that, hearing no public comments  
at this point in time, we'll go on to unfinished  
business; and we're going to section 8(j),  
reconsideration of the board's 1991 rural/nonrural  
determination on the Kenai Peninsula. We'll start  
off with an update from Rachel Mason.

MS. MASON: Thank you, Mr. Chair. I  
have here an updated schedule for completing the  
staff analysis for this; and on this issue the  
Nikiski Indian tribe requested last year to the



1 Federal Subsistence Board that special circumstances  
2 warrant an out-of-cycle recalculation of the rural  
3 determination on the Kenai Peninsula; and at the  
4 May, 1999 meeting of the Federal Subsistence Board,  
5 after hearing testimony and the regional council  
6 recommendations and the staff analysis, the board  
7 decided that special circumstances do exist; and  
8 they requested that staff complete an analysis; and  
9 so they said that they would make a final decision  
10 in May, 2000. As you can see from the new schedule,  
11 the Federal Subsistence Board will consider the  
12 issue on the changes to the existing rural  
13 determinations on the week of November 29th, 1999.  
14 We're still working on the staff analysis, and of  
15 note here is that with the concurrence of the  
16 regional council the Board will hear only one public  
17 hearing in conjunction with a regional council  
18 meeting that would be under Kenai; and what we would  
19 like to suggest is that it be at the regional  
20 council meeting, and in that case the council  
21 meeting would need to be on the Kenai Peninsula.  
22 So, this public hearing would occur, regardless of  
23 what the Board's recommendation is for change. And  
24 the -- the staff analysis that we're working on now  
25 incorporates not only some of the background  
material that was assembled in regard to the request  
for -- for the special circumstances, but it also  
brings in the public testimony which was presented  
at the regional council and board meetings; and  
we're also using some of the new harvest data that  
was provided by the cooperative agreement with  
ADF&G, and I'll be talking about that in the next  
item.

That completes my update. If there  
are any questions, I'll be happy to --

MR. LOHSE: Are there any questions  
for Rachel?

Rachel, would you explain to me  
again? I didn't see on this -- this schedule right  
here, I didn't see anything here about November  
9th. That's going to be what kind of meeting?

MS. MASON: That's when the Federal  
Subsistence Board will consider the proposal to  
change the rural determinations on the Kenai  
Peninsula. So, prior to that, the staff committee  
will make a recommendation; but during the week of  
November 29th, the Board will meet.

MR. LOHSE: Okay. Now, you said that  
they will consider it. They're not going to make a  
decision at that time, are they?



1 MS. MASON: They will make a  
2 recommendation at that time; and if -- if changes  
3 are proposed in their recommendation, then they will  
4 develop a proposed rule and send it to Washington  
5 after that time. If no changes are proposed by the  
6 Board's recommendation, then a public notice will be  
7 developed following their November 29th Board  
8 meeting; but either way there will be one public  
9 hearing following that.

10 MR. LOHSE: Okay. But that  
11 recommendation, basically, constitutes a decision,  
12 doesn't it?

13 MS. MASON: It's not a final  
14 decision. It's merely a proposed rule. The final  
15 decision will occur at the Board meeting in the May  
16 2000 Board meeting.

17 MR. LOHSE: Basically what they can  
18 do, they can say how it should go on this meeting,  
19 but they can change their mind --

20 MS. MASON: Right. Based on the  
21 public testimony or whatever information comes in  
22 between the recommendation and the final decision.

23 MR. LOHSE: Okay.  
24 Is that clear as mud to everybody?  
25 Okay. The way I understand it is  
they will -- with the information they have on hand,  
they will make a recommendation as to which way it  
should go, that they feel it will go.

MS. MASON: Right.

MR. LOHSE: But then we still go  
through the public hearing process, and that  
information can be changed?

MR. JOHN: Can I ask a question? On  
the advisory board, they would go down to Kenai  
again. Who goes to Kenai?

MS. MASON: The public hearing would  
take place at the same time as the regional council  
meeting, and that's why we suggested that the next  
one in the winter meetings be on the Kenai so it  
could incorporate the public comment at that  
meeting.

MR. LOHSE: So, we would basically  
have both our winter meeting and a public hearing  
combined?

MS. MASON: Right.

MR. LOHSE: Our next meeting, instead  
of holding it in Anchorage, we would hold it on the  
Kenai?

MS. MASON: Right.

MR. LOHSE: Has there been any



1 thought as to where on the Kenai?

MS. MASON: That's up to the regional  
2 office.

MR. LOHSE: We'll have to make that  
3 decision later.

MS. MASON: That's right.

MR. LOHSE: Okay. Any other  
4 questions for Rachel on this subject?

5 Hearing none, let's go on to the next  
part, the update on the cooperative management  
6 agreement.

MS. EAKON: Excuse me, Mr. Chair. I  
7 thought you were going to -- would you rather wait  
until the end of the meeting to determine where the  
8 Kenai --

MR. LOHSE: I think we should wait  
9 until the end of the meeting. We'll take it in  
order of on where it's on the agenda, but we  
10 recognize that we have to address it on this. Does  
that sound agreeable to the rest of the council?

11 Okay. At this point in time, we  
would go on to the "update on cooperative management  
12 agreements" by Rachel.

MS. MASON: Thank you, Mr. Chair.

13 There are two different cooperative  
agreements that I'm going to address. One of them  
14 is with the Seldovia Village tribe, and that is  
still in the process of development. We are working  
15 on a cooperative agreement with this tribe to  
collect oral history material on subsistence from  
16 knowledgeable people, namely elders living in  
Seldovia; and it's currently in the hands of the  
17 contract staff at Fish & Wildlife Service. I have  
received a marked-up draft of the agreement back  
18 from the contracting office, so we're hoping to have  
the project underway by January; and in the  
19 best-case scenario, it would be completed by the  
time of your winter meetings.

20 The other agreement is that the  
subsistence division of ADF&G has been involved in a  
21 cooperative project to collect subsistence  
information on the Kenai Peninsula. They did this  
22 during the first months of 1999. There was a  
harvest survey centered in the Ninilchik and Homer  
23 rural areas, and Jim Fall will probably want to  
address this more during his report; but I'll just  
24 give you a real brief summary of what it is because  
the project has been completed, and a draft -- an  
25 interim draft has been submitted; but in the next  
few days we'll be seeing a draft report from it.



1 The cooperative agreement was motivated by the need  
2 to have more up-to-date information on harvest and  
3 use areas on Kenai Peninsula communities for  
4 customary traditional determinations. Also, for --  
5 and for proposals to change hunting seasons and  
6 harvest limits, but the most timely application of  
7 this -- this study is for the rural/nonrural  
8 determination. The communities included were all  
9 ones that are either in the Ninilchik rural area or  
10 the Homer rural area; and originally the communities  
11 included were Ninilchik, the North Fork Road,  
12 Nikolaevsk in the Ninilchik, Fritz Creek East,  
13 Voznesenka, Razdolna, and Kachemak Selo in the Homer  
14 rural area. These are Russian Old Believers; and of  
15 them, only Nikolaevsk and Voznesenka ended up in the  
16 survey.

17 In total, 239 surveys were completed;  
18 and use areas were also mapped for moose, caribou,  
19 goat, sheep, black and brown bear, other sheep, and  
20 marine invertebrates. The results are very  
21 preliminary; division staff may want to address it  
22 more later. Briefly, the study showed very high  
23 participant rates in every community, close to or  
24 equal to 100 percent; and Ninilchik leads the way in  
25 harvest of moose in these communities, while the  
Russian Old Believer communities had more of the  
harvest in fish, particularly taken from commercial  
catches.

And that -- that's a real brief  
overview of it, and I look forward to telling you  
more about it as the report develops.

MR. LOHSE: Now, that was a  
cooperative agreement. What I understood, that was  
done by the ADF&G?

MS. MASON: Right.

MR. LOHSE: Who were they cooperating  
with?

MS. MASON: Fish & Wildlife Service.

MR. LOHSE: Okay.

Does anybody have any questions for  
Rachel on -- Clare?

MS. SWAN: Mr. Chairman, is -- you  
said something about Nikolaevski having their  
count -- their fish was taken from commercial  
catches. Is that what you said?

MS. MASON: That's considered as part  
of the total subsistence harvest, that it's fish  
used for the personal unit; but the people who are  
commercial fishermen use from their commercial  
catches.



1 MS. SWAN: How is that documented  
then? Do they have to whack their tails off or  
2 something?

3 MS. MASON: No, that's -- it's in the  
harvest surveys; it's asked: "Did you remove any  
fish for home use from your commercial catches?"  
4 And that's considered a noncommercial use of fish,  
but I don't believe that there's any documentation.

5 MR. LOHSE: Rachel, could I answer  
that?

6 MS. MASON: Sure.

7 MR. LOHSE: On some species there is  
documentation; it has to be written on the fish  
ticket. In other words, the commercial fisherman,  
8 when he delivers it to the cannery, has to report it  
on the fish ticket how many fish they took out for  
9 personal use. That's only in some cases. It  
doesn't apply to all personal use.

10 MR. LOHSE: I think that only applies  
to kings.

11 MR. LOHSE: At least in our area it  
only applied to kings.

12 MR. ELVSAAS: Can you really call  
that subsistence? I don't view that as  
13 subsistence. I think that's the problem with taking  
commercial fish for subsistence purposes.

14 MS. MASON: Yeah. Well, that's --  
the way the questions are asked is -- it includes  
15 all fish that were caught for personal use and not  
for commercial sale. So, that would include also  
16 fish that were taken out of commercial catches  
before they were sold, of course.

17 MS. SWAN: Well, that was my point.  
If -- you said they were taken -- you could put  
18 personal use or subsistence; and now those two  
things, in my mind, are separate -- are separate  
19 things so that if -- I mean, I just wondered if the  
chairman said that there is special circumstances,  
20 was it any kind of salmon? The reason I'm asking  
that is because I know with the king it's -- I net;  
21 we immediately have to chop the tail off the salmon,  
immediately, to further document that those are  
22 salmon caught in that particular net. So, I mean,  
in other words, you could just put down whatever  
23 number you wished, whatever number for either  
personal use or subsistence; is that what you're  
24 saying?

MS. MASON: It doesn't matter how  
25 they were caught for what was used under the  
Council. It could have been under sport



1 regulations. It could have been taken from  
2 commercial catches; but for the purposes of  
3 documenting the harvest of a household, that's the  
4 way this kind of research is done.

5 MS. SWAN: That's what that's used  
6 for.

7 MR. LOHSE: I think, Rachel, this  
8 isn't how they were caught, but how they were used.  
9 Those households use X amount of salmon, X amount of  
10 moose, X amount of bear as a food source in that  
11 household. It's not where they came from, but what  
12 they were used for.

13 MS. SWAN: You still somewhere have  
14 to squeeze this into numbers when we ask and we say  
15 how many salmon were used for thus; and so, for  
16 subsistence, it has to have a category; and it would  
17 have to fit somewhere. You know, so, I'm not -- I'm  
18 sort of like Fred; I don't know how you can really  
19 call that subsistence unless you just want to. You  
20 know, it's another one of those labeling things.

21 Thank you.

22 MS. MASON: This is it for the --

23 MR. LOHSE: For Clare's purpose maybe  
24 I can give a little bit of information on that. I'm  
25 sure that Ken will kind of back me up on it. I  
26 think you find in most rural coastal communities up  
27 and down the coast the basic source of economy -- I  
28 know you live on the Kenai -- the basic source of  
29 economy is commercial fishing. So, many members of  
30 the community basically take part in commercial  
31 fishing, which gives them access to fish which are  
32 then shared in their family and with the rest of the  
33 community; and those fish have to come out of --  
34 like Fred was saying, they're taken out of the fish  
35 that they could sell; they actually cost the person  
36 that takes them, cost revenue. The fish go into the  
37 community and are used, for lack of a better way of  
38 putting it, as subsistence food. I know in Cordova,  
39 for example, when the first fish comes, everybody in  
40 the community ends up with fish because they're --  
41 it's just part of the lifestyle there that  
42 everybody's going to have fish; and it does cost  
43 somebody for that fish; every commercial fisherman  
44 that donates fish or gives fish away, it comes out  
45 of income; but the fish go into the community.  
46 That's their access. In Cordova, there's also  
47 what's classed as a subsistence season. We're  
48 allowed 15 salmon as a subsistence catch at this  
49 point in time, Prince William Sound. You can  
50 actually use nets to go get those 15 salmon. That



1 gives everybody in the community that access.  
2 Because people are already out there fishing, a lot  
3 of people don't bother to go get a subsistence fish  
4 because somebody is going to give them fish; and I  
5 find that all the way from Southeastern, all the way  
6 to Bristol Bay. If you live in the community and  
7 you're a commercial fisherman, you share part of  
8 your catch with the community and with your family.

9 MS. SWAN: Mr. Chairman, I don't know  
10 if it's appropriate to discuss that; but I think  
11 it's an important point to bring up. It's that  
12 in -- Mr. Chairman, what you say is true; that's  
13 true; but then you have subsistence itself, which  
14 is, in my experience, people on the Kenai would say,  
15 "Well, you know, after I get done with my -- with  
16 fishing for the cannery, I'm going to do my  
17 subsistence." Do you do it before -- you get salmon  
18 way out in April, they would go all the way to  
19 Kuskokwim and take those salmon; then they worked,  
20 did their commercial fishing; and then there was a  
21 definite subsistence time. It's called that. I'm  
22 not sure of who started it that way; that's kind of  
23 that. They'd get some for the fall, because of the  
24 weather conditions and those kind of things. That  
25 was called subsistence, that part of it. It's a  
real thing. It has nothing to do with money. The  
difference is when you take a commercial salmon -- I  
mean, you know, in my personal experience, my father  
would never let us eat a salmon. We would have a  
lowly humpy once in a while, but the other salmon we  
had caught meant money. Subsistence doesn't mean  
money. So, that's what I'm saying. If we're going  
to, you know -- we're going to be slicing this up in  
little pieces; you hear this all the time; so it's  
important, then, I think, to -- this sounds goofy as  
heck; but if I took a salmon out of my commercial  
net and gave it to you, I would be a real good guy.  
I would be doing you a favor because here's this  
nice, fat salmon with dollar signs in his eyes; and  
that's not subsistence, though. I'd just be nice.  
Afterwards, I go and get whatever salmon I need,  
five salmon, take it home and can it or whatever;  
and then that's subsistence. I don't want to  
belabor it, but I think it's a point -- I mean, how  
does this all get smushed all together. If you're  
going to do numbers and document numbers, then  
you've got to say where it came from, really where  
it came from.

25 MR. VLASOFF: I don't think the word  
"subsistence" just blankets everything.



1 Traditional use, personal use, I personally give a  
2 lot of fish to like elderly that can't go get their  
3 own. I know other people that do also, and it does  
4 come out of my commercial fishery; and whether you  
5 call it personal use or traditional use for them,  
6 there's still usage, you know, the same way it would  
7 if they could go get it themselves, canning it,  
8 smoking it, whatever, you know.

9 MS. SWAN: I agree. That's what I'm  
10 saying. What is it? Because it's going to --

11 MR. LOHSE: I guess the point I'm  
12 trying to get off, the word "subsistence" doesn't  
13 cover what we're trying to say here.

14 MR. ELVSAAS: Mr. Chairman, I have a  
15 lot of thoughts on that too. I think at this point  
16 we're listening to a point on how the people  
17 acquired their personal-use fish, and I think we  
18 should go on with the meeting; but this issue we can  
19 talk all day long because there's a variety of views  
20 on it.

21 MR. LOHSE: Thank you, Fred. I think  
22 that Rachel's report, basically, was talking about  
23 the household use of these resources in the -- these  
24 village areas that you were talking about.

25 MS. MASON: Mr. Chairman, this  
discussion is very appropriate for the discussion on  
customary trade which will be soon to follow, so  
this is very good information for that.

MR. VLASOFF: This is not recognized  
as subsistence, though, or not? Is it or is it not  
recognized?

MR. LOHSE: It's not a subsistence  
take. It's a subsistence use. So, I mean, the fish  
were not taken from a subsistence fishery; but it's  
as close -- I mean, in most coastal communities it  
would be considered subsistence use because the fish  
did not get sold. They never -- there was no value  
placed on them. They were shared in the community.  
So, to me, that's where the difference would be.  
They were not taken out of a subsistence fishery.  
There's no set-up subsistence fishery that covers  
that.

Okay. With that, any other comments  
before we go on?

MR. JOHN: The -- the fish for  
subsistence use, did they take that part out of  
their income tax?

MR. LOHSE: You don't make any income  
on it; so, no, they don't take it out of income  
tax. We probably just opened up another can of



1 worms. You heard of subsistence moose on your  
income tax?

2 Okay. With that, you can see the  
3 variation of ideas and opinions and backgrounds on  
the council. And we'll go on.

4 At this point, we're going on to the  
deferred proposals. I would recommend as Chair that  
5 we start with 3 and go backwards, because Tom may  
have something he may want to say. Let's start with  
6 3, which is the one that I know a lot of people are  
here for, which are the deferred proposal 15 which  
7 requests elimination of a requirement to keep  
evidence of sex attached to moose carcasses in unit  
8 11 and 13. And if I remember right, I believe you  
said that they wanted to apply this statewide. They  
9 brought the -- the Federal Board brought it up and  
said they wanted to look at it from a statewide  
standpoint. Am I correct in that assumption?

10 MS. DEWHURST: That's what we're  
doing right now. What's happened, the Federal Board  
11 is taking this to all the councils. It's gone to a  
few councils so far with very mixed results. The  
12 Federal Board thought this could be a State  
proposal. This regulation has been on the State  
13 books, before statehood. It's a really old  
regulation; and what happened was when the federal  
14 subsistence regulations came on, they just basically  
adopted the existing State regulations; so that's  
15 how this one got on the Federal regulations.  
There's been a lot of question from the councils  
16 that have opposed it. There's a lot of questions on  
why we're even -- why -- biologists are even saying,  
17 you know, "Why can't we just get rid of this  
regulation?" and there is a lot of concern in the  
18 institutional community that this regulation has a  
real value in law enforcement, and not so much in  
19 hunts where there are antlers but we have a number  
of hunts on the books that are in the winter with  
20 the antler season, usually December, January. They  
are listed in the issue and inquiry here on the  
21 second page of it, this page (indicating) --

What we did, this is what is going to  
22 all the councils. This little three-page document  
that says "issue inquiry" has a little picture of  
23 the moose on it. That's what all the councils will  
be seeing and responding to.

24 What we did is we first presented why  
your council was -- brought this up. Actually, this  
25 is not the first time it's been brought up. It's  
the third time it's gone to the Federal Board. It's



1 not a new proposal, by any means, to the Federal  
2 Board. We went through those issues. We tried to  
3 do point/counterpoint, so to speak, and presented  
4 why. One of the strongest things is these winter  
5 harvests, item No. 3 on why to keep the regulation  
6 in place. There are a number of harvests from units  
7 9, 17, 18, 19, 20, 22, and 25 that have these winter  
8 antlerless moose seasons that without having some  
9 evidence of sex it's hard to tell what people have  
10 harvested. It has been a problem -- not so much in  
11 the region; I used to work in Bristol Bay for  
12 years. We had one of those winter antler seasons.  
13 We did have problems with people taking cows. It's  
14 one regulation. It's not going to stop people from  
15 doing it; but the way I think of it, it's kind of a  
16 necessary evil. Nobody likes the regulation;  
17 certainly nobody likes to mess with the moose  
18 parts. It's kind of like a lock on the door. Locks  
19 on doors keep honest people honest. If you're a  
20 thief and a burglar, you can put a lock on the  
21 door. If you put a lock on the door and an honest  
22 person comes up, then you have the lock on the  
23 door. If you say you have to have the moose parts  
24 in some way, shape, or form, somebody might be less  
25 likely to go out and shoot a cow. That's been a  
problem in the past, primarily with sport hunters.  
I did work a case where we did have subsistence  
hunters that shot a cow. It does occur on both  
sides of the street.

What we're doing is we're taking this  
to all the councils and trying to find out whether  
they want it to be a statewide regulation or if they  
want it to be regional. Like I say, the results  
have been very mixed. We have had a couple of  
councils that are strong in removing these  
regulations, support your proposal. A couple of  
councils that said, "Keep it in place. It serves a  
real purpose."

Right now it's looking like it might  
be hard to justify as being a statewide change. We  
might have to do it on a region-by-region change  
because of that. What we're also asking is just  
inquiring of people, if they can think of any other  
means of protecting cows, so to speak. That's why  
this is here. That's why people are even opposing  
this at all. We want to have some means of  
protecting the cows in moose populations; and we're  
saying, "Well, if we remove the requirement to keep  
sex parts, what else can we do to try to ensure that  
people won't shoot cows, and to try to ensure that



1 if we do have any enforcement folks out there will  
2 have some way of knowing whether that carcass was  
3 from a cow or a bull." That's a big part of this.  
4 We've had a couple of suggestions from other  
5 councils; I'll kind of bounce those out and throw  
6 them out. If you can offer any others or comment on  
7 those. One that has come from two different  
8 councils is the possibility of having the sex parts  
9 in possession but not requiring that they're  
10 attached to the meat. There was a lot of concern  
11 that leaving it attached to the ratty meat would  
12 make the meat bad; so the possibility of -- the  
13 jokes about this, but the possibility of requiring  
14 that you carry the sex parts; but do you have to  
15 have them still attached to your carcass; that's one  
16 mitigation that's been brought up.

17 Another one that's been brought up,  
18 but it's a tough one to deal with, is that you can  
19 tell the sex of the moose by pelvic bones; but doing  
20 that, from firsthand experience, the only way a law  
21 enforcement person is going to be able to do that is  
22 to cut down a hindquarter; and I don't know very  
23 many hunters out there that's going to want a law  
24 enforcement person to start cutting down a  
25 hindquarter. I think it would be worse than leaving  
the sex parts attached. It's tough, because -- even  
if you cut down the hindquarter, it's kind of hard  
to tell. That's not a real viable option. It has  
been mentioned.

Those are the two; but we are  
certainly open to any other thoughts, any ideas;  
what we're trying to brainstorm here on is there any  
way we can come to a minimum amount -- a requirement  
where we can protect the cows in population, but do  
it so we're not going against customary and  
traditional values and concerns and doing something  
that maybe is not so distasteful as leaving sex  
parts attached. That would be the first thing I  
opened to the council. I know this is your proposal  
originally. If there's any thoughts or any comments  
or any possible alternatives.

MR. LOHSE: I was just wondering if  
anybody has proposed the alternative, since we're  
dealing with December -- February hunts when there  
aren't any antlers, the bulls also aren't in rut  
during that time either. Has there been any thought  
about the fact that in the fall hunts, the antlers  
are sufficient. Then in the February/September  
hunts, I know there aren't any. In those areas you  
can require that the sex parts remain attached for



1 the winter months, but that the horns have to go  
2 with the animal in the fall hunts. I think that  
3 would be much more acceptable to people in 11 and  
4 13, because they're not dealing with winter hunts;  
5 and that way they could use the antlers, which, like  
6 it says, because of their economic value at this  
7 point in time, nobody leaves the antlers out in the  
8 field. That's not really true because I know  
9 subsistence hunters whose antlers are still out in  
10 the field about two months after he's got his moose,  
11 not two months, two-and-a-half months.

MS. DEWHURST: That came out, with  
2 the ranger herd, in the Kenai Peninsula. Because  
3 the ant -- the value -- the antler market went  
4 down. There's not enough of a market in the Asian  
5 market to do that. Some of the ranger herders --  
6 the antler market has gone down. The only thing  
7 there would be -- if we do away with the requirement  
8 to have the sex parts, we would have to have an  
9 antler requirement. That would force the people to  
10 have to pack out the antlers where they might not  
11 want to normally deal with the antlers. Moose  
12 antlers can be pretty heavy to pack out if you don't  
13 have the -- a use for them.

MR. DEMENTI: My opinion, I'd rather  
2 take the antlers out than the sex organs. I mean, I  
3 would have some use for the antlers; but I don't  
4 have any use for the sex parts. It should be just  
5 limited to the regions that have antlerless hunting,  
6 and I think our region don't have any.

MS. DEWHURST: That certainly is a  
2 viable option and one where it's worth considering  
3 would be to just remove the requirement for the  
4 hunts involving antlers versus the antlerless  
5 hunts.

Another question -- issue that was  
2 brought up, we're asking for the Council to  
3 comment. At this time, the State is not showing any  
4 interest in removing the regulation on the State  
5 books. For example, in Unit 13, you're dealing with  
6 a lot of State land where the hunt is for both State  
7 and Federal. If you did remove the regulation on  
8 the State/Federal side but the State left it in  
9 place, it potentially holds a violation for the  
10 hunter that's transporting it legally on a Federal  
11 land and then in State land and gets stopped by a  
12 brown shirt. Even though they harvested it on  
13 Federal land, they're crossing State land. There is  
14 a complication. We ask each of the council that  
15 this has gone to: Is this going to be a concern or



1 not? There again, we got mixed responses. Some  
say, "Yes, this will be a problem." Others say,  
2 "No, it isn't an issue." That is a question for you  
folks on the Council too.

3 MR. DEMENTI: Denali Park had a  
regulation that you have to have this letter with  
4 you while you're transporting the game around. I  
don't see any problems with anybody else doing  
5 that. If you have the letter with you, you can  
transport it, as long as you have the letter.

6 MS. DEWHURST: The permit, you mean?

MR. DEMENTI: The permit, yeah.

7 MS. DEWHURST: That's true; if you  
have the permit in possession, that should cover  
8 you; it would be the hunter that for whatever reason  
didn't have the permit at the time.

9 Any other thoughts on the possible  
repercussions on having to cover the State versus  
10 Federal regulations on that?

MR. LOHSE: Can I ask you a  
11 question? On the councils that didn't think there  
was much of a problem, do they live in areas that  
12 have larger blocks of Federal land around the  
communities?

13 MS. DEWHURST: They're not  
transporting it across State land.

14 MR. LOHSE: That's the only problem I  
can see with Unit 13 and Unit 11; you are on the  
15 highway system. Most people transport the game down  
the highway system, and you say in a State that's  
16 shown no interest at all --

MS. DEWHURST: At this time, that's  
17 what we've been told. At the meetings that we've  
had already, a State biologist has testified about  
18 it. There's a bunch of interest. It's an old State  
regulation. Its going to be a hard one to change on  
19 the State level. Prior to Statehood, the longer a  
regulation is in place, the more entrenched it gets  
20 and harder to change. We were interested in the  
history of it. I think a lot of us were surprised  
21 how old that regulation was. It's been around for a  
long time. Like I mentioned, you folks aren't the  
22 first to bring it up. It has been a concern in the  
native community -- or the world community,  
23 actually, that nobody likes to deal with it. I  
certainly do not like to deal with the sex parts.  
24 It's certainly not something anybody wants to mess  
with.

25 MR. JOHN: What I got so far, as long  
as I've been on the Board, the State really had the



1 support; and a lot of our tradition/system/area of  
2 life has been -- you know, we had to compromise on a  
3 lot of -- like 50-inch horn and stuff like that.  
4 It's against the traditional ways. To me, this is  
5 against our way of life and tradition, bringing out  
6 the sex parts. What I think -- we have to hunt a  
7 bull, bring in the whole head, not just the horn,  
8 you know; and I -- my belief is against this.  
9 Because of all the stuff that's for the State, got  
10 the whole regulation on there, it hadn't been really  
11 changed. They never changed their thought about  
12 subsistence.

13 MS. DEWHURST: That was brought up by  
14 another council about the antlers attached to the  
15 head. That might be a concern to haul out the skull  
16 with the antlers attached. When we start talking  
17 about moose with 15-, 16-inch racks, that's a large  
18 item to pack out. That was brought up. The  
19 possibility --

20 MR. JOHN: What I'm trying to say,  
21 for the traditional and customary hunter, there's  
22 more regulations against them than for sport  
23 hunters. I don't see that much regulation against  
24 sport hunters in the State of Alaska; for the  
25 traditional way of life, so much regulation that we  
26 have to -- sometimes we -- another -- for the Indian  
27 people, Native people, traditional native hunters.

28 MS. DEWHURST: That was the  
29 testimony, very similar testimony to what you just  
30 said, from the Eastern Interior Council. They were  
31 strongly opposed to this regulation, based on  
32 traditional values; so your comments are -- your  
33 comment, it seems like more with the Interior and  
34 the Alaskan people.

35 MR. JOHN: My comment, for -- it does  
36 affect the traditional customary life of Native  
37 Alaska, Native American. That's part of our  
38 tradition.

39 MR. LOHSE: Fred just brought up  
40 something that is a thought too, and that's the  
41 fact -- first of all, I think this regulation  
42 Statewide applies both to subsistence and sport and  
43 everything else; and from my experience, subsistence  
44 hunters are much more likely to bring a head in as a  
45 food source than sport hunters. You know, if you  
46 bring a head in, it doesn't really matter whether  
47 it's got the horns attached or the horns not  
48 attached; you can tell whether it's a bull or a  
49 cow. That could be the requirement, that the head  
50 accompany the animal because most subsistence



1 hunters will bring the head in because it is a food  
2 source; and if the head was required to accompany  
3 the animal, you know, it's not the same as one of  
4 the arguments against having just antlers; somebody  
5 could pack a fresh set of antlers out in the field  
6 and bring it back out with skinned-out meat and say,  
7 "These are the antlers of the animal"; but if the  
8 head has to accompany the animal, the head will  
9 match or not match.

10 MS. DEWHURST: That's very true.  
11 That's something that has been brought up,  
12 interesting idea, to require the head, but not the  
13 sex parts. With the head, you can tell if the  
14 antlers were removed --

15 MR. LOHSE: If you've got the head,  
16 you can tell whether it's a male or female.

17 MS. DEWHURST: As you were talking,  
18 even with the antlerless season, the antler scars  
19 would still be present on the skull. You would be  
20 able to tell from the head, even in January, that it  
21 came from a bull; so that would be a possible  
22 alternative even on the antlerless hunts to require  
23 the head to be taken out.

24 MR. LOHSE: It would apply both to  
25 caribou and moose. Not as much to caribou, but  
26 less. Both sexes have horns in caribou. There is a  
27 difference between a bull head and a cow head. It's  
28 normally pretty easy to tell. So, would that --  
29 what do you think about that; would that be much  
30 more acceptable?

31 MR. JOHN: Yeah. Most subsistence  
32 hunters bring the head in anyway. But you don't  
33 have to have the horns attached. Was -- excuse  
34 me -- how would it be to say any one of the three,  
35 the horns, the head, or the sex parts?

36 MR. LOHSE: Yeah, that's a good  
37 alternative.

38 MR. EWAN: I would rather prefer to  
39 bringing the head of the moose because we don't have  
40 any use with the moose brains. You can't eat it,  
41 whereas moose head we eat the nose and other parts  
42 of it; so I would be much in favor of that. Thank  
43 you.

44 MR. LOHSE: Thank you. Can you give  
45 your name?

46 MR. EWAN: Morris Ewan, Gulkana  
47 Village.

48 MR. LOHSE: There is probably a  
49 working alternative where you can give people a  
50 choice that they have to have -- that the carcass



1 has to be accompanied by one of the three; and so if  
2 a person chooses -- you know, although I can't see  
3 too many choosing not to bring the head in, if the  
4 person chooses, they can bring the antlers and sex  
5 parts instead of the head; but the head would be --

6 MS. DEWHURST: That's never been  
7 mentioned, but I like it. I think it has some real  
8 potential there. I can see how that certainly would  
9 be evidence of sex. We'd have to run it by some of  
10 our legal folks, but I think that has a real -- a  
11 lot of potential for viable options.

12 MR. LOHSE: Well, from my experience,  
13 you know, the odds are that subsistence hunters end  
14 up bringing the head in. I know subsistence hunters  
15 when they find out -- when the other hunter comes  
16 out, the first thing they say is: Did you leave the  
17 head out in the field? If somebody says "yes," they  
18 go out and pack the head in. I think it would be  
19 much more acceptable to bring the head than it would  
20 be for the sex parts.

21 MR. JOHN: Plus the rest of the  
22 meat.

23 MR. LOHSE: If you're going to bring  
24 the head in, you're going to bring the rest of the  
25 meat.

MS. DEWHURST: We still have three or  
four more councils, and it would be worth  
mentioning. I'll pass it on, and we can bounce that  
off the other councils too; but I think that has  
some real potential, and I like the fact that  
everybody has been willing to talk about options and  
not just black and white, "yes" or "no." That's  
what we're looking for. We're just trying to --  
we're not trying to say, "Well, we don't honor your  
customary, traditional values."

We're just trying to find something  
that will work for everybody, provide some  
protection to the Council, but still honor customary  
and traditional values. I think this has real  
potential.

MR. LOHSE: It would be interesting  
to find out whether it would be the culturally  
accepted practice to bring in the head in other  
areas. I know it is in 11 and 13, and it was in  
Unit 9 when I lived out there. I'm not sure whether  
that's common all over the State. But if it's not  
common all over the State, then to me it looks like  
we'll have to still approach this on an area-by-area  
basis; because, again, we don't have any December --  
February hunts -- and the odds are that we never



1 will have in our area. And that practice is  
practiced in our area, you know, bring the head in.

2 MS. DEWHURST: There is another  
3 option to talk about this. What we're going to do  
4 is do the analysis, summarize all the comments from  
5 the Council; and they will be presented to you in  
6 another meeting. Then we'll be kind of pooling  
7 everything together. This will be -- this will --  
8 we'll have another chance to discuss it in the  
9 winter.

10 MR. LOHSE: Does anybody else on the  
11 council have any comments they wish to pass on to  
12 her to put into the report, the comments or  
13 suggestions that we've made or support or whatever  
14 on different ideas?

15 At this point in time, do we have  
16 anybody that's asked to testify that specifically  
17 wanted to testify to this proposal?

18 Hearing none, we're going to take a  
19 ten-minute break at this point in time.

20 (Recess.)

21 MR. LOHSE: I'd like to call this  
22 meeting of the Southcentral Regional Subsistence  
23 Council back to order. I've had a number of people  
24 tell me to remind Council that you can move your  
25 mike farther forward. Same way with people that  
testify. There's a mike sitting right there. Make  
sure you speak into the mike so the rest of the  
people can hear it.

Thank you.

At this point in time, I have a  
couple who would like to address the Council. Lois  
Munson.

MS. MUNSON: I'll be sharing my  
opinions of what I know about Unit 7, and I'm also a  
retired commercial boat owner, Cook Inlet and Prince  
William Sound. This group does not cover Unit 3,  
but I can give you what I know that's happening.

In Unit 7 that we normally hunted for  
the last 35, 40 years -- I lived in Seward for 47  
years; and for the 20 years -- the first of my  
married life we used to get our moose on an annual  
basis in the Snow River area. In the last five  
years, moose has declined so fast that a person has  
to literally live up there to get one moose; and I  
just know of three that was taken out of that area.  
The reason that I think it's gone down is that the  
brown bears have moved into that area, which we have  
never seen before in the lower area where they seem  
to be starving or something; and then the wolves are



1 out of control. My husband used to trap in that  
2 area and get fur for our survival.

3 My complaint -- the other complaint  
4 is that we seem to have so much control by the  
5 trophy hunters in an area where I normally hunted  
6 after fishing. We couldn't hunt in Snow River  
7 because we came home too late. Just to give you a  
8 little idea of what's going on in Unit 3 -- I know  
9 you guys don't handle it, but we used to get our  
10 moose; we got home too late to get into the opening  
11 for Unit 7, so we had to hunt on our way home. We  
12 were allowed to do it just one year, and from then  
13 on it has been controlled by trophy hunters where  
14 the moose was not fit to eat because it was never  
15 opened from September 20th. It seems to me like  
16 we're not trying to take care of our people with the  
17 food that we rely on.

18 That's our complaint. Thank you.

19 MR. LOHSE: Lois, can I ask you a  
20 question? Where exactly is Unit 3? Where exactly  
21 is Unit 3?

22 MS. MUNSON: It's in the Chenega.

23 MR. LOHSE: From Chenega back to  
24 Seward.

25 MS. MUNSON: You can go and get the  
26 moose or caribou. It would open right after the  
27 fishing season would close. It's no problem. It  
28 got to the general public -- the other problem that  
29 I'm aware of, the media and the general public is  
30 not aware of, the trophy hunters, you know who they  
31 are; they're brought into that area by guides;  
32 they're wealthy people, and most of our people that  
33 fish in Chenega are Native people like myself. We  
34 rely on this. To me it's unfair for the trophy  
35 hunters to have so much control. I think the whole  
36 state of what's going on....

37 Okay. I have one more thing. This  
38 Unit 7, the streams -- this concerns not just -- we  
39 lived right by the creek; and we have a lot of  
40 problem with the Corps of Engineers, the fish and  
41 game people, the leaders that are changing streams.  
42 I built a home in 1963, right after the big flood  
43 that we had. Our house is built 12 feet above the  
44 river; that meant it's just literally a drop-off.  
45 Today we're right level because the streams are  
46 being constantly saved. It's being approved by  
47 somebody. I've been fighting with a flooded  
48 basement for the last 15 years, every spring, every  
49 fall. That's it.

50 MR. LOHSE: Does anybody have any



1 questions for Lois?

2 MR. ELVSAAS: Just to clarify,  
3 Ms. Munson is talking about Region 3, not Unit 3.  
4 Unit 7 is the hunting region in the Seward area.

5 MR. LOHSE: Actually, the unit that  
6 that's out where you're hunting is Unit 9. Chenega  
7 Bay, that's unit 9.

8 I have one question on your stream.  
9 I was under the impression that if there was -- if a  
10 stream is an anadromous stream, in other words if it  
11 has fish coming up it, that all changes of those  
12 type streams have to go through Fish and Game. Have  
13 you approached Fish and Game with that?

14 MS. MUNSON: I had him help me with a  
15 paralegal problem that existed three years ago. I  
16 asked him to draft a letter. He can fill you in  
17 what's going on. They promised to help us. They've  
18 promised to do something. They'll allow us --  
19 they'll give us maybe three feet and certain length  
20 and it never happens. It's just literally a  
21 runaround, or they're just giving us a lead and  
22 totally ignore us. We've been waiting for a reply  
23 from the Corps of Engineering -- I could be  
24 misleading; there's Corps of Engineers, the  
25 biologist, I think, Fish and Game, different  
officials. We're just totally ignored in a sense.  
We do have a case that could go into a large  
litigation if we wanted to, but I'm not capable of  
having probably \$500,000 for a lawsuit to get this  
going.

MR. LOHSE: With the consent of the  
Board, shall we -- allow -- State your name.

MR. ALEX: I'm Daniel Alex. I work  
for Lois and Henry Munson. See if I can concisely  
identify what the problem is. There was a developer  
on -- a real estate developer upstream from where  
Lois and Henry live, and the Kenai Borough allowed  
them to straighten out the stream. Now, according  
to the records that's now -- of the stream, it is,  
in fact, many salmon go up there; and, you know,  
people have seen and have photographs of the fact  
that salmon go up there. You're correct in that  
there was supposed to be some kind of -- you know,  
they circumvented the process; and they changed the  
stream; and when they straightened out the stream,  
that allows water to get in the stream which carries  
a significant amount of the gravel material  
downstream. They should never have been allowed to  
change the stream upstream.

MR. LOHSE: So, basically, as far as



1 subsistence is concerned, has this affected the  
2 salmon runs in the stream that people have relied  
3 on? Have they disturbed spawning grounds and things  
4 like that?

5 MS. MUNSON: For stream fishing, I  
6 don't normally do it; I'm a commercial fisherman,  
7 but it affects the spotting. And the big argument  
8 that we have is they don't recognize that the salmon  
9 goes up the stream. This fall, I understood that  
10 there was 100,000 salmon just flooded our stream;  
11 and they were allowing them to market this to a  
12 processor. They say it was for the eggs; but then,  
13 too, when you open the salmon, they're so immature  
14 that they couldn't spawn; that's my opinion. My  
15 husband has fished for 40-some years. He has some  
16 knowledge of what happens, and just some of those  
17 salmon literally died. Nothing happens. This is  
18 what happened going on this fall. I'm not opposed  
19 to this and raising spawning eggs for different  
20 areas, but there's something definitely wrong; our  
21 streams are just blocked. We have people screaming  
22 all over the place watching this thing go on this  
23 fall.

24 MR. LOHSE: I think you will find  
25 that all over the State this fall with king salmon.  
There was a record run everywhere, and there was  
lots of surplus.

Any other questions for Lois?  
Thank you. Like you said, I don't  
know if we can actually affect that; but at least  
somebody else has heard it.

MS. MUNSON: Thank you.

MR. LOHSE: Carol Daniel, would you  
like to put off your testimony until we get to the  
migratory birds?

MS. DANIEL: Yes.

MR. LOHSE: Rose Tepp, did I  
pronounce that correctly?

MS. TEPP: Hello. My name is Rose  
Tepp. I'm chairman of this. At this time I'd like  
to thank the staff for the Federal Subsistence Board  
for moving on with the reconsideration of the 1991  
nonrural determination consideration on the Kenai  
Peninsula, nonrural and rural. We just wanted to  
let you know that we are here and are willing to  
work in any way with the staff's work. We would  
encourage the staff to consult with the tribe on its  
recommendation prior to its submitting it to the  
Federal Board in November.

MR. LOHSE: Was that clear enough



1 from the mike back there?

MS. TEPP: Did everybody hear me?

2 MR. LOHSE: Do you want to do it  
3 again in front of the mike? We need to learn to  
4 make use of the mikes. The people in the back --  
5 you didn't hear me back there?

6 MS. TEPP: My name is Rose Tepp. I  
7 am the chairman of the Kenaitze Indian Tribe  
8 Council. And at this time I would like to thank the  
9 staff of the Federal Subsistence Board for moving  
10 forward with the recommendation on reconsideration  
11 of the Board's 1991 rural/nonrural determination on  
12 the Kenai Peninsula. We just wanted to thank you  
13 and let you know that we're here and are willing to  
14 help in any way with the staff's work. We also want  
15 to encourage the staff to consult with the tribe on  
16 its recommendation prior to the Federal Board  
17 meeting in November.

18 Did everybody hear me?

19 MR. LOHSE: Anybody have any  
20 questions for Rose?

Thank you, Rose.

21 MS. TEPP: Thank you.

22 MR. LOHSE: Okay. At this point in  
23 time we're going back to our agenda. We're on  
24 Section 8, unfinished business. See deferred  
25 proposals, and we're going on to proposal 3.  
Rachel, have you got any report on this for us?

26 MS. MASON: No, I don't,  
27 Mr. Chairman. If you'd like, I can review what this  
28 issue is about.

29 MR. LOHSE: Would you review and see  
30 if we have any public comments? I don't think Don  
31 is here.

32 MS. MASON: Proposal 3 was actually  
33 submitted in 1997, and it was deferred by the Board  
34 to allow more input from these residents and  
35 considered again in 1998. This was a proposal  
36 submitted by Don Kompkoff, Sr., and issued a  
37 positive C & T use for moose in 6(A), 6(B), and 6(C)  
38 for the residents of Tatitlek and Chenega Bay. Last  
39 year, in 1998, the Regional Council and the Board  
40 both deferred it again in order to allow  
41 Mr. Kompkoff to provide supporting testimony at this  
42 meeting for -- by residents of Tatitlek and Chenega  
43 Bay.

44 MR. LOHSE: So that's basically where  
45 we're at.

MS. MASON: Where are we?

MR. LOHSE: We're looking for the



1 testimony, then. Do we have any residents of  
2 Chenega Bay or Tatitlek who wish to testify to this  
3 issue?

4 We may have to remind them that it  
5 will be covered in the winter meeting, that they  
6 have another opportunity to bring testimony at that  
7 time.

8 Helga.

9 MS. EAKON: Mr. Chairman, from the  
10 chair, I have transmitted correspondence to  
11 Mr. Kompkoff, Sr. reminding him about this deferred  
12 proposal with no results.

13 MR. LOHSE: Thank you.  
14 Could we request that you will notify  
15 him again so he has one more opportunity?

16 MS. EAKON: Okay. I will send it by  
17 certified mail/return receipt requested.

18 MR. LOHSE: Do you have any public  
19 comment on this deferred proposal?

20 Tom.

21 MR. CARPENTER: My name is Tom  
22 Carpenter. I represent the Copper River/Prince  
23 William Sound Advisory Committee. I guess this is  
24 probably about, what, the third year in a row we've  
25 dealt with this proposal. It's been deferred a  
couple of times, so most of you have heard my  
testimony in the past; so I'll try and be as brief  
as I can so that the meeting can move along.

Basically, the advisory committee has  
taken the eight-step criteria that the Federal Board  
has given as an outline for customary and  
traditional use patterns; and when a proposal comes  
before our committee, we look at the eight-step  
criteria trying to be as fair and as open-minded as  
we can; and basically we go through one step at a  
time looking at the proposal and basing our  
decisions on what we think and if the criteria is  
met.

Using statistics gathered from the  
Department of Fish & Game, we went back and  
basically went through the criteria; and there's a  
couple of interesting points that stand out in our  
minds.

If you look at Unit 6, it's kind of a  
diverse area. It's -- Unit 6(D) is in Prince  
William Sound, which there is little or no evidence  
that there's been any moose harvested in that area.  
There is one area in King's Bay on the western part  
of the sound that goes in towards Unit 7 where there  
have been an occasional moose taken by residents of



1 this unit. Unit 6 -- 6(C), which is between town  
2 and 27 miles to the Copper River is a drawing area;  
3 so the people that harvest those tickets are pretty  
4 much guaranteed harvest of an animal, and everybody  
5 in the State is welcome to participate in that  
6 hunt.

7 Unit 6(A) and 6(B), which is east  
8 from the Copper River to Cape Suckling, is a very  
9 hard area to access. Most access is done by either  
10 airboat or airplane. Some people access the area  
11 from the Copper River flats either using their  
12 commercial fishing boats or what have you.

13 If you look at the numbers, I think  
14 they pretty much speaks for itself, and directing  
15 you to point No. 2, pattern of use recurring in  
16 specific areas and consistent harvest patterns,  
17 basically we look at the ADF&G numbers; and from  
18 1987 to 1990 there was a four-year period there,  
19 there were two moose -- two moose harvested by  
20 members of the Tatitlek, none from Chenega Bay from  
21 1990 until this past year; and I just got the recent  
22 data from the department on this; there have been no  
23 moose harvested in 6(C), 6(B), or 6(A) from the  
24 villages.

25 Now, the committee understands that  
there are many people in the past ten years, maybe a  
little bit longer than that, that have moved from  
Tatitlek to Chenega and now reside in Cordova; and  
most of them call Cordova their permanent home. The  
moose are shared between the villages and Cordova;  
that occurs every year. We don't believe there's a  
harvest pattern that's consistent enough, for quite  
a few years, about 13 years that I can go back and  
find data for, that really presents a case that the  
villages should be included in a -- in a positive  
C & T for this area. We feel that with the many  
people that do transient the sound and have  
relations with the two villages, that there is ample  
opportunity for moose to be shared with the people  
of those communities through relatives, friends, or  
what have you; but we just don't feel that the  
numbers support the positive C & T for harvest  
guidelines.

The other thing I'd like to say is  
that we had an advisory committee meeting last week,  
and we talked about this too much. But one of the  
things that's frightful with the whole outbreak of  
the Federal subsistence -- the fisheries takeover  
right now and the game; that took place in the early  
'90s -- is that people from -- from certain areas



1 are getting to the point to where they're becoming  
2 frightful of the idea that there's going to be a  
3 loss of opportunity around the State for people to  
4 go and experience and harvest different animals that  
5 we've all become accustomed to over these years.  
6 You have the big guiding outfits, and you have the  
7 tourism; and you have the people, you know, that  
8 come up and visit, that's it's our own enemy. But  
9 the people from the State, we feel, should have an  
10 opportunity to go and share and explore the  
11 different opportunities; and the problem that we  
12 have is that we feel if the C & T is given to  
13 members from a community that haven't proved  
14 necessarily that there are sufficient harvest  
15 numbers for a positive C & T that proposals could be  
16 brought forward in the future that could be made by  
17 the small communities that would impact the larger  
18 communities that have shown a tremendous harvest  
19 pattern over the years.

20 For example, making the moose hunt in  
21 Unit 6 a Federal subsistence hunt versus a State  
22 hunt, allowing only residents that have a positive  
23 C & T to harvest animals there, we feel that if this  
24 takes place that eventually in the future people  
25 from Cordova are going to be able to hunt in  
Cordova; and people from Fairbanks are going to be  
able to hunt in Fairbanks, and we're not going to be  
able to go around and experience the different  
things that the State has to offer.

That's just something that I thought  
I'd bring forward to the Council, but the advisory  
committee opposes this proposal; and, I think,  
basically, the data that the department has shown on  
harvest records is our main reasons.

Thank you.

MR. JOHN: Did you get it just from  
the State of Alaska?

MR. CARPENTER: The data was gathered  
from harvest records through the department that  
went back to 1987; yes, that's right.

MR. JOHN: You never -- you have  
never checked out the native history and the native  
culture and the traditional way of hunting in the  
Chenega and Tatitlek?

MR. CARPENTER: Actually, yes, we  
have. I have a fairly good relationship with quite  
a few people in Cordova and the villages and have  
actually spent quite a bit of time over the last  
three years because I have, you know, my own  
feelings about this proposal; and we have no



1 doubt -- there's no doubt in the committee's mind or  
2 in my mind that there is a pattern of use of moose  
3 meat, for example, which we're talking about here  
4 which is shared throughout the Prince William Sound  
5 area; but when the Federal Board brought forward an  
6 eight-step criteria to make their decision process,  
7 you have to meet all those pieces of -- you have to  
8 meet all eight of those steps, as I would or Cordova  
9 would, if we were putting in for another area; and  
10 if you go back and you look at some of the -- the  
11 numbers that are out there, over a 13-year period,  
12 you know, two moose harvested and one of them was in  
13 Prince William Sound is just not a very consistent  
14 harvest pattern. I understand what you're saying;  
15 and I have given every opportunity to the -- to the  
16 people that I've talked to to give me their -- you  
17 know, history and their background and knowledge of  
18 what took place before there was ADF&G records. But  
19 the things that you have to consider is this is a  
20 very unique area because these moose were  
21 transplanted in 1960. There were no moose in this  
22 area before this era. You're talking about a short  
23 period of time, say it's going to be 40 years now,  
24 to where basically the residents of Cordova have  
25 approved the harvest pattern; and basically that's  
difficult area to access; and if you don't really  
have the means or the equipment to do it, it's kind  
of hard to get in there and harvest one of these  
animals unless it's taken through one of the drawing  
permits. So, that would be, I guess, the best way I  
could answer that.

17 MR. JOHN: Last time you said it was  
18 1950 the moose was out there.

18 Another thing is: Did you write to  
19 Chenega or Tatitlek for your meeting? What I'm  
20 going to say, in our area, the advisory area, in the  
21 Glennallen area, very few Native attended because  
22 really they wouldn't listen to Native; and they  
23 don't -- they don't even hardly attend anymore. I  
24 was wondering if the Native people attend.

22 MR. CARPENTER: I don't think that's  
23 true at all in Cordova, and I think one of the big  
24 reasons is because you have had a lot of people move  
25 from the Cordova villages in the last two years.  
Actually on our advisory committee now, there are 15  
members. I believe there's four Native members on  
our advisory committee. So, when we bring a vote to  
you that says we oppose you 15-0 or what have you,  
those four people -- I'm not saying they are



1 members; this could be members -- I think most of  
2 them are members from the Eak Corporation, but there  
3 are plenty of times -- I would say more than that  
4 that there are people in attendance at our meetings  
5 that have the opportunity to voice their opinions  
6 that are either shareholders in the Tatitlek  
7 Corporation or from Chenega Bay; and we definitely,  
8 when we advertise the meeting, it goes to Valdez; it  
9 goes on the radio; it goes on the scanner. It goes  
10 to the corporations so we feel there's an  
11 opportunity for people to participate, and I don't  
12 think that there is an unfriendly feeling between  
13 the people that live in this area; and there's no  
14 hard feelings when somebody comes forward and  
15 disagrees about something that is going forward.

16 MR. JOHN: I'm just talking from --  
17 I'm not saying there's anything -- that's my  
18 question. Thank you.

19 MR. LOHSE: Anybody else have any  
20 questions for Tom?

21 Funny, one of my questions, Tom, was  
22 the current composition of the advisory committee.  
23 I know in years past when I served on it, probably  
24 half of the people that were on it would have been  
25 members of the Native community in Cordova. They  
26 have -- like we've talked about before, we have a  
27 community that's a very interreactant community.  
28 But there is one comment, Tom. That's the fact what  
29 we're dealing with on that side is we're dealing  
30 with the drawing hunt, and one of the things in the  
31 criteria is interruptions beyond control. In other  
32 words, if you don't get drawn, you don't have an  
33 opportunity to participate; and it would be very  
34 possible that you could go for 13 years with nobody  
35 being drawn, simply because I know somebody that's  
36 been in for a lot longer than that that's never been  
37 drawn.

38 MR. CARPENTER: Well, Mr. Chairman,  
39 I'm not disagreeing with that; because I've never  
40 been drawn myself, but we're not necessarily only  
41 dealing with the drawing area. Unit 6(C), which is  
42 right near town, is a drawing area; but 6(B) and  
43 6(A) which goes from the Copper River to Cape  
44 Sokwaisa -- I can't imagine how many, you know,  
45 hundred thousands of acres it is; but there's  
46 definitely tons for harvest in those areas to  
47 anybody that wants to participate; and we feel that  
48 everybody, even using the last 15 years, has had the  
49 same opportunity to harvest animals down there as  
50 anybody else has; and that's basically where we're



1 getting our data from. You look this year, for  
2 example, October 15th and the Bering River district  
3 apparently had six bulls for harvest. That hasn't  
4 happened in as long as I can remember. So, the  
5 opportunity exists; and, basically, we feel that  
6 there has been time to show a pattern of use.

7 MR. LOHSE: Thank you. Any other  
8 questions for Tom?

9 We will be visiting this proposal in  
10 the winter meeting in February or March, whenever we  
11 have the meeting. So, this will be back on our  
12 table one more time.

13 Okay. At this point in time, do we  
14 have any discussion? Any comments that need to be  
15 made? I know, Ken, you said you were going to have  
16 a chance to talk with Tom.

17 Any other discussion?

18 Okay. Hearing none, we'll go on to  
19 the deferred Proposals, 7 and 12.

20 MR. LOHSE: I think we're starting  
21 with the record from Wrangell-St. Elias.

22 MS. MASON: I'll take care of that.  
23 I'll talk about our trip to Cordova. Proposal 7 and  
24 12 were submitted by the Copper River/Prince William  
25 Sound Fish & Game Advisory Committee, and they  
26 requested adding the residents of units 6(C). Those  
27 were the positive C & T determinations for sheep and  
28 moose respectively in Unit 11 south of the Sanford  
29 River; and in last year's proposal process, the  
30 Regional Council voted to support the proposal; and  
31 then at the Board meeting, after public testimony,  
32 the Board voted to defer the proposal in order to  
33 allow staff to gather more information. So, on  
34 September 15th and 16th, National Park Service staff  
35 and I traveled to Cordova to meet with residents of  
36 the area. My purpose was to gather information for  
37 these two proposals, the customary and traditional  
38 proposals on uses by Cordova residents in Unit 11;  
39 and at the same time, National Park Service staff,  
40 Hunter and Devi Sharp and Heather Gates gathered  
41 information to develop a resident zone community  
42 recommendation and also to take applications for  
43 individual 1344 permits for use in the park.

44 So, the analysis will be presented in  
45 the winter meeting and at that time will incorporate  
46 information from the Cordova meetings and also any  
47 testimony that comes in at this meeting. Thank  
48 you.

49 MR. LOHSE: So, there has been no  
50 analysis of that or anything?



1 MS. MASON: No, no. That will be  
presented at the winter meeting.

2 MR. JOHN: I've got a question.  
3 Would you interview the villages about the  
4 participation of Cordova people in the Unit 11 area  
5 too?

6 MS. MASON: Yes. That's part of the  
7 plan. In fact, CRNA has requested that we interview  
8 some of the residents in the area.

9 MR. JOHN: Thank you.

10 MR. LOHSE: Okay. At this point in  
11 time, do we have any public or agency comments on  
12 this proposal, this deferred proposal which would be  
13 taken up in winter?

14 Tom.

15 MR. CARPENTER: Thank you once  
16 again, Mr. Chairman, members of the Board.

17 Once again, this is a deferred  
18 proposal from last year. The Copper River/Prince  
19 William Sound Advisory Committees submitted this  
20 proposal to the Federal Board; and, basically, what  
21 has happened is we've had quite a few steps in the  
22 process take place as a result of the deferral last  
23 year. As Rachel said, we had a meeting, oh, I don't  
24 know, month and a half ago or something, in Cordova  
25 where the National Park Service sent us staff; and  
Rachel came down and interviewed people from the  
community that had participated in the past in the  
harvest of sheep and moose in Unit 11.

I guess, basically, giving just to --  
kind of a preliminary background once again, Unit 6  
runs along the coast; Unit 11 and Unit 13 are to the  
north.

Between -- in the early 1900s and  
even before that -- as a matter of fact, I had a  
conversation with a gentleman last night in town  
before I came up here whose family is originally  
from Katalla; and he kind of gave me the background  
as to how the Natives from the areas in times past  
had transited the Copper River into what is now  
segmented as Unit 11. Most of Unit 11 is now the  
park, which is called the hard park; and there is an  
area which is the preserve that runs along the  
Chitina Road from -- to McCarthy.

That area is open for individuals who  
want to participate in hunting, but there's millions  
of acres of land that have been locked up; and when  
the process took place in '78/'79 and they decided  
to make that a park, Cordova was not given access to  
the park; and for years and years, people had always



1 wondered why we weren't allowed to go hunt in Unit  
11 which is so close, you know.

2 Unit 11, you know, the boundary lines  
3 are only 12 miles from Unit 6. 12 miles isn't very  
4 far; and for probably hundreds of years, people have  
5 used that area for their traditional subsistence  
6 needs. So, we started compiling evidence and I  
7 started doing research in hopes that one day, again,  
8 Cordova could share in the opportunity in this  
9 area. And what I came up with was quite  
10 interesting. I started looking at the Chitina Road;  
11 and there are probably about -- well, that are still  
12 alive today, there are still 55 people that live in  
Cordova that have harvested moose and sheep in Unit  
11 -- in what is now the park, the hard park. There  
are many more people, if you consider the two  
generations that were lost that couldn't follow in  
their father's or grandfather's footsteps to go into  
that area and use their traditional areas to hunt  
moose and sheep because Cordova was not given a  
resident zone status. And one of the things that we  
are trying to do with this proposal is get Cordova a  
resident zone status.

So, when Rachel came down and the  
Park Service came down, they interviewed several  
people; and there was testimony given about the use  
patterns that went on in Unit 11. Things that you  
have to take into consideration besides the  
transient of the Copper River is there was a  
railroad that ran from Cordova from the early 1900s  
to the '30s which carried numerous amounts of people  
up into this area, which ran right along the Copper  
River which opened into the Bremner, the Little Bremner  
River, and all the way up to McCarthy and Kennicott,  
which is all hard park, pretty much. There were  
quite a few airplanes in Cordova due to the nature  
of the business activities down there. And places  
like Hamagita, the Hamagita Range and up in the  
Chrisstone Pass and the White River and places like  
that where access -- were accessed yearly by people  
that lived in Cordova that went up to hunt moose and  
sheep.

As a matter of fact, probably some of  
the first people to go into that area, besides the  
locals that lived up there, were from Cordova. I  
have testimony from three people that still live in  
Cordova, two of which have the biggest private  
in-holding in the park of anybody in the whole --  
anywhere, in the State or the world for that  
matter.



1                   Their father was a bush pilot that  
2 spent more time up in those mountains than probably  
3 anybody else did, except for the local people that  
4 lived up there.

5                   There's another, a local Native that  
6 was actually the assistant guide for -- oh, I can't  
7 think of his name right now, the famous sheep  
8 guide.

9                   Anyway, that took the sheep on the  
10 Chitna Glacier; and he tells me stories all the time  
11 about things like that. All these people at one  
12 time that spent numerous upon numerous months, hours  
13 up there, feel that they were denied access to their  
14 traditional hunting areas as soon as the park  
15 boundaries were set. We have brought forth this  
16 proposal. I have a list of this stuff that I  
17 submitted last year. I have letters; I have maps of  
18 permits that were issued by U.S. Fish & Wildlife for  
19 designated hunting areas, people that have  
20 commercial operations. I have people that have  
21 homestead lots. I have people that -- that  
22 basically just went up and accessed the area. So,  
23 basically, what we were trying to get was access to  
24 an area which we once had that we were denied the  
25 opportunity to after the park was set up. Other  
than that, my testimony last year would document  
everything I have in front of me. But if anybody  
would like to see it, I'd be glad to show them.

MR. LOHSE: Did you feel that your  
working with the Park Service and ranger when they  
came down there gave you adequate or at least the  
opportunity to present this stuff to them in a  
manner that will be considered?

MR. CARPENTER: I believe that  
from -- from my point of view, that the park service  
was more than willing to come down, as was Rachel.  
I think Rachel found out a lot of information that  
she maybe didn't know before by being able to sit  
down and interview these people and hear, you know,  
testimony from people that actually use these  
areas.

The one -- the only thing that people  
from Cordova feel some kind of cautious notion about  
is the fact that it's been 20 years since this has  
been brought to the table, and in the last 20 years  
there's been a generation of people and another  
generation before that that actually were really  
using the area hard that are either no longer with  
us, that can't testify to you or testify to the park  
or testify to Rachel to give them -- to give them



1 the knowledge that they had about this area. So, it  
2 is a little bit more difficult to present a case  
3 when people are either decrease -- deceased or  
4 denied an opportunity to go into an area. But other  
5 than that, we feel that it was quite satisfactory.

6 MR. LOHSE: Rachel, do you feel like  
7 you talked to enough elders there that you could get  
8 some consensus as to what other prior elders or  
9 deceased --

10 MS. MASON: I felt like I talked to  
11 quite a few people. I interviewed 11 people; not  
12 all of them were elders. As Tom said, I learned  
13 quite a bit that I didn't know before; so I have a  
14 pretty good sense of what's going on in the Cordova  
15 area.

16 MR. LOHSE: And that will all be  
17 presented in our winter meeting, right?

18 MS. MASON: Uh-huh.

19 MR. DEMENTI: Tom, how many people is  
20 living in Cordova now?

21 MR. CARPENTER: Right now?

22 MR. DEMENTI: Yes.

23 MR. CARPENTER: I'd say like,  
24 full-time year-around residents is probably, oh,  
25 1800, maybe 2,000, something like that. I'm not  
exactly sure.

MR. DEMENTI: Would that be a big  
impact on the game, then, if everybody gets C & T?

MR. CARPENTER: I think that's -- a  
lot that I learned from the Park Service when I was  
up there is it's kind of a complicated process.  
Something that you have to consider is -- is that  
you cannot enter the hard park with an aircraft and  
subsist. So, right there, the opportunity goes down  
by about 99 percent. If you look at this area that  
we're talking about, you've got to be pretty  
dedicated; and you have to really want to go in  
there and do it. So, we feel that the people that  
really want to go in there and access this area,  
that want to walk in or use means that the Park  
Service allows for, they will have the opportunity  
to do that. But as far 1500 people walking into the  
park, it's not going to happen. It's very hard  
access, and it's very tough terrain; but we feel  
that Cordova should have the opportunity to do that  
if they so choose because of our past history in  
this area.

MR. LOHSE: Anybody else have any  
questions for Tom -- Debbie, would you like Tom up  
here while you're talking?



1 MS. SWAN: Just a point of  
clarification. Tom, did you say that you needed to  
2 get an aircraft to get in the park --

3 MR. CARPENTER: Obviously, it would  
be easier; but the Park Service does not allow for  
the use of aircraft to go in and subsist.

4 MS. SWAN: Thanks.

5 MR. CARPENTER: For big game.

6 MR. LOHSE: Devi. This is Devi  
Sharp.

7 MS. SHARP: Chief of resources  
Wrangell-St. Elias National Park and Reserve. An  
important thing to remember about this proposal is  
8 the entire area requested in Unit 1 is within  
Wrangell-St. Elias Park and Preserve. In order for  
individuals to qualify for a 13.44 permit, they must  
9 be able to show evidence that they hunted in the  
park prior to 1980 without the use of aircraft. In  
10 order for a community to meet the criteria for a  
resident zone community of the park, the community  
11 must either show a significant number of people who  
qualify for 13.44 permit -- and loosely read we see  
12 that as over 50 percent -- or be able to show the  
activity, hunting in the park, is an integral part  
13 of the cultural vitality or cultural fabric of the  
community. That's what the Park Service was there  
14 to determine, and that's the issue that Tom was  
talking about. So, the -- the benchmark for the  
15 park in order to allow hunting has to be those  
criteria that I said. Hunting in the park prior to  
16 1980 without the use of aircraft, and there were  
some applicants of 13.44 permits who will probably  
17 qualify. People did show up with some wonderful  
stories and maps, photographs from that time, very  
18 credible evidence. We did go out to Cliff Collins'  
place and interview him and spent some time with  
19 Cliff and Jewel.

Questions?

20 MR. DEMENTI: Does that mean only  
those people that show they have it can hunt in that  
21 area?

22 MS. SHARP: From the Park Service's  
point of view, yes, sir, it does. That is the way  
our regulations are written.

23 MR. DEMENTI: It doesn't say that the  
people that moved into Cordova in the last few  
24 years --

25 MS. SHARP: No. It's only  
individuals who can show those --

MR. DEMENTI: Positive --



1 MS. SHARP: Those specific criteria:  
2 Prior to 1980 no aircraft and some consistent use.  
3 It can't be a one-, two-time trip. It's a pattern  
4 of use.

5 MR. LOHSE: Devi, can I see if I'm  
6 clarifying something in my own mind? I can see  
7 where Cordova could have a positive C & T but still  
8 not have access to the park simply because as a  
9 community it would have positive C & T, but as a  
10 C & T it would not meet positive resident zone  
11 criteria.

12 MS. SHARP: Those are independent  
13 things.

14 MR. LOHSE: The fact that it has  
15 C & T doesn't give it access to the hard park; and  
16 even if it did, it would only give access without  
17 aircraft --

18 MS. SHARP: That's correct. Only  
19 holders of 13.44 permits could hunt in the park.

20 MR. LOHSE: Only if it has  
21 positive --

22 MS. SHARP: If it shows up in the  
23 regulations as positive C & T, still those people  
24 with those qualifications could hunt in the park.  
25 It is a confusing issue --

MR. LOHSE: We're not talking about  
2,000 people or 1800 people. We're talking --  
probably talking less than 100 people.

MS. SHARP: Based on the two -- I was  
there for three-and-a-half days; and based on the  
three-and-a-half days, we're talking about a much  
smaller fraction than a hundred.

MR. LOHSE: Smaller than a hundred.

MS. SHARP: Yeah.

MR. ELVSAAS: On the map here, you  
have 11; part of it is in the Chugach Forest. So,  
it's not all in the park. If I'm not mistaken, you  
can access that park, Unit 11 by airplane or  
whatever.

MS. SHARP: That's right, according  
to Forest Service regulations. It's a small  
portion.

MR. LOHSE: Tom.

MR. CARPENTER: One other thing that  
I'd like to bring to the Council's attention is  
that, given what the Park service has said and the  
people in Cordova understand their guideline  
policies, is that if the Park Service were to issue,  
say, 25 individuals personal 13.44 permits, unless  
Cordova has a positive C&T for sheep, let's say, for



1 example, they can't go in and access that area;  
2 because there is no customary and traditional use.  
3 So people will not get a 13.44 permit from the Park  
4 Service unless they can prove that they have a  
5 customary and traditional use, and that's where  
6 Cordova comes in. Now, these people do have the  
7 opportunity to apply or submit to the Federal Board  
8 themselves for their own personal C&Ts; but the  
9 process that is -- has started and has now come to  
10 this, we feel that by granting Cordova as a whole  
11 customary and traditional use in Unit 11 is only  
12 going to satisfy a number of certain individuals  
13 anyway. The other thing you have to take into mind,  
14 we're not only talking about the hard park here;  
15 we're talking about the preserve. In the preserve  
16 you do have access, and you can use it. The hard  
17 park has its own set of standards; the preserve has  
18 its own set of standards, the portions that were not  
19 in there, they're in the Chugach Forest, under the  
20 Forest Service. They have their own set of  
21 standards, but Cordova definitely needs a positive  
22 C&T for these species for these individuals to  
23 eventually qualify and to have the Park Service  
24 issue them a permit.

13 MR. LOHSE: Can I ask, where is the  
14 portion that's -- the portion that's in the Forest  
15 Services is down lower --

15 MS. SHARP: Can I? I know where it  
16 is. I wanted it for everybody else's information.  
17 The portion that's in the Forest  
18 Service that's part of Unit 11 I believe is down in  
19 the southeast corner, isn't it?

17 MR. ELVSAAS: Southwest.

18 MS. SHARP: Adjacent to the Copper,  
19 on the east side of the Copper River. South of the  
20 Warnicke becomes Forest Services' land, and then I  
21 can't tell which --

20 MR. LOHSE: Down to below where --

20 MS. SHARP: The park, the hard park  
21 borders at Warnicke River, which is approximately 15  
22 miles from the Million-Dollar Bridge, which is about  
23 three miles. You have about 15 miles, and then  
24 there's a diagonal; and it heads down to the Ragged  
25 Mountains that eventually borders there. There is  
26 some area. Mostly in that area is -- there are no  
27 sheep there. There are some moose, and there are  
28 goats; but there's no sheep.

25 MR. LOHSE: Now, are the residents of  
26 Cordova currently limited from taking moose in that  
27 area?



1 MR. CARPENTER: In the -- in unit --  
2 Unit 11, Unit 13 is actually on the west side of the  
3 Copper River in the same area; but certainly in that  
4 area under U.S. Forest Service, that's open for  
5 hunting just through the State system under harvest  
6 ticket so that there is opportunity to go up there  
7 and -- and harvest moose or goats or bears or  
8 whatever, in that small area. It's not a very big  
9 area, but there is some in there.

10 MR. LOHSE: That's accessible by the  
11 Copper River?

12 MR. CARPENTER: Accessible by the  
13 Copper River, right.

14 MR. LOHSE: Devi, you -- Devi,  
15 you've got something you wanted to add.

16 MS. SHARP: It was clarified.

17 MR. LOHSE: Any questions by  
18 Council?

19 So, for my own clarification again,  
20 in order to have a resident-zoned committee, Cordova  
21 would have to show over 50 percent participation,  
22 which it basically hasn't?

23 MS. SHARP: No, I don't think --  
24 given the research that we've done thus far, it  
25 doesn't seem likely or show a cultural vitality  
dependent upon that resource.

26 MR. LOHSE: And customary and  
27 traditional would just apply to those -- even  
28 Cordova had customary and traditional. It would  
29 only apply to individuals who had 13.44 permits?

30 MS. SHARP: This is it.

31 MR. LOHSE: You basically said quite  
32 a few less than 100 people.

33 MS. SHARP: That's correct. We do  
34 not feel like we have reached everybody, but we feel  
35 like we've made a significant outreach; so there may  
36 be a few more out there.

37 MS. SHARP: To clarify one thing  
38 about the park and preserve, individuals of Cordova,  
39 can, as Tom said, still hunt in the preserve, right  
40 now, using aircraft, as can anybody in the State.  
41 They can -- they must hunt as State residents, not  
42 as subsistence users. The regulations are slightly  
43 different for some species, just to clarify.

44 MR. LOHSE: Any other questions for  
45 Devi or Tom?

46 MR. CARPENTER: Just one more thing,  
47 Mr. Chairman, before I depart is I have -- since the  
48 Park Service and the research staff came to town, I  
49 have had some of the people that I have accumulated



1 on this list that were either out commercial fishing  
2 at the time of the meeting or out of town or the  
3 meeting took place in the middle of sheep season.  
4 There were a lot of people that did not have the  
5 opportunity to attend for obvious reasons, and these  
6 people have come to me -- the Park Service was good  
7 enough to give me a series of applications that I  
8 could hand out to people; and there have been a  
9 couple of people that, I'm sure you're quite well  
10 aware, that are going to submit their application to  
11 the Park Services for review if we were to qualify  
12 as customary and --

13 MR. LOHSE: As individuals?

14 MR. CARPENTER: As individuals.

15 Correct.

16 MS. SHARP: We look forward to  
17 receiving those.

18 MR. LOHSE: Any other questions for  
19 Tom or Devi? Thank you.

20 MR. LOHSE: I have a request for  
21 comment from Gloria Stickwan. Do you want to  
22 testify now, Gloria, or later?

23 MR. STICKWAN: I'll do it now. My  
24 name is Gloria Stickwan. I'm here for -- I  
25 represent Cooperative Native Association. After  
hearing what I just heard about the study that was  
taken in Cordova, at the last meeting I said that  
they didn't consider south of Chitina River; I  
withdraw that based on what I just heard. You heard  
that less than 100 people have used this area.  
These people were transients. They worked for Kent  
Wining. While they were there, they didn't have  
time to hunt. They worked. They worked seven days  
a week. They didn't get any leave or personal leave  
to take time off work. When did they hunt? They  
didn't hunt. They didn't have the time to. Once  
that Wining shut down, they left. This area is  
inaccessible for these people. It's not -- 12 miles  
of -- that maybe -- I agree with that, but to  
determine the whole Unit of 11 just doesn't justify  
C&T for the community of Cordova to have C&T. Based  
on what I heard, I'd like to recommend that 13.44  
permits with individual C&Ts be given south of  
Chitina, as Robert Marshall said in the other  
meeting, that south of Chitina is acceptable. I'm  
making a change that says 13.44 permits which grants  
C&T permits that was passed by the Board. I agree.  
That would be acceptable to us. You have to look at  
the intent of Nelco. What was it written for? It  
was written for the people who used it long term.



1 It was originally written for the Native people.  
2 That's who it was written for. Later on it was  
3 changed to rural areas based on the historical use.  
4 That would be my recommendation is to change it.  
5 I'm withdrawing what I said before. And that's all  
6 I have to say.

7 MR. LOHSE: Anybody have any  
8 questions for Gloria?

9 MR. LOHSE: I've got a question,  
10 Gloria. If it's individual 13.44s, it will apply to  
11 where those individuals did their hunting; and from  
12 personal experience, I know that a lot of them did  
13 it up in the McCarthy area; and the McCarthy area is  
14 north of the Chitina River, in fact. There was some  
15 that had to be there -- most of it is in the  
16 McCarthy, the headquarters of the Lakinaw, places  
17 like that. If they get 13.44s, on the 13.44 it's  
18 going to say where they used it; and that's going to  
19 be north of the Chitina River. The access was  
20 either through the railroad, the road, or the  
21 airplanes that went to McCarthy or the commercial  
22 airplanes that went to McCarthy. That's the area  
23 that they're going to have most of their use in.

24 MS. STICKWAN: Isn't there -- namely  
25 to change the Chitina River to a river that's a  
26 little north of that.

27 MR. LOHSE: Chitina River drainage,  
28 for example, it's the waters of the Chitina --

29 MS. STICKWAN: That would be  
30 acceptable. We would object to the whole area of  
31 Unit 11.

32 MR. LOHSE: Basically because it went  
33 to the Sanford River.

34 MS. STICKWAN: Yeah, we object to  
35 that.

36 MR. LOHSE: Most of it has been done  
37 basically on the corridor, both sides of the  
38 corridor that goes from McCarthy to Cordova that had  
39 access by the steamships, by the railroads, by the  
40 road, and by the airplane. That's pretty much the  
41 area that they used, from what I could gather. You  
42 might want to think about that one for winter. I  
43 think from what I've heard from people I've talked  
44 to, that area, that seems to be a more acceptable --

45 MS. STICKWAN: Say that again.

46 MR. LOHSE: Basically the Chitina  
47 River drainage would pretty much cover it. Then  
48 you've got the Bremner drainage, Chitina River  
49 drainage south. Didn't that pretty much cover where  
50 everybody talked about, Tom?



1                   MR. CARPENTER: Mr. Chairman, yes, I  
2 actually tried to contact Gloria one time after the  
3 Park Service meeting trying to discuss this with her  
4 because I knew that the Copper Native Association  
5 had a problem with the boundaries that we had put  
6 into our proposal. After considering that and  
7 taking it to the advisory committee, we don't  
8 necessarily disagree with their concerns; we  
9 understand the concerns that they have. But when  
10 you use -- we basically -- when we wrote this  
11 proposal, we were using kind of the guidelines that  
12 were set forth already as boundaries; and most  
13 everybody has a boundary of the Sanford River, and  
14 that's kind of how we wrote our proposal. We are  
15 not opposed to changing -- changing the boundary  
16 that we had put into our proposal, but we wanted to  
17 make sure that the areas from the Crystalline Hills  
18 to McCarthy and up into the Chitiston Pass and  
19 things like that, Dan Creek, May Creek, are put into  
20 the area that the C&T would cover, and then south.  
21 We are definitely in agreement with some of the  
22 areas to the west of the Crystalline Hills and to  
23 the northwest were not areas that were not  
24 necessarily accessed and used by these people.

13                   MR. LOHSE: Is that kind of  
14 agreeable, Gloria?

14                   MS. STICKWAN: That's basically close  
15 to what we were talking about.

15                   MR. LOHSE: Yes, very close.

16                   MS. STICKWAN: 13.44 permits.

16                   MR. LOHSE: Devi.

17                   MS. SHARP: This certainly puts an  
18 additional -- a new twist on 13.44 permits, which we  
19 are prepared to look at individually, which is the  
20 spirit of the 13.44 permit, and look at the  
21 individuals' use and as to where their use was; and  
22 we will bring this up to our Subsistence Resource  
23 Commission, seek their advice and council, and move  
24 forward with that. We recognize that there is an  
25 issue here with the 13.44 permit. And we're  
26 prepared to address that individually.

22                   MR. LOHSE: Thank you, Devi. Any  
23 questions for Devi?

23                   Thank you, Gloria.

23                   Well, if we don't have any further  
24 public comment on this proposal or agency comment,  
25 we will go on C&T, customary and traditional.

25                   We're going to call this session of  
the Southcentral Subsistence -- Southcentral Alaska  
Subsistence Regional Advisory. I'm going to shoot



1 for getting us out at quarter to 12:00 so we can  
2 beat the North Slope Borough. Tom is going to start  
3 presenting us something on the Federal subsistence  
4 management, a progress report. We're going to break  
5 him off at quarter to 12:00. I'm going to ask  
6 Clare, as the secretary, to tell me when it's time  
7 to cut Tom off; and then we will continue at that  
8 point when we come back after lunch. We'll come  
9 back after lunch at 1:00 o'clock. Does that sound  
agreeable to everybody? Hearing no objections from  
the rest of the Council, we'll proceed.

MR. CARPENTER: Thank you,  
Mr. Chair. Obviously, October 1 has come and gone;  
and we're here and tending to business, so today I  
kind of want to bring you up to date on the ongoing  
planning that's been going on, actually, for quite  
some time.

We sent some reports to you in the  
mail to hopefully keep you abreast of some of these  
efforts. Today I'm going to reiterate some of these  
points. In Tab G in your booklet, you'll see the  
whole plan that we drafted some time ago, actually.  
That plan, I want to advise you, the plan has  
evolved some since the time it was written. We may  
not have it fully written in the books. I will say  
that many of the things that we outlined, at least  
some of the general drafts of the plan are what  
we're trying to achieve. If I say something that  
may deviate from what is in writing, as we have  
evolved as we've implemented, we have learned --

Assumption of Federal Subsistence  
ratios, since the Katie John decision in 1985 flow  
slowly, but over the last year it's intensified.  
Now I believe it's picking up more speed. In the  
year since this decision, we've published an advance  
notice of proposed rule, environmental assessment,  
and eventually a final rule on January 8 of this  
year. The final rule has taken effect as of October  
1.

Just to touch on the public process a  
little bit to bring everyone kind of -- to kind of  
revisit some history here, an advance notice of  
proposed rules were the subject of a fairly  
extensive review process which combined over 40  
public meetings, not to mention several regional  
advisory council -- rounds of regional council  
meetings since 1995 where the subject has been.

Since '95, we've been delayed by  
several congressional moratoriums. Now we're  
actually implementing the Katie John decision.



1 Since January our plans intensified. We've outlined  
2 14 major issues or tasks. That's what you have in  
3 Tab G. The topics I'm going to talk about today are  
4 taken from that plan. I'm not going to address  
5 every item in that plan, but some of the key items.  
6 I think, at the chair's suggestion, I will stop at  
7 each item that I talk about to allow dialogue,  
8 comment, questions from the council. And so this  
9 will be kind of a give-and-take briefing for you.

10 MR. LOHSE: I was going to ask you  
11 one thing. Would it be okay if we also allowed  
12 questions and comments from the audience?

13 MR. CARPENTER: At your discretion,  
14 Mr. Chair.

15 MR. LOHSE: If it's okay with the  
16 rest of the Council, if there's questions from the  
17 audience, I'd like to air them at this time. You  
18 might get them from anybody. They'll come through  
19 me, but I'll pass them to you.

20 MR. CARPENTER: That's a tough  
21 audience. Thank you very much, Mr. Chairman.

22 Let me talk about one of the items  
23 we've levied in the structure staff and budget.  
24 I've sort of relabeled it in my briefing, called a  
25 unified approach to information gathered. That's  
one of the key elements in our staffing organization  
planning.

One of the more important tasks that  
we had is determining how the five Federal agencies  
are going to organize to implement these regulations  
and develop budgets and staffing plans we needed to  
define an organizational approach that would  
facilitate effective coordination between the  
agencies.

MR. LOHSE: Take that thing in your  
hand and hold it in front of your mouth so people  
can hear it.

MR. CARPENTER: You want me to sing;  
is that what you want me to do?

(Laughter.)

MR. LOHSE: I want you to start  
over. I was seeing people sit at the edge of their  
seat trying to listen.

MR. CARPENTER: I'm speechless.

MR. LOHSE: Impossible.

MR. BOYD: The first element that I  
want to address is organization, staffing structure,  
and budget. It's one of the more important tasks  
that we had to do in determining how the five  
Federal agencies are going to organize to implement



1 these regulations. In developing budget and  
2 staffing plans, we needed to define an  
3 organizational approach that would facilitate  
4 effective coordination between the five agencies.  
5 To say it another way, we are five different  
6 agencies; and we needed a unifying concept that  
7 would allow us to work together effectively and  
8 efficiently. We've done this by looking first at  
9 how we're going to organize to collect and manage  
10 the information about fisheries and harvests needed  
11 to make sound regulatory decisions. I won't go into  
12 the details; the result of these details is what we  
13 are calling unified resource monitoring. To  
14 identify resource monitoring, and -- and funding and  
15 staff to priorities. While the staff will be  
16 assigned to each of the five agencies at the key  
17 field locations, I think we needed to establish  
18 functional net worth in connection with the agencies  
19 to streamline resource monitoring and data gathering  
20 to ensure that there's a common direction for the  
21 program.

The central office in the Fish &  
22 Wildlife Service will be established, which is  
23 separate from my office, the office of subsistence  
24 management. It's going to be created to coordinate  
25 the resource monitoring aspect or the data-gathering  
aspect of the program. This office will be required  
to provide the most up-to-date information possible  
in some situations that require, you know, a clear  
amount of information to be brought forward for  
rapid decision-making such as an in-season and  
season making. Administration of the program will  
remain primarily with my office, the office of  
subsistence management. The staff will be enlarged  
with fisheries, biologists, Council coordinators to  
ensure adequate technical support for the regional  
advisory councils. Field staff will be identified  
with responsibilities and delegated powers -- we get  
to this, regulating fisheries in the season. That's  
a real quick overview. I'll just pause there to see  
if there are any questions or comments.

MR. LOHSE: Anybody have any  
22 questions for Tom? From the audience?

I just have one, Tom; and that is  
23 you're talking about unification for collection of  
24 data and processing data. Is there a position or a  
25 place in that unification for the Alaska Department  
of Fish & Game which is also going to be reflecting  
a lot of the data you're going to be using?

MR. BOYD: Clearly we recognize



1 that. I'll be talking about that in a minute,  
2 another topic. That is the coordination.

3 In developing this organizational  
4 concept, I think one of the clearest assumptions  
5 that we've made is that we're not going to be  
6 duplicating or replicating anything that the State  
7 is currently doing. I think our idea is to come in  
8 and supplement the ongoing information that the  
9 State has already -- is already collecting and be  
10 able to share that information, use that  
11 information, and hopefully strengthen overall  
12 fisheries management in the state.

13 MR. LOHSE: Any other questions for  
14 Tom on this area?

15 MS. SWAN: Mr. Chairman, Tom, is the  
16 money for the allocation, is that going to be  
17 forthcoming in a timely manner?

18 MR. BOYD: We've been notified by the  
19 department of the agency distributions of that  
20 money. I asked my administrative officer yesterday  
21 have we gotten any notification that we can start  
22 spending that money. We haven't gotten that  
23 notification yet. I expect it any day. We will get  
24 that notification.

25 This is -- this is fiscal year '99  
money. It was appropriated in '99. It's not  
affected by the continuing resolution for the 2000  
budget. We can spend it in 2000. So, my hope is  
we'll be able to start using that money fairly  
soon.

MR. LOHSE: But the check's not in  
the bank?

MR. BOYD: Well, it's not to us  
anyway. Let me put it that way.

MR. LOHSE: Gloria.

MS. STICKWAN: Is \$11 million  
start-up funds? Do they think that will change?  
I'm just asking for an opinion.

MR. LOHSE: Is that a budget for the  
year?

MS. STICKWAN: Is this \$11 million  
just for start-up funds, or will this money change  
over the years? I'm asking for an opinion.

MR. BOYD: Well, what we know is that  
Congress appropriated \$11 million in fiscal year '99  
to be used to implement the program. Clearly within  
that language, you know, there was the knowledge  
that we weren't going to implement in FY '99 that we  
would only start on October 1, which is the  
beginning of the fiscal year 2000. What we thought



1 is we've been appropriated \$11 million, and we can  
2 spend it in the year 2000. We don't know what we  
3 have for 2001. We've requested an increase above  
4 that, something on the order of 18.9 million for all  
5 five agencies to run the program. We don't know  
6 what we're going to get. That budget -- that  
7 process is ongoing now, and we think that we've got  
8 that identified in the president's budget for 2001;  
9 but there's a lot of work to do yet on the budget.  
10 It's got to go before Congress. We don't know what  
11 we're going to end up with.

12 MR. LOHSE: Any other question for  
13 Tom on the same subject?

14 Okay, Tom. Would you like to go on?

15 MR. BOYD: Let me kind of back up a  
16 second. I didn't list all the items I'm going to  
17 cover. I think that might help -- help you -- not  
18 get ahead of some of the questions. I talked  
19 already about the organization staffing and budget,  
20 cooperative management with tribes and Native  
21 entities, Federal/State cooperation, Regional  
22 Advisory Council structures, extraterritorial  
23 jurisdiction, customary trade, the orientation of  
24 training for Regional Advisory Councils. Fisheries  
25 regulatory process and fisheries regulations for  
your area. I just touched briefly on that.

Cooperative management with Native  
entities and tribes. During the planning effort  
we've kept in front of us the need to work closely  
with and build capacities of innovative communities  
to foster local involvement in the management of  
subsistence fisheries. During the summer we've  
completed the inventory of ongoing fisheries  
conducted by Native entities. This serves as an  
information source about the existing capabilities  
in the Native community. We are pleased to learn  
that a large number of field projects are ongoing.  
We want to build on this existing capacity as we  
implement the fisheries program. I think that's  
going to take us several months to identify the  
necessary staff and begin presenting and begin  
identifying, designing, and initiating field  
projects for cooperative involvement. Our goal is  
to start several projects during the first fishing  
season during the year 2000. Our desire is to  
involve Native entities in field projects based on  
statewide program needs and priorities for  
information. The goal is to maintain long-term  
commitments for funding for meaningful projects that  
fulfill the broader program needs for information.



1 Generally, the types of projects that we're  
2 considering include village harvest surveys,  
3 managing some of the fish monitoring stations to  
4 insure adequate escapements for subsistence and  
5 spawning like fish weirs, counting towers, possibly  
6 test fishing sites, and facilitating cooperative  
7 management planning efforts.

8 That's a quick overview. I'll pause  
9 there, Mr. Chairman.

10 MR. LOHSE: Do you have any questions  
11 for Tom on this?

12 Gloria?

13 MS. STICKWAN: Will these funds be  
14 allocated yearly, or could they be like every three  
15 years?

16 MR. BOYD: Could the funds be  
17 allocated yearly or every three years? Well,  
18 clearly, we want to have annual -- possibly annual  
19 agreements; but we recognize there could be projects  
20 that might span several years. And, again, it's a  
21 case-by-case basis. We want to look at each project  
22 individually and make that determination. I know  
23 what the goals are, but I can't tell you what -- how  
24 they will be implemented until we get into the  
25 details; and we just simply haven't gotten there  
26 yet; but at a minimum, there will be annual projects  
27 and for many projects; or several projects they  
28 could be multi-year. I think the idea is we want to  
29 build existing capacity. We want to have long-term  
30 meaningful projects that provide good information  
31 that we can use in making sound resource decision --  
32 resource management decisions.

33 MR. LOHSE: So, basically, Tom, what  
34 you could do is you could commit to long-term  
35 projects subject to current budget restrictions. I  
36 mean, basically, if you don't have a budget, you  
37 can't do it; but you'd still plan on long-term  
38 projects?

39 MR. BOYD: Yes. That's exactly what  
40 we want to do.

41 MR. LOHSE: We've got less than five  
42 minutes until quarter to 12:00. I think we're going  
43 to call a recess to this meeting until 1:00  
44 o'clock. That will give everybody an opportunity to  
45 go out and find some sustenance, to survive the  
46 afternoon.

47 (Lunch recess.)

48 MR. LOHSE: I'd like to call the  
49 Southcentral Alaska Subsistence Regional Advisory  
50 Council back in session. At this time I'd like to



1 make a suggestion for the reporter; when you come up  
2 and you state your name, if you spell her last name,  
3 that will help her. Tom, I don't think we have to  
spell yours. I think we pretty much know yours at  
this point.

4 We're looking at the agenda, and  
5 we're looking at how fast we're going; and this  
6 meeting is scheduled to last today and tomorrow, so  
7 that there will be a good opportunity for people to  
8 testify that have -- had intended on coming tomorrow  
9 and not today. We will probably -- and for the sake  
10 of the Council, some of whom have done a lot of  
traveling and are probably tired, we will probably  
recess this meeting a little earlier this afternoon,  
depending on how fast we go through what's in front  
of us. That way, we'll have an opportunity to have  
a meeting tomorrow and give the people who had  
planned on coming tomorrow to testify the  
opportunity to do so.

11 At this point of time, we're doing  
12 the Federal Subsistence Manager's Progress Report.  
13 Tom Boyd has been giving it to us. For those of you  
14 that are new in this room, after every section, Tom  
15 will pause; and we'll have a period where you can  
16 ask questions or make comments, and that's for the  
17 Council; but that's also for people who are out in  
18 the audience. Just direct your questions to me, and  
19 we'll direct them to Tom.

20 With that, we'd like to get started  
again.

21 MR. BOYD: Okay. Mr. Chair, I'm  
22 going to be discussing Federal State Cooperative  
23 Management at this stage. Just as with managing  
24 wildlife, an effective Federal Subsistence Fisheries  
25 Program will require good cooperation with the  
Alaska Fish & Game. The state will continue to have  
management authority over fisheries throughout the  
state with mixed State/Federal jurisdictions, close  
cooperation of management activities between the  
State and Federal managers is extremely important.

26 Three meetings have taken place since  
27 September of 1998 between the chairs of the Alaska  
28 Board of Game & Fish, commissioner and deputy  
29 commissioner of the Alaska Department of Fish &  
30 Game, and numerous members of the Federal  
31 Subsistence Board. In the most recent meeting on  
32 June 28th, Dan O'Hara of the Bristol Bay Regional  
33 Council -- he's the chair there -- and Willie  
34 Goodwin, the chairman of the Northwest Arctic  
35 Council were also present. These meetings resulted,



1 I think, in the identification and discussions about  
2 joint management problems and a mutual understanding  
3 of positions. I wish I could tell you that I had --  
4 we have achieved a stage where we can clearly define  
5 how we're going to coordinate. We haven't gotten  
6 there yet.

7 In meeting with the State, the  
8 Federal position that the Federal Subsistence Board  
9 will not relinquish its statutory mandate to make  
10 subsistence fishing regulations has been made  
11 clear. Moreover, the Federal Board will maintain  
12 its existing relationship with the Regional Advisory  
13 Councils as we start the fisheries program.

14 Just as with wildlife, we will have a  
15 separate Federal fisheries regulatory process --  
16 we'll talk a little bit more about that process a  
17 little later in this presentation as a separate  
18 topic. However, even though there will be separate  
19 processes, we must have a high level of  
20 coordination, cooperation between the State and  
21 Federal fisheries programs to be successful.

22 We will be appointing a staff level  
23 work group at this stage made up of State and  
24 Federal staff to begin defining how the two programs  
25 will coordinate. Topics under consideration include  
26 how information will be shared and managed; how  
27 fisheries management planning efforts will be  
28 coordinated; how fisheries will be managed, or how  
29 we will coordinate in-season, pre-season, and post-  
30 season actions; how we will coordinate the  
31 regulation process; and how to strengthen the  
32 interactions of the Regional Advisory Councils and  
33 the local advisory commissions.

34 I'll pause here in a second. Your  
35 thoughts and comments on this topic are clearly  
36 welcomed today. As this process is moved through,  
37 you and other councils will be informed through  
38 mailouts and reports of other meetings. We will  
39 also provide comments to Dan O'Hara and Willie; they  
40 will continue to be involved at least in the Board  
41 level and meetings where these items are discussed.  
42 Our goal is to have a draft agreement in time for  
43 your comments both at the January orientation  
44 session, which I'll talk about in a minute, and the  
45 Regional Advisory Council meetings that will occur  
46 next winter.

47 Our hope is that we have an agreement  
48 with the State employees through the first year  
49 fisheries program in the summer of next year.

50 I'll pause there for questions,



1 comments.

2 MR. LOHSE: Are there any questions  
3 from the Council -- from the Council members for  
4 Tom?

5 Any questions of any members of the  
6 audience or other staff members, agency members that  
7 Tom might be able to help us with there?

8 Basically, Tom, if I can kind of  
9 summarize what I understood you saying is that the  
10 goal is to have it in place by next year's fishing  
11 season. If that hasn't been accomplished, you will  
12 go ahead with management anyway?

13 MR. BOYD: We don't have a choice,  
14 Mr. Chair. I think we want to work closely with the  
15 State. My early discussion with the deputy  
16 commissioner -- well, my discussions over the past  
17 month or so have been very positive. I think we  
18 have a mutual understanding. I think, you know, the  
19 details will dictate whether or not we have complete  
20 agreement on every item; but my hope is that before  
21 the next -- I mean, that's our mutual goal is before  
22 the next fishing season we can have something that  
23 guides our actions and activities, you know. I go  
24 back to 1990 when we began the wildlife program.  
25 There were a lot of thing that were unfolding over  
the first couple of years that we had to kind of  
make sense out of. I have a feeling we're going to  
be muddling along even in the next year or so with  
this and learn things as we go. I think we would  
like to at least on this front with the State have  
some clear understanding about how we're going to  
interact about key areas because of the mixed  
jurisdiction situation. I think our common ground  
that we share is with regard to the issue of  
subsistence and the issue of conserving the  
resources.

19 MR. LOHSE: I was thinking it's  
20 probably more complicated than the game simply  
21 because you're dealing with something that's  
22 definitely migratory and definitely crosses a lot of  
23 lines.

24 MR. BOYD: That's correct.

25 MR. LOHSE: Gloria. And then Tom.

MS. STICKWAN: How will Fish &  
23 Wildlife make a decision who they will work with?  
24 Which Native entity will they choose to work with?  
25 They could work with corporations or nonprofits or  
tribes; how will you make that decision? What will  
that decision be based on?

MR. LOHSE: Tom, that's a hard one.



1 Can you answer that?

2 MR. BOYD: Give me a second. We just  
3 haven't gotten far enough into this to really have a  
4 clear answer. I guess, I'll just say that any and  
5 all of those entities will have an opportunity to  
6 participate. I think we will want to identify those  
7 entities that have the capacity and the desire and  
8 the ability to conduct whatever project it is we  
9 have out there. I mean, clearly, we want to look at  
10 those entities in the regions where the projects  
11 will occur to use whatever skills and available  
12 manpower there is out there.

13 I don't have a good answer for that  
14 question.

15 MR. LOHSE: Thank you.  
16 Tom.

17 MR. CARPENTER: Mr. Chair, question  
18 for Mr. Boyd: Looking at the structure and the way  
19 that the process is set up now, there's a certain  
20 amount of regional advisory committees; and right  
21 now they're basically dealing with game issues.  
22 What is the likelihood when you take the three major  
23 drainages, the Copper, the Yukon/Kuskokwin, and the  
24 Bristol Bay area, and you're talking about millions  
25 of dollars of, you know, economy that the regional  
councils are going to have to make decisions on,  
what's the likelihood that there will be more  
regional councils set up? For example, a regional  
council that would include Prince William Sound and  
the Copper River drainage instead of a regional  
council that includes such a large area that we're  
dealing with in game?

MR. BOYD: I think our intent at  
starting the fisheries program is to use the  
existing Regional Advisory Councils for fisheries.  
We posed that question, I think, in the last -- I  
can't remember what meeting it was, but in some of  
our recent meetings with the Regional Advisory  
Councils to get their input on what they thought  
about both doing wildlife and fisheries and if there  
was a need to create additional councils. I think  
it was a fairly unanimous response that council has  
wanted to retain -- I'll use the word, a complete  
picture and understanding of subsistence that  
involves fisheries. So, they wanted to retain sort  
of a complete overview, I guess, oversight of the  
subsistence use in their own areas which includes  
fisheries. That's our starting point. Now, we've  
identified one significant area in the state where  
we have councils -- three councils that overlap a



1 fairly long river trade, pretty large, Yukon River,  
2 and Kuskokwim River, and also three of those  
3 councils that have oversight of those. Western  
4 territory, eastern area, and Yukon Delta areas.  
5 Those are three councils with regard to fisheries  
6 management, specifically, because there are issues  
7 that will occur in one region that will affect the  
8 users in the other region; and we want to come up  
9 with a way of getting those regions to coordinate or  
10 consult with one another, have discussions with one  
11 another about those issues in order to resolve those  
12 issues before they get to the Board, if possible.  
13 That's actually my next topic on the list. I've  
14 already covered it in answering this question. I  
15 think we can move beyond that one when we get to  
16 it. Let me say we are addressing those issues in  
17 those councils and getting their input. It's a  
18 specific agenda item for those three councils. We  
19 just have not identified those issues in the  
20 Southcentral region. But if you have those  
21 concerns, we certainly want to hear about them.

MR. LOHSE: It might be something to  
22 think about, Tom, for either -- in the future if it  
23 doesn't work out that the councils are capable of  
24 adding the workload that we go watershed by  
25 watershed or fishery by fishery, because South-  
central does handle -- I mean, Southcentral actually  
overlaps three different fisheries that I know of.  
There may be more. There's the Yakatat one, Copper  
River watershed, and there's Cook Inlet. If it  
turns out that it becomes more of a workload, we  
made need some subcommittees or subcouncils,  
something like that.

MR. BOYD: The options are always  
there, and the Board has the authority to do that.

MR. LOHSE: Yeah.

Any other questions for Tom?

If that -- if there's no questions  
from the audience, we can move on to the next  
subject which you've said that you've covered.

MR. BOYD: I can move on to that.

It's a fairly short item, and I've talked about it.

MR. LOHSE: Does anybody have any  
questions for Tom on the regional council  
structure? As a council, we've talked about it a  
number of times and expressed the opinion that we  
would basically be willing to tackle it; if it's too  
much of a load, maybe have another council. At this  
point in time, our Council went along with other  
councils starting with where we're out with people



1 that are acquainted with the process and seeing how  
2 much it's going to take to react to it.

3 Any other comments, discussions?

4 Hearing none --

5 MR. LOHSE: Gloria, did you have a  
6 comment on this one?

7 MS. STICKWAN: A lot of what we  
8 said -- we gave public testimony at a meeting that  
9 was held at the Native village of Cudakof. I think  
10 it's still on the record what our recommendations  
11 were. We said that we wanted two regional councils,  
12 one for fisheries; and we wanted an advisory  
13 committee as well from that area. So, a lot of --  
14 we've already made a lot of comments on these and  
15 submitted them to U.S. Fish & Wildlife.

16 MR. LOHSE: Thank you, Gloria.

17 Any comments on what Gloria just  
18 brought up?

19 Okay, Tom. With that, I'd like to  
20 welcome Roy Ewan.

21 We will go on -- we're on Section D  
22 of unfinished business 8, and we're on petitions for  
23 extraterritorial jurisdiction.

24 MR. BOYD: Since 1995, we've been  
25 discussing or talking about the secretaries'  
26 authority to extend jurisdiction beyond Federal  
27 lands and waters if necessary to protect subsistence  
28 fishing and hunting within Federal jurisdiction.  
29 That was a feature of the advanced notice of  
30 proposed rule-making that went out early, and then  
31 the proposed rule and lots of discussion.  
32 Recognizing that the management of migratory species  
33 such as salmon may require adjustments and  
34 allocations beyond the immediate jurisdiction of  
35 public lands if necessary to protect subsistence  
36 uses within -- I should say Title VIII  
37 jurisdiction -- these powers have been identified  
38 in the Federal fisheries regulation. This  
39 authority, however, has not been delegated to the  
40 Federal Subsistence Board. I want to really stress  
41 that and make that clear. It's something that's  
42 been retained or kept by the Secretaries of Interior  
43 and Agriculture. To supplement this acknowledgment  
44 of secretarial powers, we've recognized the need to  
45 identify a procedural process for handling  
46 petitions, if we received them -- I should say if  
47 the Secretary receives them -- requesting such  
48 extensions of jurisdiction. Recently, we prepared a  
49 draft set of procedures for secretarial review.  
50 Simply, we want to communicate a consistent message



1 to the public about how this will work. It's  
2 important to know that these powers have seldom or  
3 rarely been applied by the secretaries. If there  
4 are extreme circumstances in which a fishery  
5 resource is being depleted outside of a Federal area  
6 to such an extent as to cause a failure in  
7 subsistence harvest within a Federal area, the  
8 Secretaries can extend Federal jurisdiction to  
9 provide a remedy. The process -- this process will  
10 not follow the normal annual regulatory cycle.  
11 Serious petitions for extensions of Federal  
12 jurisdiction will involve discussions with the State  
13 of Alaska and other fisheries' authorities as well  
14 as a thorough and deliberative process and analysis  
15 of the best available scientific information, and we  
16 will advise Regional Advisory Councils when these  
17 procedures become available.

18 MR. LOHSE: Are there any questions  
19 for Tom on this?

20 State your name --

21 MR. KIRCHER: My name is Karl  
22 Kircher, K-i-r-c-h-e-r. You said these petitions  
23 would not follow the regulatory cycle. In your  
24 mind, do you see those as proceeding faster or  
25 slower than the regulatory cycle?

MR. BOYD: I probably shouldn't  
14 answer that question. I really don't know because  
15 we haven't faced it yet. I'm going to guess, and  
16 that's all it is. These will be pretty serious  
17 matters; and, I think, we will take and be very  
18 careful about them. If I had to guess, I'd say it  
19 would probably take longer, but it's hard to know.

20 MR. LOHSE: Any other questions for  
21 Tom on this subject?

22 I have one, Tom. Does -- now, these  
23 are powers that the Secretary of the Interior and  
24 the Secretary of Agriculture have? They do not need  
25 to go to Congress to exercise these powers, or does  
Congress have an overview or a -- any kind of -- I  
guess you used the word "veto power" over their  
decisions?

MR. BOYD: I don't really know how to  
22 answer that. I'm not well versed enough in these  
23 powers. I understand they're derived from the  
24 commerce and property clause of the U.S.  
25 Constitution. The exercise of these powers have  
been upheld in Federal Courts in other instances,  
not specific to Title VIII of the Ninilkit and other  
cases. So, that's the best answer I can give you.

MS. SWAN: Mr. Chairman, Tom, could



1 you give us an example of what would be -- what  
2 would you consider an extraterritorial petition?  
3 Just a scenario?

4 MR. BOYD: Hypothetically speaking,  
5 it could be a commercial fishery that's beyond  
6 Federal jurisdiction, say in a marine area. And if  
7 there are enough fish being -- going upstream to  
8 satisfy subsistence needs or -- or if there were  
9 fishing -- the commercial fishing area there were  
10 taking too many fish and it resulted in a failure of  
11 the subsistence need further upstream of the same  
12 stocks, then that's a scenario where that power may  
13 be exercised.

14 MS. SWAN: I see.

15 MR. LOHSE: On that line, Tom, that  
16 power probably couldn't be exercised fast enough for  
17 an in-season closure on a season that was taking  
18 place. That would have to be something that you'd  
19 put in place ahead of time, wouldn't it?

20 MR. BOYD: Clearly, I don't think  
21 we're talking about very quick decisions on this. I  
22 think it will be thoroughly evaluated, analyzed,  
23 discussed, other remedies sought, trying to use  
24 existing authorities under other -- like with the  
25 State or the National Marine Fisheries Service or  
26 whoever might have those authorities; and it clearly  
27 would be allegedly discussed about this.

28 MR. LOHSE: So, it's not something  
29 that would be taken very lightly?

30 MR. BOYD: Not at all.

31 MR. LOHSE: Any other questions for  
32 Tom?

33 Seeing none from the audience, we can  
34 go on, Tom.

35 MR. BOYD: Let me touch on customary  
36 trade. That's another area in our regulations that,  
37 I think, has got a number of people concerned.

38 The definition of subsistence uses in  
39 Title VIII includes customary trade as a legitimate  
40 subsistence practice. In regulation, cus- -- in our  
41 regulation, customary trade includes the sale of  
42 subsistence taken fish as long as it does not  
43 constitute a significant commercial enterprise.  
44 This permissive customary trade regulation is  
45 designed to permit the practice of selling small  
46 quantities of fish, but to keep this practice  
47 separate from commercial sales we recognize that  
48 there may need to be additional regulations to  
49 further define customary trade practices on a  
50 regional basis to assure this separation and prevent



1 abuse of this regulation. We are initiating a  
2 process in this meeting and other Regional Council  
3 meetings during the fall to identify those customary  
4 trade practices in each region. It's going to be  
5 the subject of another agenda item in this meeting.  
6 And I think Rachel would be bringing that up. So,  
7 you can ask questions in general. Now and then  
8 maybe we can get into the specifics of what that  
9 means for your region in a few minutes or later in  
10 the meeting.

11 MR. LOHSE: Council, any questions or  
12 comments for Tom on this subject?

13 Members of the audience.

14 Tom, Gloria.

15 MR. LOHSE: Tom first, then Gloria.

16 MR. CARPENTER: Mr. Chairman, I think  
17 the customary trade brings up a very interesting  
18 subject, at least in our eyes. From a commercial  
19 standpoint, you take the Copper River, for example;  
20 over the last 50 years, there's been dramatic work  
21 done in the marketing fields in the name,  
22 reputation, and really the quality of fish that is  
23 put into the marketplace. If the customary trade  
24 policy takes place, I'm curious as to -- is the  
25 Federal government ready to become liable for the  
possible deterioration of the name that has been  
built in the last 50 years? And I ask that from a  
couple of standpoints. You know, right now the fish  
that are processed, the processes are mandated and  
have to follow certain guideline policies, you know,  
with the health boards and the different entities  
that control them. Who's going to be the one that's  
going to be enforcing the trade for fish that is,  
you know, sold on the fresh market? I'm curious if  
the Federal government is ready to become liable  
for, you know, a possible disaster that could  
completely ruin a river drainage's namesake.

MR. BOYD: The intent of the  
regulation, just as the intent of the statute is to  
provide a priority for the subsistence uses; and  
subsistence use has been defined as the customary  
and traditional use of wild, renewable resources and  
fish and wildlife, if you will, for a variety of  
purposes, for food, for personal and family  
consumption. There's a whole list of them in  
there. It includes customary trade and barter. I  
think the statute recognizes, as does the  
regulations, that -- that the sale -- small-scale  
sale of the subsistence take of fish has occurred  
throughout time and is a customary and traditional



1 practice. So, what we're trying to do here is to  
2 uphold the law in a nutshell.

3 But we also are cognizant and  
4 knowledgeable that this is a very difficult area to  
5 deal in. What we want to do is acknowledge in a  
6 permissive way those practices that have occurred  
7 over time where individuals living in regions have a  
8 small income that's based on local sales of  
9 subsistence-taken resources. It's something that's  
10 going on right now in many regions of the state even  
11 though it's not permitted. And so I think we want  
12 to acknowledge that. But at the same time, we want  
13 to draw a clear line between subsistence and  
14 commercial uses. And I think -- I hope everyone  
15 wants to do that. Most of the people I talked to  
16 want to do that. I would define that the  
17 regulations that we have in place -- I would say  
18 that the regulations that we have in place right now  
19 strive to do that, but we recognize that it's a work  
20 in progress. We are not finished with that work.  
21 What we do say is as long as it does not constitute  
22 a significant commercial enterprise, we also say --  
23 I can't remember the exact words -- sales of small  
24 quantities. There's another provision that prevents  
25 or prohibits the sale to an entity, a business, that  
then would take and sell the fish again. So, that  
regulation in and of itself hopefully will keep it  
out of commercial markets. I'm not -- I don't think  
anybody in the Federal agencies are so short-sighted  
that we don't think people are out there that might  
try to violate that. So, I don't know how we're  
going to enforce that. Clearly, we need to beef up  
our law enforcement capability to at least look into  
this area. It's not an area that I'm thoroughly an  
expert in, but I think that's something that we have  
to be on guard about because we want to protect  
subsistence; and we want to protect ongoing  
commercial uses at the same time. Our first  
priority is subsistence. We're coming to you, the  
Council, to start a process to get you to help us  
define what that is in that region so, if we need to  
do additional regulation, we can. Again, it's  
trying to find the right balance in each region,  
recognizing that there are different practices in  
each region of the state or potentially different  
practices.

24 I'm not sure I answered that question  
25 accurately. Clearly, we are responsible for  
upholding the law; and that's what our intend is --  
intent is.



1 MR. ELVSAAS: I just want to make a  
2 comment. I guess it's fair to say that on the Kenai  
3 Peninsula there has been a lot of concern in --  
4 about codfish which are canned and sold. People do  
5 that, and they pay for their vacations with it.  
6 They sell them at flea markets. There was some  
7 attention paid to that, and the people in charge of  
8 the law said -- I quote from the paper, "We're not  
9 going to do anything about these nice average  
10 retired people who do this"; so there you have it,  
11 and it brings up to my mind the same concern that  
12 Tom Carpenter has about liability and quality.  
13 That's just another thing. So....

14 MR. LOHSE: I think Gloria was next.  
15 Gloria? Then I'll get you next after Gloria.

16 MS. STICKWAN: What Tom said is:  
17 "Customary and traditional practice of every region  
18 in the state of Alaska for the Natives." They  
19 haven't defined significant, you know, what that  
20 means. Maybe they could place a monetary value on  
21 that in determining whether monetary value of what  
22 the -- define it in that way, and negotiate with or  
23 talk to the councils and the tribes and get their  
24 input on that; and they could do a permit of -- give  
25 it to permits to the Natives and say, "You have a  
26 permit to -- you know, to do this."

27 MR. LOHSE: Tom.

28 MR. BOYD: That's a good comment, and  
29 I think it's one that Rachel -- I know she's taking  
30 it down. She's going to bring it up again as a  
31 separate agenda item to solicit your input and  
32 public views on what this means in your region to  
33 see if we can better define what it means and if we  
34 need additional regulation to offer some thoughts  
35 and some suggestions on that.

36 MR. LOHSE: Thank you.

37 Your name?

38 MR. GABRYS: Bruce Gabrys. It's  
39 spelled G-a-b-r-y-s.

40 With regard to customary trade, I  
41 guess my question for Mr. Boyd -- a comment more  
42 so -- on customary trade, is that going to be based  
43 on practices of individuals that are done, customary  
44 trade or of a regional pattern that has developed?  
45 I guess what I'm getting at is the example that  
46 Ms. Swan used. If I have a retiree that has  
47 customarily been processing smart codfish and  
48 providing that and selling it as a cottage industry,  
49 would they continue to do that? Or if it's a  
50 historical one, whether it be legal or illegal, if I



1 chose to engage in such a cottage industry, could I  
start that, to that level, whatever is determined?

2 MR. BOYD: I'm going to ask Rachel to  
help me with responding to that. I believe Ms. Swan  
3 was referencing something that's going on that's not  
within the purview or the oversight of the Federal  
4 program. She was talking about some sport  
recreations uses are not doing that. It's not  
5 something we regulate at all.

6 MS. SWAN: I knew that -- it's part  
of the problem.

7 MR. BOYD: I think she was  
contrasting this or comparing it with -- with  
8 customary trade. So, with regard to how we're going  
to make such determinations -- I think Rachel can  
respond to the technical side of that.

9 MS. MASON: Mr. Chairman, thank you.  
That's what we're asking the Council to do today is  
10 to make some -- help us to see what regional  
differences exist, and from -- in regard to what  
11 Mr. Gabrys had asked about, it could be either  
regional, but from the regional point of view, you  
12 could determine whether an individual was abusing  
that -- that -- those customs. It would, naturally,  
13 vary from one region to another.

14 MR. LOHSE: Tom, could I ask you a  
question?

15 If -- if I understood what you were  
saying just before when you were going through  
the -- the list of constraints on it which was  
16 basically that it -- it can't give significant  
commercial enterprise, but it also can't be sold to  
17 an enterprise that resells it. In other words, it  
basically would be from individual to individual,  
18 not from individual to company or individual to  
retailer, or something like that. It would  
19 basically have to be from an individual to an  
individual.

20 MR. BOYD: The way the regulations  
are written right now, that's correct. If it's sold  
21 to the end user and not to the commercial markets --

22 MR. LOHSE: Not the commercial  
marketplace?

23 MR. BOYD: Right. That's the way the  
current regulations are read -- are written.

24 I think -- as we've gotten into this  
subject a bit, I think we recognize that in some  
regions there are what we call -- what middle --  
25 tradesmen -- middlemen, basically, that might sell  
small quantities, you know, for other people; and



1 I'm probably not well rounded enough to speak to  
2 that, but I think we recognize that there might be  
3 individuals that buy and sell in small quantities.  
4 I think we want to look at that to see if those are  
5 the customary practices in a region, what they  
6 consist of. Currently, our regulations say you  
7 can't even do that. So, we're exploring that. I  
8 mean, we may need to modify those regulations.

9 MR. ELVSAAS: How does this affect  
10 the sale of the roe? That's middlemen.

11 MR. BOYD: I left some key words out;  
12 what the regulations say are subsistence taker of  
13 fish, their parts, or their eggs. Those would be  
14 open for sales. Okay.

15 MR. LOHSE: I don't think we answered  
16 this young man's question. Who is entitled to do  
17 this?

18 MR. BOYD: Eligible subsistence users  
19 within a region.

20 MR. LOHSE: Eligible subsistence  
21 users in the region?

22 MR. BOYD: Rural residents who live  
23 in the area, yeah.

24 MR. LOHSE: Another question back  
25 there.

MR. KIRCHER: I guess just a comment  
would be that this issue needs to be worked out  
first, prior to any C&T findings for areas and for  
individuals because the outcome of this decision  
will greatly affect how the resources are used by  
whoever eventually has a C&T or a rural finding on  
it. I think this issue has to be addressed long  
before you could make a C&T finding for an area  
either being rural or C&T finding. Just a  
suggestion or comment.

MR. BOYD: I'm afraid the horse is  
already out of the barn. We're essentially -- have  
C&T determinations in place and regulations in place  
and rural determinations in place.

MR. JOHN: Like you said, customary  
trade is going on; and I think it just needs to  
be -- need to be educated on this; and mostly  
customary trade -- it's not money. Customary trade  
is completely different in Native culture than in  
the Western culture. So I think what's been going  
on has been going on a long time. It's not  
something new. It's a part of our lives. I think  
it's more education.

MR. GABRYS: Thank you,  
Mr. Chairman. This is Bruce Gabrys again. I guess



1 I would just like to express a concern which  
2 prompted the question. After looking at the  
3 definitions and the way they're listed here, I could  
4 see in many, many regions of the state an individual  
5 or individuals that would choose to set up a cottage  
6 industry, if you will, that was perhaps not  
7 envisioned under what originally -- was customary  
8 trade sometime ago, set up on the banks of the  
9 Copper River or the Kenai River or by any rural net  
10 or by any large community and harvest fish, quote,  
11 for subsistence purposes, process and sell directly  
12 to end users, particularly with tourism in this  
13 state. I don't believe that's the intent of the  
14 Federal government as far as customary trade, but I  
15 would think that if we're not careful in our  
16 definitions that it meets the criterion of selling  
17 to the end user and not of significant commercial --  
18 significant commercial enterprise. I think cottage  
19 industry has been pretty much defined from that  
20 respect. And that would be a major concern on my  
21 part that you'll see those springing up all over the  
22 state of Alaska.

12 MR. LOHSE: Tom?

13 MR. BOYD: Good comment. I think  
14 we're getting into this other agenda topic now. It  
15 is specific to this. I was merely going to touch on  
16 it, and I think we sort of have gotten into that. I  
17 don't know if you want to move forward in the  
18 briefing or come back to this, or how do you want to  
19 handle it?

16 MR. LOHSE: Let's do that. This  
17 subject comes up with Rachel, and maybe you can help  
18 sit in on that part of it too; and we'll finish the  
19 last two parts of your report, and then we'll get  
20 into that on the second part of Rachel's report and  
21 spend some more time on it. That will give us all  
22 time to think about what's been said. I'd like Fred  
23 to do some thinking; because his -- his comment  
24 about needing to educate the culture that's around  
25 them as to what's currently going on would be  
very -- you know, to me would be very helpful. I  
know Fred and I sat around and talked about it a few  
times. You know, the idea that in the culture it's  
a trade -- a trade and barter thing. It's  
subsistence food for subsistence food, and that  
currently takes place just like it currently takes  
place in our coastal communities that we take fish  
directly out of our commercial fishery; and they  
become subsistence fish in the community, and we  
never even think of them as anything other than



1 that. You know, that's the kind of education that  
2 we need to get so that we can come to a common  
3 ground on it. What happens is we end up dealing  
4 with our fears instead of dealing with each other;  
5 and instead of sitting there looking and saying,  
6 "Why do you do this?" we look at this as what you  
7 could do; and from that standpoint maybe we can come  
8 to a lit -- maybe we can get together and give some  
9 help and some direction to you guys.

10 MR. BOYD: Okay. Moving on, thank  
11 you, Mr. Chair.

12 Let me just touch on the orientation  
13 session that's part of the training and education  
14 needs that we've identified in our plan. We've  
15 recognized the need for further training and  
16 orientation to the new Federal fisheries program.  
17 Last month you received a notice that we would be  
18 conducting a session of Regional Advisory Council  
19 members as well as agency field personnel in  
20 November. Recently we decided to postpone the  
21 session until January. Our plate was full,  
22 Mr. Chairman, so we decided we would give ourselves  
23 a little breathing room and do this right instead of  
24 rushing it. Moreover, there's still a lot of still  
25 unanswered questions that we're trying to resolve  
before that orientation session. This gives us a  
couple of months to wrestle with some issues.

Let me just really bring this to a  
close. I think I just listed several reasons why we  
wanted to delay -- I'll just pause there, so we'll  
be notifying you fairly soon of when that meeting  
will occur. In January, I think you were going to  
solicit some ideas; is that correct?

MS. EAKON: Actually, I think Ida  
Hildabrand was going to lead this discussion.  
However, Sandy was going to sit in for her today.  
He's at the Western Interior Regional Council  
meeting. I was just told a little while ago that  
tomorrow morning he'll be happy to go over this  
draft agenda with the Regional Council if you so  
desire.

MR. LOHSE: Over the training?

MS. EAKON: Tomorrow morning.

MR. LOHSE: Would that also be a good  
time to talk about the time schedule? We found out  
last night that Clare won't be here at the end of  
January, but she'll be back at the first of  
February.

MS. EAKON: Yes.

MR. LOHSE: That may give you another



1 week yet.

Gloria?

2 MS. STICKWAN: I would like to know  
3 if tribes, entities, organizations could attend  
4 these trainings, where they're going to be held. I  
5 think we need to be educated as well.

6 I had another question earlier I  
7 didn't ask. When is Fish & Wildlife going to hold  
8 these meetings with the Natives, tribal  
9 organizations, or, you know, I'm trying to get an  
10 approximate month of when they will be coming out  
11 and meeting with people?

12 MR. BOYD: I'll speak to the training  
13 first. I wish we could invite everyone that wants  
14 to attend. If we opened it up to anyone, we would  
15 have to open it up to many across the state; and I  
16 think we have to do this somewhat judiciously. I  
17 think the first target is to try to bring our  
18 Council members up to speed and that the members of  
19 the public, including -- well, just members of the  
20 public at large will have -- we will be working to  
21 get information out in different forums. I think,  
22 as you spoke to, Gloria, what we would like to do is  
23 get our Council members and staff up to speed.  
24 Space is going to be limited. I wish we could  
25 invite more folks; but, I think, it would inhibit  
the discussion that we would like to have in the  
meeting; and it would be too many people.  
Currently, we're targeting about 200 people in this  
session; and that's both agency, staff, and the  
Council members; and that's our first priority. So  
we want to make sure that the -- we target the right  
audience and get the right information out and get  
the Council members up and going as well as our  
staffs. And we just simply are not going to have  
the capacity to have others in the room. If there  
is space available and people are in town, I'm sure  
we're not going to turn people away; but I don't  
think it would be prudent for us to send out  
invitations, open invitations to the public.

26 MR. LOHSE: Tom, do I understand that  
27 this will be all of the Councils at one time?

28 MR. BOYD: That's correct. All nine  
29 and some-odd members of you.

30 MR. LOHSE: This is just not for  
31 Southcentral?

32 MR. BOYD: No, this is for all ten  
33 councils.

34 Regarding meetings with tribal  
35 organizations, we are accepting invitations for



1 different meetings now; and I don't have the list in  
2 front of me, but we've already attended meetings for  
3 different groups around the state. Our chair, Mitch  
4 Demientieff, will be setting up meetings in town  
5 next week when AFN is in town. I'm also meeting  
6 with other groups. I hope we get together to  
7 compare notes with other groups to see who we're  
8 meeting with. My understanding is he's arranging  
9 for meetings to go around and discuss and to go  
10 around with Native groups and tribal organizations.  
11 We've met already with the AITC Board. My mind is  
12 failing me now, but there have been a number of  
13 other groups that we've met with and had these  
14 discussions with.

15 MR. LOHSE: Any other questions for  
16 Tom on the training?

17 Hearing none, Tom, you want to go on  
18 to the annual regulatory process?

19 MR. BOYD: There's a handout, and I  
20 don't know if that's in front of you; I -- it's in  
21 your packet. Do you have a copy? I didn't bring  
22 one to the table with me, Helga.

23 MS. EAKON: It's light and green -- I  
24 mean, mint green. There are copies on the table  
25 over there (indicating).

26 MR. BOYD: What I'm talking about is  
27 a fishery schedule similar to what we do with  
28 wildlife, except there's a different time sequence  
29 in it. The current fisheries regulations will cover  
30 the 2000 fishing season. We basically want to start  
31 a regulatory process that will end with regulations  
32 that will apply to the 2001 fishing season. So, the  
33 process will be similar to the wildlife process.  
34 However, the fisheries process will begin with the  
35 winter council meetings in February and March; and  
36 during this period and at these meetings, we will be  
37 requesting just changes for the 2001 fishing  
38 season. Proposals for these regulatory changes will  
39 be evaluated and then presented to the Councils to  
40 review and make their recommendations during the  
41 fall meetings of next year. That's in September and  
42 October. So, it's just backwards with fisheries and  
43 wildlife.

44 We anticipate that the Board will  
45 deliberate and make decisions on these  
46 recommendations in December of 2000.

47 I think I should warn you, our -- or  
48 advise you, I guess -- at this point that  
49 coordination of the regulatory process between the  
50 State and Federal process is subject to discussion



1 with the State. Like, we'll be looking at how to  
2 best coordinate these two processes, the State and  
3 Federal at this point. This may result in some  
4 modifications of what you see before you. I think  
5 we're going to follow this plan for the first year,  
6 but in future years we may have some changes; but  
7 we'll advise you as they come up and also request  
8 your input on some of these thoughts.

9 MR. LOHSE: Anybody have any  
10 questions for Tom on council?

11 I've got one comment on this, Tom.  
12 That's when I sit and look at this schedule, we're  
13 looking for proposed changes before the Fish &  
14 Wildlife Service -- they haven't even managed one  
15 year of fisheries yet. We're looking for proposals  
16 for change. I mean -- so we don't even know how  
17 they're going to manage the first time, and then  
18 we're looking for proposals to change how they're  
19 going to manage. It doesn't make -- it doesn't make  
20 any sense to me to have proposals in change unless  
21 you've done it once.

22 MR. BOYD: We need to start and  
23 initiate an annual cycle, and we're looking to not  
24 this year but the next year to do that; and we need  
25 to start it early in order to have regulations in  
place for 2001.

MR. LOHSE: That's what I mean.

MR. BOYD: I understand what you're  
saying. However, we've adopted as a starting place  
the State fisheries regulations. We already know  
what's on the books, and it's what's in front of you  
in the regulations. There may be regulations that  
you or others, the public, feel need to be changed.  
So we would be entertaining those changes looking  
out to 2001. I understand what you're saying. It's  
kind of a confusing point, but I think we need to  
start this process; and we're proposing to start it  
this year.

MR. LOHSE: I guess what I'm saying  
is: You can have regulations on the book; but how  
they're operated under really tells how those  
regulations -- you know, how they're applied; and  
the first year that you're going to be able to apply  
fish and wildlife application is going to be the  
year 2000; but prior to seeing how it works, they're  
already putting in proposals to change where it's  
possible that after we see how it works, change  
won't be needed; or maybe greater change will be  
needed, one way or the other.

MR. BOYD: Well, you're in the



1 driver's seat so you'll be reviewing those  
2 proposals, Mr. Chair; and if you don't feel like  
3 they need to be changed, you can recommend it to the  
4 board if they need to or don't need to be.

3 MR. LOHSE: Thanks.

4 Any comments from the public on the  
5 annual regulatory process? I see some hands up  
6 there.

5 MR. KIRCHER: I guess I'm kind of  
6 confused because this process goes for longer than a  
7 year. You take a comment and proposal period on  
8 January 4th, and the Regional Council meets  
9 February; so you're asking for -- then the final  
10 Federal Subsistence Board meets in December, so you  
11 may be asking for comments for the next schedule --  
12 for the next cycle before the one cycle ends. Am I  
13 reading that correctly? Because they overlap, and  
14 they're longer than a year.

10 MR. BOYD: I'm not sure I followed  
11 you, but the decisions -- the final decisions on  
12 regulations will be made just in the December prior  
13 to the fishing season. Right, December of 2000.  
14 That's over a year out.

13 MR. KIRCHER: Your final proposal  
14 period ends March 24th, so it starts on January  
15 4th.

14 MR. BOYD: In January, 2000, and it  
15 ends basically -- the decisions are made in December  
16 of 2000. I'm not sure that I understood your  
17 question. But I hope I answered it.

16 MR. KIRCHER: That does cover it.  
17 Decisions are made in December, but they're  
18 published in March?

17 MR. BOYD: That's correct.

18 MR. LOHSE: Any other questions,  
19 comments?

19 Tom.

20 MR. CARPENTER: Mr. Chair, just a  
21 comment. I'm sure Mr. Boyd's quite aware how the  
22 board of fisheries process goes in the state and how  
23 unbelievably complicated it's become in the last  
24 five years, even; and I just wonder if having this  
25 process take place every regulatory year is not  
going to be such an overwhelming thing and the  
burnout factor be so great for the people that will  
have to make the decisions that it wouldn't be --  
behoove the Federal government to possibly consider  
doing it every two years like the State does. I  
just think that, you know, attending Board of  
Fisheries meetings, it's kind of unlike the Board of



1 Game at all; it's pretty overwhelming, and there's  
2 so many more things and problems that come up when  
3 you're talking about fish versus game, and I just  
4 wondered if that hadn't been taken into  
5 consideration.

6 MR. BOYD: I clearly recognize the  
7 complexities of these decisions and what goes into  
8 making them. I think we honestly don't -- I mean,  
9 we understand that the Board of Fish process is a  
10 lengthy one; and there's a number of meetings that  
11 occur in any given cycle and that they're staggered  
12 with -- the issues that they cover are staggered  
13 over a two- or three-year cycle, staggered cycle;  
14 and we may need to address that in some fashion. I  
15 think we want to start something and see how it  
16 goes, basically, and make adjustments as we go, as  
17 we need to.

18 I think, clearly, some of the things  
19 Mr. Carpenter raises are concerns. We're in a  
20 learning mode. I think we're going to figure it out  
21 as we go.

22 MR. LOHSE: Thank you, Tom.  
23 Any other comments, questions for  
24 Tom?

25 MR. KIRCHER: I'm going to state my  
26 name. My name is Karl Kircher. I see you have a  
27 proposal that ends March 24th, one year; and that  
28 proposal will end before the other regulations were  
29 actually -- you won't see the effects of one  
30 season's regulations before you are asking people to  
31 implement new regulations. Whereas the present  
32 board schedule, it kind of happens a little quicker;  
33 and those regulations are in place and used for a  
34 year before they ask for proposals. I hope that  
35 clarifies my question.

36 MR. BOYD: I'm not sure that I can  
37 address it. I think he's correct in his  
38 observation.

39 MR. LOHSE: That was the same  
40 observation I was making. Was that, actually, you  
41 put requests for proposal to change before you see  
42 the results of your first -- of the proposals that  
43 you already have. And that was kind of my -- that's  
44 basically what I was trying to get at. So, you  
45 might want to think about that for the future.

46 And as we get into it longer, you'll  
47 be dealing with proposals that deal with things that  
48 have already happened, you know. But at this point  
49 in time, at the start-up, you're going to be dealing  
50 with things that haven't even happened yet. Like



1 you said, it's a starting point.

Any other questions, comments?

2 Tom, thank you much. If you don't  
3 mind sticking around so that we can hit you with  
4 questions at the same time that Rachel's up there,  
5 that would be fine. If you prefer to go sit down  
6 and get called up every time, you can do that too.

MR. BOYD: I'll sit up here.

MR. LOHSE: Okay.

MS. MASON: I'll just go right to  
7 the --

MR. LOHSE: Start right in with the  
8 action recommendation section, Section 2 of D.

MS. MASON: This is the lemon yellow  
9 sheet that's in your supplementary meeting  
10 materials, and I think it's also yellow on the  
11 public table there.

The purpose of this item is to open  
12 discussion of customary trade with the Regional  
13 Councils, particularly as it pertains to  
14 fisheries -- as Tom already mentioned, the Federal  
15 regulations recognize the importance of customary  
16 trade and barter to rural Alaskan subsistence  
17 economies; and compared to the State regulations,  
18 these are permissive regulations. Under the State  
19 law customary trade is prohibited unless it is  
20 specifically approved by the Board of Fisheries.  
Whereas in the Federal regulations customary trade  
21 is defined as the cash sale of fish and wildlife  
22 resources regulated in this part not otherwise  
23 prohibited by Federal law and regulations for  
24 personal and family needs and does not include trade  
25 which constitutes a specific commercial event  
price.

However, significant enterprise is  
not defined here; and those who have been working on  
the plan recognize that there are regional  
differences, as has been brought up already.

So, our goal in asking you about it  
is to define customary trade practices in your  
region, how that's looked at, and also help us to  
develop a process for addressing concerns about it,  
how to identify abuses of customary trade; and  
toward the same end, we also need input from other  
subsistence users that are in the Southcentral  
region. So, the process that we're thinking of is  
that in all the meetings this fall of the Regional  
Councils, the -- the Regional Councils will be asked  
to define customary trade practices and identify  
their concerns; and then following this



1 particular -- meetings, then the staff will work  
2 together on more historical and contemporary  
3 information on the exchange of subsistence-caught  
4 fish; so we will work with the subsistence division  
5 of ADF&G and with other organizations and also  
6 follow up with the council or any leads that you can  
7 provide us with about appropriate people to contact  
8 in your regions. And then at the winter 2000  
9 meetings, we'll provide you with a progress report  
10 on what we've been able to find so far; and then  
11 you'll be able to find out what the other Regional  
12 Councils came up with, and we also seek your advice  
13 on the need for further interviewing of people in  
14 your region. And at the fall 2000 council meetings  
15 we'll provide a draft report about the regional  
16 customary trade practices. So, at this time, what  
17 you're being asked is to assist with defining the  
18 customary trade practices for your region; and as a  
19 starting point, we ask for your comments on several  
20 terms that could possibly apply in your region; and  
21 those are on the yellow sheet. One of them is  
22 barter, which would be the exchange of some  
23 subsistence food for other subsistence foods, such  
24 as exchange of fish or -- parts or salmon strips for  
25 beluga, for example. Bartered trade would be the  
exchange of subsistence parts or their parts for  
other subsistence food, but also possibly including  
cash and other items. And in the above example it  
would be first exchanging salmon strips for beluga  
but then selling part of the beluga for cash, so  
both cash and subsistence food are involved in  
that.

17 Another category might be a  
18 tradesman, and that would be a person who is well  
19 known in a region as a trader or a barterer and  
20 might also include cash -- some cash exchanges; but  
21 it's on a regional basis; and the person would  
22 continue to be, basically, a subsistence user.

20 Another category would be customary  
21 trade, and this would be -- I think this is the part  
22 that's issued in what has been discussed so far, the  
23 trade of fish subsistence or parts for cash that  
24 doesn't amount to a significant commercial  
25 enterprise. That would include someone who sells  
26 part of their subsistence take for cash. And then  
27 the last category would be commercial fishing, and  
28 that is catching and selling fish solely for the  
29 purpose of sale in the commercial industry.

25 So, I'd like to ask you to comment on  
those terms or to determine in other ways what would



1 be appropriate terms to talk about different  
2 categories of exchange in your region, and we've  
3 already had some pretty good discussions of  
4 commercial versus subsistence fishing; but I would  
5 really like your input. And I also wanted to  
6 mention that rather than ask you to just come up  
7 with definitions on the spot, I'm happy also to talk  
8 with each of you individually; or I'll call you up  
9 later to ask for your input. So, it's not just  
10 limited to this particular time right now.

11 MR. LOHSE: Okay. With that in mind,  
12 would anybody like to start off with commenting on  
13 some of these terms or commenting on current  
14 practices or what you would like to see as current  
15 practices?

16 Fred?

17 MR. ELVSAAS: Well, first of all,  
18 there's always a question in my mind -- when you're  
19 drying fish, you split the fish and leave the tail  
20 on; but if you're going to have personal use or  
21 subsistence fishery, by the law, you have to cut the  
22 tail off. You know, that raises a problem if  
23 they're going to leave the tail on for your own  
24 purposes and you sell the fish to somebody. Now you  
25 have, in fact, a commercial operation. Maybe, if  
you look at selling some of your subsistence catch  
for cash, it should be a percentage, maybe 25 to 50  
percent or something of that nature.

I wouldn't want a subsistence fishery  
utilized to be commercial. In other words, if you  
used all your subsistence catch and found an  
opportunity to sell everything, the fish and the roe  
and so forth -- roe, and then cash out your  
subsistence right, that's subsistence fishing. I  
think we need to look hard at that and how to  
identify subsistence-caught fish. I know when I dry  
fish I leave the tails on, and that's just the way  
I've always done it. I read these regulations, and  
they're just that. But -- and, you know, a  
percentage available for sale rather than wholesale  
selling of the fish. With that, I'll shut up.

MR. JOHN: I'd just like to make a  
comment. You know, all Native people are not  
hunters. They have different occupations, jokesters  
and there's different areas of Native life, and  
you're looking at Natives; and you think all are  
hunters, you know; and some are not. And a lot of  
people that hunt, there's hunters in the village; a  
lot of time they go out and hunt and go out hunting  
regularly. My village is a lot like that. There's



1 a lot of people that do not, older people.

2 Sometimes on customary trade, you  
3 know, the Native people got a lot of blankets; and  
4 they -- they sell the blankets during a hard time,  
5 and they get the cash to buy some food. I could go  
6 to Ketland, and they'll give me -- they'll --  
7 they'll dry meat; and some of the people usually  
8 do -- they give me some; and they never do ask me  
9 for, you know, how much it is. Usually I just  
10 estimate my own self and give them the money.  
11 That's part of our style. They don't get salmon up  
12 there. Sometimes we trade them off a salmon. But a  
13 lot of time it's just not like you say, on a cash  
14 basis. Try and make a profit on it. It's just  
15 that -- in our area, we just go buy meat, salmon.  
16 We need tribe meat sometimes. People like smoked --  
17 they don't have enough to go around for everybody.  
18 We have to go to the village. That village up there  
19 needs something from us that they don't have; so,  
20 that's part of what, to me, custom and trading is.  
21 I've got more, but I can't --

MR. LOHSE: Clare?

22 MS. SWAN: Mr. Chairman, to me -- it  
23 seems to me that subsistence has nothing to do with  
24 money. You can't eat money. And when you have  
25 customary trade, the word "trade" to me, I suppose  
it's the same as bartering. I didn't know that  
there was a difference. Today you just -- we still  
do that. If someone has -- you know, if you have a  
lot of jam and you didn't have enough time to do  
fish or maybe you just let somebody use your truck  
to go clam-digging -- because you -- you just  
trade. It has nothing to do with money. It has  
just everything to do with having supplies or your  
need for certain kinds of food.

I -- or any of the other  
subsistence, like, berries or roots or whatever. I  
don't know that -- I mean, every time, we began to  
talk about money, we talk about cash; and it changes  
it. So, it just doesn't seem to me that  
subsistence -- it's about the land; it's about a lot  
of things, but it isn't about money.

22 MR. LOHSE: Roy, any comments?

23 MR. EWAN: I'm more concerned about  
24 abuses of it than I am of just overall custom --  
25 customary things that the Native people usually do.  
I'm speaking mostly for Native, because I'm very  
familiar with Native and how they got to doing this  
trade business years ago. As I understand it, back  
in the '20s and '30s from people that I know -- some



1 are still living -- it was unlimited, really; just  
2 you can sell the meat, sell the fish, whatever, do  
3 whatever you want to with it; because back then it  
4 was totally subsistence. I mean, what is there to  
5 spend the money on. There is no bank out there, no  
6 stores. I mean, there might have been one or two  
7 stores, but it's all for the family to eat,  
8 basically. It was not to stash away cash or  
9 anything. Just bartering, trading and selling and  
10 all that stuff was going on until, I guess, the  
11 Federal government took over the management -- came  
12 in with their managers -- not the Federal government  
13 was always managing it, but they came in with their  
14 game wardens and everybody and kind of shut  
15 everything off. In our area, people that were out  
16 in the lakes, up the rivers, you know, up in cabins  
17 that were shooting moose and caribou to eat through  
18 the winter were picked up and put into jail if they  
19 were doing that. So, there was a cut-off of our  
20 customary way of life quite awhile back. That  
21 brings up a point of what is it today for us? I  
22 mean, we're kind of regulated; we can't do this; we  
23 can't do that, and it's been our customary way of  
24 life. That's not the way I was brought up. I was  
25 brought up by my elders who had unlimited trade or  
ability to sell whatever they caught years ago. I  
saw my mother store up 20, 30 bales of fish and sold  
them to people that used them for either dog food or  
for human consumption. And the whole family,  
everybody worked on it; I worked on this process --  
processing of the drying of the fish.

So, everybody was involved, the whole  
family years ago.

I'm really more concerned today about  
what, I guess, Fred commented a little bit about;  
and that is the difference between the Native people  
and people that came along -- how that they look at  
business, generally. They're business -- more  
business oriented than the Native people are, and I  
think they -- I have a concern about their taking  
advantage of this provision in the regulation and  
getting around loopholes. I'm more concerned about  
that kind of stuff, especially in my area,  
because -- Copper River, I'm talking about -- with  
the fishing and all that, I'm more concerned about  
abuses with this particular section of the  
regulation. I don't know what to do about it, but I  
think we're going to have problems with this;  
because I've seen in the Copper River where fishing  
was going day and night for a week, two weeks at a



1 time; and to me that's enough to feed -- if you do  
2 it for a month like that, enough to feed 10, 20  
3 families. One person -- but if this keeps running,  
4 the fish are going somewhere. I think that's a --  
5 that's what I'm concerned about.

6 I don't have no concern about our  
7 Native people abusing this, because I know that  
8 largely the Native population is unemployed and out  
9 there eking out a living. Some are making good  
10 money, but generally they're on subsistence; and if  
11 they need money to buy supplies to do -- to get --  
12 to be able to get more fish or whatever they're  
13 after it to subsist, I think -- like buying gas to  
14 get to an area, there's no problem with that. Or in  
15 winter with a snow machine, you know, to buy a snow  
16 machine to get out and do their customary way of  
17 life. Pretty general, but I do have a concern about  
18 abuses more than anything else.

19 MR. LOHSE: Fred?

20 MR. JOHN: I -- like I said, we do  
21 make money on customary trade. We sell arts and  
22 crafts. Like I said, we're not all hunters. There  
23 are people that's craftsmen in our village; they  
24 make moccasins; they do things out of the skins and  
25 other parts of the animal, and they do sell it; and  
26 that's probably their own lifestyle they've known.  
27 That's the only thing they support their family by,  
28 and to me that's what subsistence is about.

29 MR. DEMENTI: Gilbert Dementi.

30 On this barter/trading, I think most  
31 people, they don't make a great amount of money from  
32 this. They do it for subsisting. That's about it.  
33 And they don't make an amount like in the  
34 commercial. So, I don't see what's -- what's the  
35 big problem, you know, of having customary trade.

36 MR. LOHSE: Ken, have you got  
37 anything that you'd like to add? Your thoughts on  
38 this.

39 MR. VLASOFF: No, I think it's  
40 impossible to -- in our country we need some cash.  
41 That's just the way we transact business. You just  
42 just have to have some kind of money sometimes.  
43 It's hard to take your fish to Chevron and buy some  
44 gas.

45 MR. LOHSE: I've got just a couple of  
46 comments from listening to the rest of the Council.  
47 I was thinking about something that Ken and I talked  
48 about earlier today. Sometimes, and I -- I'm  
49 talking now as a commercial fisherman, like we said,  
50 brings fish in and gives it around the community.



1 In order to do that you've got to disconnect from  
2 your mind the fact that those fish are worth  
3 dollars; otherwise you wouldn't do it, and both Ken  
4 and I were talking about that. When you bring in  
5 fish and you give them away, you've got to forget  
6 that they actually have a cash value; or you don't  
7 give them away. And that -- in a way, it goes along  
8 with what Clare was saying that to a certain extent  
9 money is not a part of subsistence; and then, like  
10 it's been pointed out, you do need money to operate  
11 in certain areas. You need money to operate in  
12 certain subsistence areas. What Roy was talking  
13 about I know actually hits the nail on the head of  
14 most people's fears. Most people's fears are  
15 actually not that there's going to be a small-scale  
16 trade and barter of subsistence fish. Most people's  
17 fears are that you are going to have somebody make  
18 use of loopholes to set up what we call a semi- or  
19 semi-significant commercial operation. Under the  
20 way the current regulations are set up, as was  
21 pointed out before, if it applies to subsistence  
22 users, it applies to the rural community that is  
23 there. So, basically, you could have people move  
24 into the rural area that had never lived there and  
25 be entitled to set up a subsistence operation for a  
noncommercial basis, but for customary trade and  
barter purposes. I know that that's the fear that  
runs through the whole state is that there are going  
to be people that make abuses of this. One of the  
things that's going to be a problem is exactly what  
Roy was talking about, the person whose fishwheel  
runs all summer; and it's one person operating it,  
and where did all of the fish go; and it's currently  
going on for days. Once the Federal government  
takes over, that's going to be a Federal enforcement  
problem. The State hasn't done a lot on enforcing  
it like Clare was saying even in the Kenai where  
they had a couple of sting operations where the  
people were involved. Those are going to be  
problems that we have to address. How do you allow  
the customary trade and barter and not allow the  
abuses to take place? And that's -- that's where I  
can see we're going to have our -- our biggest  
problem, because you can't make regulations that  
basically discriminate against subsistence users, in  
other words, rural residents of the area; and,  
consequently, you can have people that would  
literally move in to take advantage of those  
regulations.

Have you got any comments on that,



1 Tom? Or is that an open-ended question at this  
2 point in time?

3 MR. BOYD: I think that's why we're  
4 having this discussion. We -- I think when we  
5 approached the subject in the past with the Councils  
6 we asked specific questions, like should we put a  
7 dollar limit or some measure on this that would help  
8 us to better define this and to deal with this  
9 issue; and for the most part the Council said, "No,  
10 don't do that. Leave it on a regional basis." So  
11 we're coming back to you, saying -- asking the very  
12 questions you're asking yourselves, I think; that  
13 is, how do we -- we want to get into your heads and  
14 get your knowledge on the table with regard to all  
15 the defining differences between customary trade and  
16 commercial uses.

17 How do we prevent abuses, as you're  
18 pointing out? Is there a way -- do we need to  
19 develop additional regulations to better define what  
20 customary trade means in your region? And how do we  
21 close the loopholes, if there are loopholes?

22 We recognize this is a difficult  
23 issue, and so we're coming to all the Councils and  
24 asking these questions. So, in a way it is  
25 open-ended.

I'd like to point out -- and some of  
you touched on this already -- is when we talk about  
customary trade, we're talking about actual sales of  
subsistence-taken fish. When we talk about exchange  
of subsistence-taken fish or dry meat or some other  
things, we're talking about barter. There's two  
things here as barter. I think the focus of our  
system is customary trade. I think we recognize  
that barter is also a facet of subsistence; that's  
also covering the definition. I think the question  
here is the sale of customary trade. Not to confuse  
the two terms, I think it's easy to do that because  
the word "trade" often means exchange for noncash  
items.

MR. LOHSE: I'll make a comment, then  
I'll open it to the public, Gloria. I see some  
people with their hands up. I'd like to give the  
Council an opportunity to make another comment or  
two if they wish.

I'm going to comment to Council right  
at the moment. I know one of our hesitancies about  
discussing things in the past was putting a dollar  
value on it. As soon as you put a dollar value,  
basically you say up to that much; and you basically  
made that kind of opportunity, and somebody is going



1 to move in to make that much.

2 I like what's written in here where  
3 it says before subsistence food or parts can be  
4 considered for use in any of the above categories,  
5 it must first be taken for subsistence purposes of  
6 the user and his or her family.

7 In other words, it needs to be food  
8 that was taken for the use of the family; and then,  
9 you know, it's either surplus or it's decided to  
10 trade it or sell it for something that the family  
11 considers more important and does it that way.

12 In other words, it's not done -- if I  
13 remember right, it was Fred that was saying that;  
14 it's nobody that sets up for the purpose of taking  
15 them for commercial uses. It's something that  
16 you're already doing, and you take a part of that  
17 and you use that for trade for other subsistence  
18 foods or for cash for a subsistence economy. You  
19 don't set up with the purpose of making it a cash  
20 sale-type thing. And I think -- I got that both  
21 from Fred and Roy. I got that kind of a feeling,  
22 but Roy was talking about something else. He was  
23 talking about the fact that in the past they were  
24 capable of selling something that they took. You  
25 know, and whether they took that as part of their  
other purposes or if they took that specifically for  
that purpose, I don't -- I didn't -- I didn't catch  
that.

Like the fish, were those surplus  
fish that were taken for the family; or were those  
fish that were specifically taken for that reason?

MR. EWAN: Mr. Chairman, we use that  
personal, what I meant in the past -- the past was  
totally unrestricted as I saw it. There was nobody  
coming in that said, "You can't do that." I think  
the family needed flour to make bread, whatever,  
rice, you know, all the other staples to eat. They  
usually sold processed fish pretty much because  
There's no way to keep it -- no freezer; but the  
salmon are free; salmon are take it -- come and take  
it; if you want to subsist, if you're a nonNative,  
you come down to take it. The processed fish is  
pretty much what I saw. I guess, if that continued,  
it probably would have been salmon -- raw salmon.  
I've seen people that sell salted salmon; you know,  
they store it away and salt it, that kind of  
processed fish.

But, no, I guess there was no  
transportation. What are you going to do with it?  
Years ago, if you took 100 fish, there was hardly



1 any transportation, no road. But, heck, you'd take  
2 two weeks to haul 100 fish somewhere. I don't know  
3 if that answered your question, but I saw more  
4 processed fish sold for whatever. To me, there's no  
5 restriction. Fred mentioned blankets and stuff like  
6 that.

7 MS. SWAN: Mr. Chairman --

8 MR. LOHSE: Clare?

9 MS. SWAN: Roy mentioned being afraid  
10 of abuses and abuse of a subsistence fishery and  
11 also then spoke of decisions as to customary trade  
12 being made regionally in each place. Well, if you  
13 put those together, it just doesn't seem to me that  
14 the loopholes and the customary trade came close.  
15 It's a very lucrative thing, especially when you  
16 can -- I know of people who sell a case of peppered  
17 salmon, 12 pint jars for \$12 each. So -- and so  
18 that's, quote, subsistence salmon. I don't know how  
19 you're going to close that when you have money  
20 involved; because in the different areas it becomes  
21 quite a different thing, this customary trade  
22 business.

23 MR. EWAN: Mr. Chairman, can I make  
24 an additional comment? I think, speaking for some  
25 of the people that I know in the rural areas that  
don't have much income, I think that trading for  
other food should be allowed. I mean, it can be  
monitored; but it would be hard to monitor. That's  
my biggest concern. How are you going to control  
people abusing doing a lot of that stuff? They can  
say, "Well, I brought him a case of eggs or  
something for that fish there"; but can you prove  
it?

That's one of the things I'm  
concerned about. You can say, "I traded a lot of  
ham or other food from Anchorage for that." They  
could both say that. How do you know whether that's  
true or not? There's a lot of cash exchange. I  
have more concern about that because I see people  
running their mills all day. I'm wondering where is  
all that fish going. I know in the Copper River  
where is the best place to catch the fish, because  
that's where the Natives used to have a lot of fish,  
caught a lot of fish; and that comes up, troubles me  
more than anything else.

MR. LOHSE: Just a question on that  
comment that you made, Roy. Do you see that as more  
of a problem with non-Native communities than you do  
the Native community?

MR. EWAN: I can't totally say that,



1 because I don't know. I can't prove who does it.  
2 That's a problem. How do you prove that? Unless  
3 you have a lot of enforcement officers on the  
4 riverbank daily, it's hard to prove what's going  
5 on.

6 MR. LOHSE: Any other comments from  
7 the Council? We're going to take some public  
8 comments at this point in time, Gloria; and then --  
9 we'll take it in that order. Did I see your hand up  
10 too? Four, if there's more.

11 MS. STICKWAN: I just want to state  
12 that I would really like to say monetary value -- I  
13 would like to see a monetary value to be included in  
14 this definition because our people continue today to  
15 do this practice. It may be illegal, but they do it  
16 because they need to supplement their income. They  
17 have -- we have a below-income area. So, I'd really  
18 like to see a monetary value put in here. I was  
19 just sitting back there listening to you and  
20 thinking that a definition should include cultural  
21 practice that is customary and traditionally handed  
22 down through established historical practices which  
23 is -- which includes a monetary value of maybe \$500  
24 or less and then establish criterions for how you  
25 would do this. Length of residency, you have to  
26 have a permit, you have to be shown that you are a  
27 qualified subsistence user; that must be the first  
28 criteria, that you are a qualified subsistence user  
29 if you want to trade -- get enough fish for  
30 yourself; but then if you want to trade for a  
31 limited value of cash, 500 or less, maybe. Length  
32 of residency would be a criterion. Establish  
33 pattern of historical customary trade, like the --  
34 they've always used salmon out of the fishwheels.  
35 That would be a criterion; our area would be our  
36 fishwheel use. The other areas, like the marine  
37 areas, maybe you need to change that a little bit to  
38 fit that.

39 Develop criterions to -- which shows  
40 that these people are qualified subsistence users,  
41 and these are the practices that they have used and  
42 give them a permit to say that this is -- this shows  
43 that they're not going to abuse -- well, they're not  
44 going to -- they're qualified subsistence users who  
45 are going to use this to supplement their income,  
46 not to a huge extent, but to supplement their  
47 income.

48 MR. LOHSE: Gloria, then you would  
49 kind see it more like an idea that they would have  
50 done this in the past; and they could pass it down



1 to their children; they couldn't come and begin  
doing it?

2 MS. STICKWAN: No, they have the  
3 length of residency, have the criterion in place;  
4 they would have to meet this criterions. Just like  
5 the C&T that's in place right now, those kind of  
6 criterions. All of them -- I'm just saying some of  
7 them, you know, that shows that they're qualified  
8 subsistence users; and they've done this for  
9 hundreds of years.

10 MR. LOHSE: It's not something that  
11 they just see the opportunity and step in to make  
12 the profit on it?

13 MS. STICKWAN: Shouldn't consider  
14 profit. We're not talking about profit here.

15 MR. LOHSE: Then the dollar value  
16 should be low enough that it doesn't attract the  
17 abusers that --

18 MS. STICKWAN: That's a monetary  
19 value in here, I would suggest 500 or a thousand.

20 MR. LOHSE: Something smaller so that  
21 it doesn't attract the abuse?

22 Anybody else have any questions on  
23 that?

24 MR. ELVSAAS: If you used the dollar  
25 amount, do you have to take it somehow to a dollar?  
26 Times change; values change every year; you couldn't  
27 say \$10 and then look at, say, like Gloria was  
28 talking about years ago when things were  
29 unrestricted; that \$10 today is probably \$10,000.  
30 So, you know, you got to keep in mind if you pick  
31 the dollar figure on subsistence, you have to have  
32 it in the constant --

33 MS. STICKWAN: The constant dollar  
34 figure could be reviewed every ten years, five  
35 years, look at it then.

36 MR. LOHSE: As long as that dollar  
37 figure was low enough that it don't attract a  
38 commercial enterprise, it would still allow the idea  
39 that subsistence users would be able to make use of  
40 it from the standpoint that you're talking about?

41 MS. STICKWAN: Yes. That's what I'm  
42 trying to say.

43 MR. LOHSE: Yeah, I really appreciate  
44 your recognition that different areas have different  
45 ways of getting their subsistence fish. I know like  
46 in the Cordova area the subsistence fishery is  
47 actually run with gill nets.

48 MS. STICKWAN: They have different  
49 gill nets. Ours would be fishwheel or dip net,



1 whatever.

2 MR. LOHSE: Thank you, any questions  
3 for Gloria?

4 MR. LOHSE: State your name again.

5 MR. ALEX: She asked me earlier, and  
6 I gave it to her. I'm Daniel Alex.

7 First of all, I ought to preface some  
8 of my comments to the people who understand in the  
9 con -- so people understand the context of what I  
10 said. Subsistence is a law which is a -- came about  
11 as a result of our experience dealing with the  
12 political establishment here in Alaska. One of the  
13 things that we found is that, No. 1, we've got a  
14 Federal agency which is responsible for implementing  
15 a Federal law; and because of the political  
16 establishment here, i.e., white people, they didn't  
17 intend to implement the laws according to our  
18 customs. What has happened is we won a major  
19 lawsuit, the Alaskan -- along -- Alaskan Natives was  
20 we -- what we did is we won the lawsuit  
21 collectively. We also got the attention of  
22 Congress. The subsistence preference law that  
23 exists in any context came about as a result of us  
24 convincing Congress that subsistence -- subsistence  
25 for our people was part of our lifestyle. It was  
part of the large and necessary groups to  
continuation of our people to literally survive.  
One of the things that was discussed here, you were  
talking about dollar versus -- dollars as an issue;  
it's a semantic issue. Dollars are just a different  
medium; trade and barter includes dollars, just a  
different medium.

I know it's a difficult issue to try  
to pin down and how to go and avoid other people who  
are taking advantage of the interpretation. So one  
of the things I think of -- the bottom line that is  
necessary is that we have to protect the rights of  
the people to subsist because it is, in fact, part  
of their life.

MR. LOHSE: Any questions or  
comments?

Thank you.

You were next, then Lois, then Tom.

MR. GABRYS: Thank you, Mr. Chairman,  
Bruce Gabrys. That's G-a-b-r-y-s. I have two  
different points I'd like to provide to the Council  
and one question for Mr. Boyd. First off is that --  
I've been blessed to be around the state for the  
last 20 years and have a lot of friends throughout  
the state because of my former job that I had, but



1 the spirit of the trade and subsistence of barter to  
2 me -- which I think many of the council members have  
3 addressed -- is that there's fundamentally no  
4 pre-determined exchange rate or contract when you  
5 trade with someone, if you will, in the that  
6 environment. As an example, if I -- if I need meat  
7 in the fall and someone has meat, they provide that  
8 to me, there is no predetermined contract on what  
9 that's worth. If in the springtime if I am fishing,  
10 I extend that same courtesy when I have fish, I give  
11 that back to that party that perhaps gave me meat in  
12 the fall, there is no discussion of what that is  
13 worth. That's an individual determination that's  
14 made. By extending that a little bit, if an  
15 individual has a snow machine and they're going to  
16 go caribou hunting, another individual may provide  
17 them gas or money directly to that individual, the  
18 money. That individual who has gas to take that  
19 snow machine caribou hunting, they have the  
20 obligation to provide meat, obligation to provide  
21 meat to that individual that provided that. If an  
22 individual gives a rifle to someone free, then when  
23 that rifle is used as part of a harvest later on,  
24 that individual has, I think, a traditional and  
moral obligation to share part of that harvest with  
that individual. The reason I spend a little time  
on that, to me, personally, that distinguishes a  
difference between the traditional behavior and the  
people that would be an abuser of that. There is no  
predetermined exchange rate and no contract. I'm  
not obligated to extend that courtesy. To me,  
that's the essence of what we should try to  
capture. I'm not sure how to do that to avoid the  
abuse. There is no contract; you cannot force me to  
return something that you gave to me freely. I have  
an obligation, perhaps, to trade to you; and it may  
be something you need; I don't know what it might  
be. It might be an airline ticket to Anchorage  
because you need to get to town. It's something  
else. It's a free exchange. I just wanted to share  
that. I believe that's the spirit of what we're  
trying to get at. I hope we don't lose sight of  
that in the process. As you introduce dollars, you  
introduce an exchange rate; and that exchange rate,  
then, I think, is what leads to the abuse and into  
the profiteering from what is, I think, a necessary  
system.

25 The second point, it's a definitional  
one, Rachel. I can't see through your glass there.  
You were covering the definitions. You asked for



1 inputs. Just for clarification, to see if I  
2 understand this right, on the barter trade  
3 definition it says the exchange of subsistence fish  
4 or other parts of subsistence food or cash for other  
5 items; and an example used is salmon strips for  
6 beluga, then it says but with the added sale or all  
7 or part of that beluga for cash.

8 If I understand, is that correct; if  
9 I'm a subsistence user, I trade fish, I get beluga  
10 parts and I turn around and sell those? I guess  
11 this goes back to Mr. Boyd. In your earlier  
12 discussion, did you not say that in order to qualify  
13 it had to be to the end user? It could not be a  
14 middle person, middleman that delivers that. In  
15 this -- the example used here, is that not an  
16 individual that is not the end user of that beluga?  
17 It says all or part of the beluga will be sold for  
18 cash.

19 MR. BOYD: Let me say to start with,  
20 the definitions on the yellow sheet are not  
21 regulations, okay? Those are proposed, I guess, for  
22 purposes of the dialogue or discussion at this  
23 point. The regulations that we have in place -- I'm  
24 going to read them.

25 MS. MASON: While he's looking for  
that, the way that I see this barter/trade  
definition -- and as Mr. Boyd says, these are only  
meant to generate discussion -- but I see this as  
involving some of the examples that you've mentioned  
of somebody wanting to -- needed gas, but the cash  
is used for gas for the hunting expedition. So,  
it's not -- it's not -- I don't see this as being a  
profit-oriented exchange. The cash is -- it's just  
indirectly involving exchange of subsistence foods,  
but it does have to do with subsistence.

MR. BOYD: Let me just read the  
definition I spoke of earlier. I mean the  
regulation, not the definition. I'll read first the  
regulation regarding customary trade, "The limited  
exchange for cash, subsistence-harvested fish, their  
parts or their eggs, legally taken, for personal and  
family needs is permitted as customary trade as long  
as it does not constitute a significant commercial  
enterprise. The Board may recognize regional  
differences and define customary trade differently  
for separate regions of the state." In other words,  
we can apply additional regulations that qualify  
and/or restrict, if we want to go that far, what  
that means.

Then the next provision is that



1 individuals, businesses, or organizations may not  
2 purchase subsistence-taken fish, their parts, or  
3 their eggs for use and/or resale to a significant  
4 commercial enterprise. The idea is to keep it out  
5 of the commercial market.

6 And then we do the next -- we  
7 complete the circle by saying individuals,  
8 businesses, or organizations may not receive through  
9 barter, subsistence, their parts, or their eggs for  
10 use or resale to a commercial enterprise. I'm not  
11 sure I --

12 MR. GABRYS: Yes, Mr. Boyd, you did.  
13 If I understand this correctly, Ms. Mason, an  
14 individual could trade and then sell that as long as  
15 it wasn't to a significant commercial enterprise and  
16 sell it to Safeway. I guess I didn't retain that  
17 very well.

18 Manufacture, thank you very much.  
19 Any questions?

20 MR. EWAN: No, no.

21 MS. SWAN: As long as it's not a  
22 significant commercial enterprise, do you have any  
23 idea what that is?

24 MS. MASON: No. That's -- that  
25 generated this discussion.

MR. EWAN: I want to see what you  
think --

MS. MASON: I see the difficulty of  
doing it. So I couldn't even venture.

MR. EWAN: I don't know, does anybody  
have any idea what we're talking about?

MR. LOHSE: I kind of like Gloria's  
idea that it shouldn't be big enough to attract  
somebody to come in to abuse the system. It should  
be small enough that it's applicable to subsistence  
users, but not large enough that it's going to  
attract somebody to come in and do exactly what  
you're talking about, abuse the process because it's  
available right there. Now, what that figure is,  
that's going to have to be -- Gloria's idea was keep  
it there, but keep it low enough so that it didn't  
attract abuse.

MR. EWAN: Mr. Chairman, I think this  
is going to be a subject of a whole lot of  
discussion; and I would like to be sure that we  
discuss this more in the future.

MR. LOHSE: We will.

MR. EWAN: I think Fred remarked  
about what it used to be and what it might be in the  
future. It's better to consider the dollar value



1 and so forth.

2 MS. SWAN: It's late in the day, and  
3 I hate to ask this; but I absolutely have to, to add  
4 to the confusion. You know, awhile ago you  
5 stated -- you talked about documenting subsistence  
6 the numbers of fish taken, from Nikolai as, you said  
7 the commercial fishermen put this little -- they  
8 checked that they had taken subsistence fish out of  
9 their commercial nets and taken it home for  
10 subsistence purposes --

11 MS. MASON: For home use.

12 MS. SWAN: For home use. How do you  
13 do that? Now, you have to define that because --  
14 because otherwise you can't call it that then,  
15 because he just read the regulation that said  
16 subsistence-harvested fish. Now, if I -- I mean, I  
17 don't see how you're going to do that; because if  
18 you say, "Well, I took this subsistence out of my  
19 commercial net for home use," okay, that's going to  
20 add: What is home use? You cannot give it to  
21 anybody, then. You couldn't treat it -- under the  
22 law, you couldn't treat it the same way, then. So,  
23 then I don't understand why you're using that to  
24 document your numbers.

25 MS. MASON: Distinction between  
26 subsistence use and subsistence caught.

27 MS. SWAN: I don't understand that at  
28 all.

29 MR. LOHSE: Clare, I think -- they  
30 weren't discussing subsistence use; you were talking  
31 about household use of fish and game basically.

32 MS. SWAN: Well, then --

33 MR. LOHSE: It's not subsistence, and  
34 anything -- I think Ken can verify this for me.  
35 Anything that's taken out of the commercial catch  
36 and not recorded on the fish ticket as a commercial  
37 item and is given to somebody cannot be resold. It  
38 is not a subsistence item that can be resold because  
39 it has been removed. It comes under a completely  
40 different set of regulations.

41 MS. MASON: It's not profit --

42 MR. LOHSE: It's the same as a sport-  
43 caught fish at that point in time. It can't be  
44 resold.

45 MS. SWAN: Okay. Then, maybe you  
46 need to -- I really wasn't clear on what you meant  
47 when you were telling me that. You said, "Well, we  
48 talk about customary" -- you can talk about it when  
49 we talk about customary trade. So, I'm sorry if I  
50 said that. Take it all back.



1 MS. MASON: It's good --  
2 MR. LOHSE: What you said is right.  
3 I was just trying to explain it; what we're talking  
4 here is the sale of subsistence-caught fish. Those  
5 fish would not come under the sale of  
6 subsistence-caught fish. Those are not subsistence  
7 fish. The fact that they're used for personal use  
8 in somebody's home does not turn them into  
9 subsistence fish. They are used as part of what she  
10 was doing which was a survey of fish and game  
11 animals that were used in the households in Nikolai  
12 and places like that, Nikiski.  
13 MS. MASON: Nikiski.  
14 MR. LOHSE: It shows how much fish  
15 and game the people use; but it doesn't class them  
16 as subsistence, does it?  
17 MS. MASON: There is -- nobody is  
18 labeling them subsistence.  
19 MR. LOHSE: Right. They're not  
20 labeled.  
21 MS. SWAN: I'm sorry. Maybe you  
22 should have said so before you spoke.  
23 MS. MASON: Okay.  
24 MR. LOHSE: How about if -- shall we  
25 take ten minutes? Okay?  
(Recess.)  
MR. LOHSE: It's quarter after 3:00.  
As I reiterated before, we're going to try to recess  
this meeting by 4:00 o'clock. We're currently on  
customary trade, identify region-specific  
practices. I think Lois was our next person that  
wanted to speak.  
MS. MUNSON: I'd like to inquire of  
the panel -- and I thank you for allowing me to  
speak. I wasn't very polite at the first meeting.  
I apologize for that. My name is Lois Munson. I  
grew up on a reservation, Eklutna Village, now known  
as Eklutna, Incorporated; and I know what it means  
to live off the country. Customary use existed  
before Alaska become a state. I was raised on  
subsistence. During the early '30s and '40s before  
World War II, there was very little monetary thing  
existed; so trade was a very important issue. As  
you know, the Russians, before the United States  
bought Alaska, our Native people were given beads in  
exchange for fur. So that, to me, is historical;  
therefore, it would be called -- I would say  
grandfathered in.  
Trade is a very important thing. We  
have to utilize that; by that I mean if we had a



1 moose and someone else didn't have one, if they had  
2 something else that our family needed, trade is a  
3 very common thing; because our area, Eklutna, we  
4 have salmon, moose, no caribou, and probably sheep  
5 or goat. Other areas can come up with different  
6 things, and during those times the only way people  
7 could exist was to trade out for food. We had a lot  
8 of salmon to utilize, so we did that.

9 Okay. Now, the purpose of our  
10 meeting that I see is subsistence. In order for me  
11 to continue -- I still use subsistence to survive,  
12 and I carry that on in my own family. If I have  
13 more than I need, I share it with my family members  
14 or whoever needs it; and if I want to trade, I can  
15 do that. I don't think we should change the rules  
16 because someone else is breaking the law. I would  
17 believe that most people abide under this  
18 subsistence and try to protect their rights, but we  
19 have a few violators. Because I'm a commercial boat  
20 owner, I have seen practices that was never dealt  
21 with; and also in the tourist business I see things  
22 that is brought to my attention that really bothers  
23 me, but nobody does a thing about it.

24 I think that covers the thing that --  
25 the other thing that I would like to kind of focus  
26 in on is that during my time when we talked about  
27 money or finances -- we grew up in an area where  
28 there's no such thing as school, no medical  
29 facilities; and the only thing I could remember is  
30 the railroad that existed. So, our people had to  
31 survive. A lot of our people still have to is what  
32 I'm telling you about. Thank you.

33 MR. LOHSE: Any questions for Lois?  
34 Thank you, Lois.

35 I think Tom had his hand up, and I  
36 talked to another person that would like to speak on  
37 the subject too.

38 MR. CARPENTER: Thank you,  
39 Mr. Chair. Just a couple of things before I have to  
40 leave, and I appreciate the opportunity to come  
41 today and testify. I'd like to reiterate that the  
42 advisory committee that I'm representing has the  
43 same concerns that most of the members of this  
44 Council have, and it's about the abuse. You know,  
45 we know the lifestyle that we have in the Lower  
46 Copper; and we understand the lifestyle that the  
47 people of the Upper Copper and in Prince William  
48 Sound have. And for our lifestyles to change and to  
49 be put into jeopardy by either a dollar figure or,  
50 you know, a percent or something like that is -- you



1 know, is kind of an endangering thought.

2 A couple of things that I'd just like  
3 to bring to the U.S. Fish & Wildlife's attention is  
4 when we talk about these issues at these meetings,  
5 taking into consideration all the people and all the  
6 different entities that, you know, are included in  
7 these rural areas, we are talking about rural  
8 people. There is no one specific people that we  
9 should target in any of these communities. I'm not  
10 taking away from the long history that the Native  
11 people have had in the state because they are very  
12 deserving; they should not lose the lifestyle that  
13 they've become accustomed to; but some of the way  
14 the process is set up and the way that you,  
15 Mr. Boyd, said the first year you're going to take  
16 the State regulations and roll them over until a  
17 process can take place to implement new ones. I  
18 think you need to really -- and I'm not sure if  
19 you've done it, or maybe you have; or maybe there's  
20 nothing you can do about it right now -- but if you  
21 look at rural residents in the Southcentral region,  
22 you take the Copper River, for example, a  
23 subsistence user on the Upper Copper, which is  
24 basically the same as a subsistence user on the  
25 Lower Copper, a subsistence user on the Upper Copper  
can take 500 fish per year. A subsistence user on  
the Lower Copper gets 15. Now, when you start  
taking into consideration whatever happens with the  
fair barter trade and putting dollar signs on  
things, there's kind of a real imbalance between the  
two numbers of fish that you're talking about.

The other thing to take into  
consideration is -- when Ms. Mason is doing her  
reports, is that the subsistence use upriver is  
pretty much fishwheel oriented as the subsistence  
use on the Lower Copper is pretty much gill net  
oriented. The people in the Lower Copper that wish  
to participate in the gill net subsistence fishery  
have been regulated to where they can only subsist  
during an open commercial period. So, that means  
eight now under State regulation. If the Department  
of Fish & Game closes the commercial fishery,  
automatically, unless otherwise noted, the  
subsistence fishery is closed.

There's a real problem there in a lot  
of people's eyes, and I'm not exactly sure what the  
solution to it is; but that's a reason and that --  
for instance, taking myself for an example as a  
commercial fisherman or Mr. Vlasoff or Mr. Lohse who  
are sitting at the table, that's why we take fish



1 out of our commercial catch; and we consider those  
2 fish subsistence fish. Because otherwise if you  
3 look at the definitions, we have no opportunity to  
4 become subsistence users. So, when we have -- when  
5 we have a personal limit of 15 fish, it's kind of --  
6 you know, that's not a whole lot of fish; and for a  
7 large family, you know, the limit is 30 fish. You  
8 know, 30 fish is marginal to take care of a big  
9 family. And that's when we take fish out of our  
10 catch either for ourselves to subsist off of and to  
11 give to our friends and relatives that need it in  
12 the community that don't have an opportunity to go  
13 out on the Copper River, which is not the safest  
14 place in the world to take a little skiff. We take  
15 those fish and spread them throughout the community,  
16 because we have the capability of doing it; and  
17 that's the way that -- you know, that basically is  
18 what the whole subsistence fishery is about.

19 So I just think that the numbers that  
20 correspond in the same rural areas need to be looked  
21 at. The way that the numbers are figured as to  
22 subsistence use per household need to be figured due  
23 to the fact of the restrictions that we have and the  
24 actual -- typically, the danger that's involved in  
25 going out and getting those fish.

I don't exactly know what to -- you  
know, we've discussed it at our meetings a lot of  
times. When you talk about a dollar value, that's  
kind of a hard one to put a number on; and I'm not  
really sure and I'm not real comfortable at giving a  
dollar figure just off the top of my head because it  
wouldn't be fair to the rest of the committee; but I  
think that the point that Gloria brought up about  
keeping the number low enough to where it doesn't  
attract, you know, entrepreneurs -- if you would say  
it's something that should really be considered  
pretty seriously and not necessarily put a percent  
or a high dollar figure on that. Because you still  
have the opportunity -- if you do put a small dollar  
figure on it of, say, \$500, you have the opportunity  
through the yearly cycle if you want to figure  
inflation or whatever else to it, that you can  
adjust that dollar figure annually. So, other than  
that I appreciate the opportunity to testify and I  
share most of your concerns. Thanks.

MR. JOHN: You said for subsistence  
purposes 15 fish?

MR. CARPENTER: That's right.

MR. JOHN: Per day?

MR. CARPENTER: Per year.



1 MR. LOHSE: Per individual.

2 MR. CARPENTER: Per individual, if  
3 you're a single individual it's 15 fish per year, if  
4 you're in a household.

5 MR. JOHN: Is it a State regulation?

6 MR. CARPENTER: That's right.

7 MR. EWAN: But nothing -- nothing  
8 prevents you from using your commercial catch for  
9 eating?

10 MR. LOHSE: That's what came up  
11 earlier.

12 MR. CARPENTER: That's right,  
13 Mr. Ewan. The reason that I brought that up was  
14 because of the number and the amount of commercial  
15 fishermen. You take -- Cordova has 1800 people, 550  
16 of them that are commercial fishermen. That's a  
17 large percent of the community. Well, you figure  
18 half of the community is not able to get out and  
19 catch the fish. That's why we take fish out of our  
20 catch, which you can't really put a dollar amount  
21 on; because that's just the way you do it. That's  
22 the way you treat the people where you're from. You  
23 take care of them. What I was bringing it up for is  
24 when the staff does their analysis and they come up  
25 with their figures about people that are -- where  
they come up with their total subsistence numbers,  
they need to take into consideration the amount of  
fish that are taken out of commercial catches for  
subsistence purposes. That was my main reason for  
bringing that up.

MR. VLASOFF: I have a question. Do  
you think the number 500 is too high; is that what  
attracts lawbreakers?

MR. LOHSE: Ken, I really don't  
have -- like Tom, I don't really have -- you mean  
the 500 fish?

MR. VLASOFF: Yes.

MR. LOHSE: No, because I don't think  
that that's what attracts lawbreakers. I think  
lawbreakers don't worry about any limit. Like Roy  
is talking about, somebody that is going to break  
the law don't figure -- I feel I know people up in  
the Copper basin where a family can take 500 fish  
and more than use more than 500 fish. There are  
also families that have no need for 500 fish. If  
everybody would take what they needed, fine with  
that. That's not always the case. And the thing  
is, like Tom was saying down in our area, and like  
you do, we have -- like Roy says, we have access to  
fish. We take them out of our commercial catch and



1 share them in the community. We've never -- never  
2 thought that we had to define them as either  
3 commercial or subsistence fish. They would just --  
4 they're just fish that you take out of your catch,  
5 and you eat and give away; and you don't put a  
6 dollar value on them, you know. And so we do have  
7 access to more than 15; but people who actually want  
8 to take fish under the subsistence regulations have  
9 a limit of 15 per individual, 30 per household; and  
10 I think you're allowed another 10 or 15 for every  
11 person in your household.

MR. CARPENTER: Five.

MR. LOHSE: And another five for  
every person in your household. For myself I would  
be allowed 45 fish, you know, for our family. And  
that would be capable of being taken under  
subsistence regulations.

And there is one other thing, Tom,  
and that is the fact that if commercial seasons are  
closed -- I don't remember what the time limit is --  
but if they're closed for a certain length of time,  
then the subsistence season opens even without a  
commercial season. But, otherwise, all subsistence  
catch has to be taken -- subsistence user goes out  
at the same time as a commercial user goes out.  
That's the only time you can go out, catch a fish.

Any other questions for Tom?

Thank you, Tom.

MR. LOHSE: I didn't get your name.

MR. TYONE: Lonnie Tyone.

MR. LOHSE: Come up and give your  
name and spell it for the court reporter. And use  
the black mike. It's the only one that works.

MR. TYONE: My name is Lonnie Tyone.  
My last name is T-y-o-n-e, and I'm from Gulkana  
Village; and I'd like to say something about this  
customary trade practices, and -- and I was thinking  
about the abuses that could possibly happen; and I  
don't want to open up a can of worms for everybody  
to lose sleep over, but I do know that there's --  
before I start on it, I think that 500 fish is  
really, really a good amount; and we could make use  
of 500 fish because -- because our tradition and our  
culture allows us to use all of that within one  
potlatch session, and that's part of our tradition  
and our culture. And you could -- we would use that  
in no time at all. And the abuses that go along  
with some of the -- what I've been hearing today, I  
thought to myself, you know, you know, I was -- I  
was a thief one time. I was a crook. And, you



1 know, stealing fish for drugs and alcohol; and, you  
2 know, that can go on. It can go on. In each place  
3 that you go to, and how -- and there was no methods  
4 to -- to try to catch these people because, you  
5 know, the State troopers won't do anything; we don't  
6 have no village police officers; we don't -- we  
7 just -- we can have anybody come in at 4:00 o'clock  
8 in the morning and just start taking things away.  
9 And then some people wake up some morning and  
10 wonder, you know, boy, I didn't have anything  
11 today. Somebody down the way would have enough in  
12 theirs, you know. There's a little bit of abuse in  
13 that area that raises a concern, especially in the  
14 village where I'm from and where we have local  
15 option law where we are trying to -- trying to do  
16 away with -- you know, trying to clean up the  
17 village; and -- and, you know, people in the area  
18 knew about something like that. There would be a  
19 lot of young people out there looking around to try  
20 to, you know, see whose fishwheel is where and how  
21 to get there and maybe even get a boat and go up the  
22 river and dump everything in. There's just some  
23 ways that you'll never know. That's one of the  
24 concerns that I have. Along with that, it goes -- a  
25 lot of -- you never know if that goes on, you know.  
Somebody might even get shot, you know, because of  
trespassing; and there's many other things that  
might could happen. There might could be a whole  
nation of Indians turning against everybody or  
turned against a whole -- a whole non-Native  
community, and there's so many other things that I  
can think of right now; but I'm not going to go into  
great detail because it goes even further, and  
that's all I have to say. I'd like to thank CRNA  
for sponsoring me to come down here. I never come  
down here on my own. I'd probably do my own thing.  
I'd like to thank CRNA. Thank you for allowing me  
to say something.

20 MR. LOHSE: Does anybody have any  
21 questions for Lonnie?

21 Lonnie, I thank you for coming down.  
22 I think what I was gathering is one of the things  
23 you were saying, if there were abuses, the local  
24 community would be the first to know and probably  
25 could do something about the abuses. Was I  
understanding right on that?

24 MR. TYONE: Yeah.  
Thank you, Lonnie.

25 MR. PETE: My name is Carl Pete. The  
last name is P-e-t-e. I'd like to thank the panel



1 out here that listen to what I have to say about  
2 customary use; and ever since I was a little -- was  
3 a little guy, we had our fishwheel down at the river  
4 all the time; and when -- when my dad and mom used  
5 to trade for fish -- fish, there wasn't any money  
6 involved. It was just either trade for subsistence  
7 meat, you know, and fish; and during the summertime  
8 we used to catch fish and meat in the wintertime.  
9 Copper River is a small river, and sometimes it's  
10 low; and sometimes there's no fish whatsoever. We  
11 can't get our limit. And if it's not low, the river  
12 is really high; and, there again, we can't get our  
13 limit; but some years we have good years, and what I  
14 am worried about is later on in the years when  
15 there's some fish is going to be sold, Copper River  
16 is one of the richest for fish in the world; and  
17 that Copper River fish is the best fish in the  
18 world; and if we have any of that, there's probably  
19 going to be more fishwheels in that river than ever  
20 before. So, I like what Gloria was saying, you  
21 know, that monitor and all that; because I think  
22 that -- I think that's the way to do it. I'd like  
23 to thank you all for listening to what I have to  
24 say.

13 MR. LOHSE: Any questions?

14 Can I ask you a question?

14 MR. PETE: Sure.

15 MR. LOHSE: Basically, what you can  
16 see as one of the bad effects is that it could  
17 attract more pressure right in the area if the  
18 monetary value was too high; but like if you can  
19 keep it down to where it doesn't attract, that you  
20 can continue with what you've been doing without  
21 having to crowd in?

18 MR. PETE: Yeah, and usually the  
19 people who put their fishwheel in, they -- they  
20 didn't catch their limit because there's not much  
21 fish, so -- so once in a while, it -- we're lucky to  
22 get that 500 limit.

21 MR. LOHSE: Do most people -- do you  
22 feel most people approach their limit, or are most  
23 people way under because they can't catch them?

22 MR. PETE: Well, they're under  
23 because we can't catch them; and that's happening  
24 the last three years right now that I know. Of  
25 course, I'm probably -- the Native Village of  
26 Predicott, I help put in wheels for the elders; and  
27 I know so much of the catch.

25 MR. LOHSE: And was that due to water  
26 conditions or lack of fish, mostly?



1                   MR. PETE: Well, the water condition  
2 is -- is mostly the main reason why it's lack of  
3 fish; but once that fish is running, it's really  
4 going; it's really going, and that's when we really  
5 catch our limit.

6                   MR. LOHSE: Any other questions?

7                   MR. EWAN: Mr. Chairman, I don't have  
8 a question, just a comment. I don't want to put  
9 word -- I don't think Gloria was really saying any  
10 certain amount. I think that could be kind of  
11 open. That should be something for future  
12 discussions. Pretty in-depth discussion, I think.

13                   MR. LOHSE: I didn't see her give any  
14 amount other than the fact it shouldn't be enough to  
15 attract abuse, like what you were talking about.  
16 The amount that she gave, she gave a spread on.

17                   Thank you. No other questions.  
18 Thank you much.

19                   Okay. Do we have any more from you  
20 on this subject, Rachel?

21                   MS. MASON: No, Mr. Chairman.

22                   MR. EWAN: Could I have a comment?

23                   MR. LOHSE: That was the next  
24 question I was going to ask for.

25                   MR. EWAN: I know this had nothing to  
do with customary trade and all that, but there's  
money involved; and that is when you have a  
fishwheel, another permit holder from somewhere else  
along the Copper River, people get permits for a  
fishwheel. There is money involved in people that  
represent their wheel, fishwheels. I want you to  
know, be aware of that. That is happening. I know  
I have fishwheels in a good location that people ask  
me all the time to pay me something for it because  
it costs money to hire somebody to help with this  
wheel; it takes a lot of time. So, I just wanted  
you to be aware of it; there's some money involved,  
but it's not sale of fish. Either your location or  
so forth.

                  MR. LOHSE: Okay. Any other Regional  
Council comments or recommendations on this subject  
before we go on to the next one?

                  We have a November training session  
agenda development, but we can't deal with that  
tonight because the presenter isn't here. We'll  
deal with that in the morning. So, if we have --  
anybody on the Council feel like they wish to  
comment any further on what we've been discussing,  
then we'll go on to the Chair's report for today and  
probably end there for today.



1                   Hearing none, we will put off Federal  
2 Subsistence Fisheries Management 8, Issue 8, until  
3 tomorrow which is the November training session  
4 because we'll have somebody here to present it at  
5 that time. What is our time, Clare? The time is  
6 about quarter to 4:00. We wanted to quit around  
7 4:00. I think what I'm going to do is just give a  
8 chair report at this point in time. I've got to go  
9 back and find -- I lost my notes; I took it up to  
10 the room at the lunch hour and I left it there.  
11 I've got to do this off the top of my head.

                  What was the tab --

12                   MS. EAKON: Tab H.

13                   MR. LOHSE: Tab H. That's why I  
14 couldn't find it. I was looking farther back.

                  On May 2nd we had a joint Regional  
15 Council Meeting, and we had the chairs from all ten  
16 Councils around the state or vice chairs. There  
17 was -- I think there was one vice chair or one chair  
18 that had to leave, and a vice chair came in and sat  
19 in. We had a fairly informal meeting, at which we  
20 discussed some of our concerns. There was two main  
21 concerns, one of which applies to the subject we're  
22 dealing with right now; and that was the base --  
23 basically the interaction that's going on between  
24 the Federal Board and trying to come up with a way  
25 to work with Fish & Game on this issue and the --  
and the meetings that have been taking place there.  
At that point in time we decided amongst our chairs  
that we would request that we could have  
representatives at those meetings, which later on we  
did. When we met with the Federal Subsistence  
Board, that was an agreement with them; and we  
appointed two members of our chairs to sit in on the  
joint sessions between the Federal Board and Fish &  
Game just so that we would actually have chair  
people there to -- for input and for observation.

                  And that's where I lost my notes. It  
20 was Dan O'Hara from Bristol Bay and Willie Goodman;  
21 and I think that was Northwest, wasn't it?

22                   MS. EAKON: Northwest Arctic.

23                   MR. LOHSE: Northwest Arctic. And  
24 they were appointed and approved by the Federal  
25 Assistance Board, and I think they had already sat  
in on one of the sessions. So, we do have Regional  
Council chairs at that.

                  The other issue that came up from the  
Regional Council chairs is just recognizing that --  
how much time Council members have put in and how  
much more time Council members are going to put in.



1 And, basically, we put a request in to the Federal  
2 Subsistence Board that we thought there should be  
3 some kind of stipend or something since most of us  
4 take time off either from subsistence activities or  
5 regular jobs to attend these meetings. It was  
6 pointed out at the joint meeting of the Regional  
7 Council chairs and the Subsistence Board that this  
8 was not possible; we were volunteers. A letter was  
9 written to us to correspond with that; and so,  
10 basically, at this time there is nothing happening  
11 in that department.

12 We had the Federal -- we sat in on  
13 the Federal Subsistence Board meeting while they  
14 dealt with all the proposals for around the state.  
15 If you take a look under Tab H, it has -- it has a  
16 synopsis of the actions that deal with our proposals  
17 that we have put in. For those of you that might  
18 have a question of how the Federal Subsistence Board  
19 voted on those proposals, you'll find them under Tab  
20 H. I could go through each one if it's the  
21 Council's wish. Otherwise, you can also just look  
22 at them; and if there's any questions, you can bring  
23 them up later. That's the Council's pleasure.

24 Was that agreeable to the rest of the  
25 Council?

And for anybody else that wants to  
know how the Federal Subsistence Board took action  
on those, I think there are some copies of this  
around back there. And they're under tab H; or do  
we have a separate page back there, Helga?

MS. EAKON: There's a little saying  
that says "Annual reports on the information table  
by the coat rack."

MR. LOHSE: So, are there any  
questions for me on the chair report from any of the  
Council members?

Well, hearing none, I'll let that  
conclude what I have to say, which is probably the  
shortest I've ever talked in my life.

We're going to start tomorrow -- just  
to get things going, we're going to start with our  
annual report, which is No. F. We're going to skip  
back to -- by that time we should have a presenter  
for the training session here. We're going to have  
to make a decision as to what we want to recommend  
for when. Realizing that this does take into  
account all ten councils and so our recommendations  
don't carry all that much weight, but they will --  
at least we will have an input in it. Then we're  
going to start on Section 9, which is new business,



1 tomorrow; and that will deal with the charter, our  
2 annual report for this year, and agency reports from  
3 the different agencies of the Park Service. We'll  
4 end the meeting with opening the floor proposals.  
5 There will be an opportunity during the meeting for  
6 anybody that wishes to testify or comment on any of  
7 our issues and a request for any other new business  
8 that we might want to take up. We'll also finish  
9 with a time and a place for our next meeting.

10 With that, I am going to -- unless  
11 there is an objection, I'm going to recess this  
12 meeting for the day.

13 Hearing none, we've recessed.  
14 (Council recessed at 4:00 p.m.)

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

WITNESS MY HAND this the 20th day of  
October, 1999.

Sandra M. Mierop  
Court Reporter

