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1 KODIAK/ALEUTIANS FEDERAL SUBSISTENCE REGIONAL
2 ADVISORY COUNCIL PUBLIC MEETING

3

4

5 VOLUME II

6

7 September 19, 2002

8 City Building

9 Cold Bay, Alaska

10

11 COUNCIL MEMBERS PRESENT:

12

13 Della Trumble, Chairman

14 Alfred Cratty

15 Paul Gundersen

16 Patrick Holmes

17 Ivan Lukin

18 Speridon Simeonoff

19 Pete Squartsoff

20 Vincent Tutiakoff

21

22 Regional Coordinator, Michelle Chivers

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1 PROCEEDINGS

2

3 (Cold Bay, Alaska - 9/18/2002)

4

5 (On record)

6

7 CHAIRMAN TRUMBLE: The next item is number
8 14, customary trade.

9

10 MR. KLEIN: There is one last project under
11 the monitoring program for 2003 that we would like the
12 Council to weigh in on. We have one category that is
13 interregional where it crosses regions and for 2003 we only
14 have one project that was advanced by the Technical Review
15 Committee for your consideration and it's shown on Page 131
16 on Table 1 and it's life history approach for managing
17 Alaska salmon. And basically this project is going to look
18 at salmon survival and nutrient cycling and go through some
19 computations to try to get a better idea of models we can
20 use to estimate salmon abundance and estimate how many
21 escapement goals for salmon and this was proposed by the
22 USGS BRD.

23

24 When the Technical Review Committee
25 reviewed it they did not recommend it for funding. They
26 looked at this as kind of pure research that really didn't
27 have any direct benefit to -- any direct or specific
28 benefit to management of Federal Subsistence fisheries and
29 the TRC recommendation was that we not consider this for
30 funding under the Fisheries Resource Monitoring Program.

31

32 If the Council wanted to make a
33 recommendation on whether you wanted that funded or not the
34 Board would appreciate that recommendation.

35

36 Madame Chair.

37

38 CHAIRMAN TRUMBLE: Paul.

39

40 MR. GUNDERSEN: I was just wondering which
41 streams in particular are they talking about here to do
42 this on?

43

44 MR. KLEIN: Madame Chair. Paul, what they
45 wanted to do -- they were going to look at some streams in
46 Southeast Alaska where they had a long history of data to
47 feed into the model. So it's in some streams in Southeast
48 Alaska.

49

50 MR. GUNDERSEN: Okay. I think I know which

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1 one you're talking about in particular. There's no area --
2 no work in the Aleutians or Kodiak area under this
3 proposal, just the one river, the Stikene River in
4 Southeast?

5
6 MR. KLEIN: Yeah, there would be no rivers
7 within the Kodiak/Aleutians region.

8
9 MR. HOLMES: Madame Chair, looking at the
10 description of the project, those are some really good
11 people, good folks that I've met and talked with for many
12 years but going along with my comments from yesterday I'd
13 really like to see things that are for our region and I
14 think if there is enough of a crises in Afognak I wouldn't
15 be particularly excited about funding this program either
16 and really it's just kind of fine-tuning probably some
17 prior existing models and applying something -- I think
18 there's been a lot of prior work on and I'd much rather see
19 funds spent for something that's more applicable for our
20 region.

21
22 Madame Chair.

23
24 CHAIRMAN TRUMBLE: Any other comments.
25 Steve, do we need to basically take action on this as we
26 support it or don't support it?

27
28 MR. KLEIN: You can support it or not
29 support or take no action at all.

30
31 CHAIRMAN TRUMBLE: I recommend that we just
32 take no action at this time.

33
34 MR. KLEIN: Thank you, Madame Chair. And
35 the last issue I have before you is to look at the issues
36 and information needs. Under Tab G there's a yellow sheet
37 that's kind of most of the way through TAB G. Directly
38 following that is an issues and information needs.

39
40 And actually this feeds in nicely after our
41 discussion yesterday on Alagnak Lake. What we have here is
42 the issues and information needs, when we do a call for
43 proposals asking for proposals, we attach the issues and
44 information needs and that comes directly from the
45 Councils, including the Kodiak/Aleutians Council. And what
46 you have there is Pages 139 to 143, this is what would go
47 out to the scientists telling them these are the issues and
48 information needs we would like addressed by proposals.

49
50 And on Page 143 those are actually what we

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1 have for Kodiak/Aleutians. And at our meeting last March
2 we kind of went through a strategic planning exercise where
3 we went through your issues and information needs and found
4 that, you know, the projects are addressing the needs, what
5 we need to do is update these issues and information needs.
6 In fact, we formed a team with Steve Fried of my Staff on
7 it and several of you at the table here, unfortunately that
8 team was never able to meet with -- I think everybody got
9 busy with fishing and the team never was able to have a
10 meeting to refine this list.

11

12 None, the less, though, we still need to
13 update these issues and information needs. For example,
14 Afognak Lake, I mean if that's one of the most important
15 subsistence fisheries in Kodiak that needs to be on there
16 when we send this out to scientists saying this is where we
17 want proposals here so this is a proactive way to try and
18 get more proposals for your region as well as proposals
19 that address your specific needs.

20

21 Following that, Steve Fried, in preparation
22 of that meeting, he did take an initial stab at what he
23 thought were the kind of draft that would serve as a straw
24 man, a starting point for what we need to do with the
25 Council on the issues and information needs and that begins
26 on Page 145 and continues to 147.

27

28 I'll just kind of go through what Steve
29 Fried has prepared here and then open it up to the Council
30 for how you want to proceed.

31

32 What we do have, though, is in November of
33 this year we're going to go out for a call for proposals
34 and I think it would be to your benefit as well as the
35 resources benefit to have a revised issues and information
36 needs when that call goes out in November so we have a
37 little bit of time. But we have until November to update
38 it.

39

40 On Page 145, for the issues and information
41 needs that we currently have there were several on there
42 that really we felt needed to be excluded and the first one
43 is at the bottom of Page 145. One of the issues and
44 information needs that was identified was enhancing or
45 establishing early runs of sockeye salmon in Old Harbor and
46 the St. Paul areas. And through Board action, there were
47 several activities that they excluded from consideration
48 of funding for the monitoring program and it includes
49 restoration and enhancement activities. It included like
50 contaminant studies and basically the Board's direction was

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1 these were more a responsibility of the land management
2 agencies. For example, an enhancement activity on a
3 Refuge, the Refuge would have to do a compatibility
4 determination to see if it was compatible and really that
5 authority rests with the Refuge manager and it'd be best in
6 that case the Fish and Wildlife Service to address it.

7

8 So this is an activity the Board said
9 should not be addressed by the monitoring program.

10

11 Similarly on Page 146 there was restoring
12 sockeye salmon on Kaluda Bay, Barling Bay and Sitkalidak
13 Island, that's another hatchery enhancement activity that
14 the Board has excluded and finally Nelson River coho salmon
15 spawning stock assessment. That was one of your issues and
16 information needs but it's our understanding that that is
17 off of Federal land and would not -- could not be
18 considered a priority for the Federal Subsistence Fisheries
19 Program.

20

21 So after removing those what he did was
22 kept what you had and made some additions. And primarily
23 the additions were projects that have been funded in the
24 Kodiak/Aleutians region. I think we still have more that
25 need to be added on here and really it's you that we need
26 that input from. You have the local knowledge, you know
27 what's important for subsistence and Steve and Laura of my
28 staff would be very willing to work with you to update
29 this.

30

31 Steve's initial stab at this was he left
32 McLees Lake on there and then added the Buskin River and
33 then Mortenson Creek sockeye salmon and Mortenson Creek
34 coho salmon. So that was his first draft at the important
35 stock, status and trend issues for the Kodiak/Aleutians
36 region.

37

38 And then as you know, the program is more
39 than just a biological program, we have a social science
40 component for subsistence harvest monitoring and
41 traditional ecological knowledge. We added, for
42 subsistence harvest monitoring to do annual harvest
43 assessments and you have several project going on looking
44 at harvest assessments within the Kodiak/Aleutians region.
45 That should be an important issue and information need that
46 we send out with our request for proposals.

47

48 And then traditional ecological knowledge,
49 there's three items listed there that would provide
50 valuable traditional ecological knowledge or TEK and we

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1 would like proposals directed at that.

2

3 The last two there are additions that
4 weren't on the previous list.

5

6 And finally information management and
7 access. There's two things listed there, storing and
8 protecting subsistence fishery information in databases and
9 basically making that information more accessible and
10 ensuring confidentiality.

11

12 So that's kind of the middle of Page 146,
13 that's kind of a revision that Steve Fried took on his
14 initiative to kind of get things rolling. What we need to
15 do is fine-tune that and update it and I don't know if you
16 want to take that time here to do that or empower that team
17 to do this outside of the Council meeting but come
18 November, we should have something that more accurately
19 reflects the true issues and information needs.

20

21 And I think that will directly feed into
22 more and better proposals.

23

24 Madame Chair.

25

26 CHAIRMAN TRUMBLE: What are the
27 possibilities of that committee that was formed meeting in
28 Anchorage to go through this with you?

29

30 MR. KLEIN: It was just the difficulty of
31 scheduling -- if people can make it a priority, I'm sure it
32 could happen, it needs to happen. Either a meeting or
33 teleconference, whatever, the folks that were on the
34 committee were Steve Fried and Laura, Paul, John Foster,
35 Pete and Pat were the members on that team.

36

37 CHAIRMAN TRUMBLE: Maybe what we need to do
38 first is look at the committee, find out what the
39 possibility of Council members, would you have time
40 tomorrow to go through this? If you look at these, I
41 think, Kodiak, John, I think is probably not going to be
42 able to be a part of that committee. Maybe we need to
43 update that committee at this point and find out who might
44 be available to at least work with you a little bit with
45 you on some of this on their way into Anchorage or sometime
46 tomorrow.

47

48 MR. KLEIN: We could in Anchorage, yep,
49 Steve would be available and Laura's available and I know
50 that would be a high priority for them because I would make

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1 it a very high priority.

2

3 CHAIRMAN TRUMBLE: And maybe Paul could be
4 available by teleconference if you set some sort of time?

5

6 MR. GUNDERSEN: Well, what time were you
7 thinking about having it set up? When would you want to
8 set this up for next week, three weeks from now?

9

10 MR. KLEIN: Oh, if we're talking about
11 tomorrow, I guess several of the folks would be in
12 Anchorage. Pat, you're going to be in Anchorage tomorrow?

13

14 MR. HOLMES: I'll be home.

15

16 MR. KLEIN: You'll be in Kodiak?

17

18 MR. HOLMES: Yes.

19

20 MR. KLEIN: I think this is something
21 we.....

22

23 MR. HOLMES: We could schedule a
24 teleconference.

25

26 CHAIRMAN TRUMBLE: Would Pete and Al be
27 able to stay in Anchorage today and Pat, possibly, I guess,
28 if we're looking at if you're going to be taking John's
29 place and Paul being available some time tomorrow by
30 teleconference.

31

32 MR. CRATTY: What time tomorrow?

33

34 MR. KLEIN: 10:00 o'clock.

35

36 MR. GUNDERSEN: 10:00 in the morning, yeah,
37 that'd be good.

38

39 MR. KLEIN: I think the most important
40 thing is people ought to do some brainstorming. They ought
41 to think, all right, this is the area I represent, what
42 should be on there. You're not seeing the proposals you
43 want to see that's very, very clear. What should we be
44 seeing and you got to ensure that it's on a Federal
45 conservation unit and lets get it on the list so that we
46 see some proposals.

47

48 MR. SQUARTSOFF: I feel this is really an
49 important issue and I'm going to reschedule my travel just
50 to be there. So I think it's really important to do for

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1 that Afognak Lake.

2

3 MR. HOLMES: Yeah, I can reschedule and
4 I'll just stop in Anchorage and call a friend and stay with
5 them tonight. I think if we need to go further after this
6 meeting then we can teleconference because it's a lot
7 easier than trying to get people to town. But as long as
8 we're going through we can do that.

9

10 I really agree with Peter and I know most
11 -- like at this meeting, to make a motion that we add,
12 particularly the testimony that we've had and discussions
13 that we add Afognak Lake to our list right now just so that
14 it gets identified if that's what the committee would like
15 to do because I think that should be right on the list.
16 The rest of them are chugging along okay and although I can
17 see if most of the McLees Lake -- or probably in five years
18 we'll probably see a collapse of that run from
19 overescapement into the system. So that's something
20 probably your team should be taking a look at, you know,
21 what's going to happen from that first escapement of 48,000
22 and then this last year almost 100,000 fish. That's an
23 extraordinary return for such a small lake and probably
24 have all kinds of biological problems.

25

26 I'd like to present the motion to add
27 Afognak Lake to this list of issues and stock status.....

28

29 CHAIRMAN TRUMBLE: Pat.

30

31 MR. SQUARTSOFF: Second.

32

33 CHAIRMAN TRUMBLE: Okay, hold on, one
34 second. That's all right, we got a motion made and second
35 to add Afognak Lake to this list. Are there any questions
36 or discussion. Second by Pete. All in favor signify by
37 saying aye.

38

39 IN UNISON: Aye.

40

41 CHAIRMAN TRUMBLE: Opposed same sign.

42

43 (No opposing votes)

44

45 CHAIRMAN TRUMBLE: Just another thing --
46 well, I think as many of you that are in Anchorage
47 tomorrow, all of you, I think could be in Anchorage
48 tomorrow to maybe meet with -- set a time and a place, I
49 think at 10:00 o'clock and just go ahead. Al will be in
50 Anchorage. Vince will be in Anchorage. Ivan, I think it's

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1 important if any of you are in Anchorage to go ahead and
2 just attend this because we seem to be behind on this
3 particular issue all the time and we're going to have to
4 put some time and effort into it. And if Paul can be
5 available by teleconference that would be nice.

6

7 MR. HOLMES: Is it going to be at the Fish
8 and Wildlife Service behind.....

9

10 MR. KLEIN: No, in the Frontier Building.

11

12 MR. HOLMES: Okay.

13

14 MR. KLEIN: Just come to the 10th Floor,
15 come to my office and we'll find a -- 36th and C Street,
16 the big 14 story building. Come to the 10th floor and ask
17 for me or Laura or Steve Fried and we'll have a room
18 available.

19

20 MR. TUTIAKOFF: I was going to ask how did
21 Mortenson -- did that come on by recommendation of the
22 manager?

23

24 CHAIRMAN TRUMBLE: That was a State.....

25

26 MR. TUTIAKOFF: Was that a State.....

27

28 MR. POETTER: Well, sort of.

29

30 MR. TUTIAKOFF: Because you know my
31 question is, like, I brought up yesterday and in our
32 discussion probably falls right into it, Cold Bay is
33 probably 10 percent, maybe five percent subsistence. The
34 other percentages are hunters, sports fishermen and things
35 like that. You know, I'm wondering what is -- I haven't
36 seen much from Mortenson as far as -- and I haven't read
37 the report yet but how much fish are coming through that
38 system and how much of it is being caught by subsistence
39 because that's going to be part of my concern of whether we
40 keep that on there.

41

42 I didn't read his report, I'm just asking
43 real quickly. I know he's going to make some comments so
44 maybe I could ask some more questions later.

45

46 MR. KLEIN: Madame Chair. Vince, actually
47 it's not on the list. This is just a draft list that Steve
48 Fried kind of took a stab at and really it will be up to
49 this committee to look at whether that should be on the
50 list or not. That was just Steve Friend taking an attempt

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1 -- the reason it's on there is we're funding a study on
2 there right now and we presume that's a priority if we've
3 directed funds at that.

4

5 MR. TUTIAKOFF: Okay, maybe we could talk
6 about that in our meeting tomorrow for -- that's fine.

7

8 MR. KLEIN: But there are several thousand
9 sockeye and coho salmon that go up that system. Rick, if
10 you wanted to add something on that.

11

12 MR. POETTER: Rick Poetter with Izembek
13 Refuge. Vince, the way that got started was, is it was
14 sort of a recommendation from my office along with Arnie
15 Shaul's office to the King Salmon Fisheries Resource office
16 who does our work down here for us and then they presented
17 it to the Federal Subsistence Board to provide funding.

18

19 MR. TUTIAKOFF: That was several years ago,
20 three years ago, I guess.

21

22 MR. POETTER: Yeah, and of course, they're
23 working through the King Cove Corporation so it's a
24 cooperative effort for sure. And this is the second year
25 of it, he'll run one more year.

26

27 CHAIRMAN TRUMBLES: Pete.

28

29 MR. SQUARTSOFF: Yeah, I just wanted to say
30 for that Mortenson's, I know a lot of guys from King Cove
31 use it for subsistence, they come over there and take fish
32 in the fall.

33

34 MR. HOLMES: That's pretty much the closest
35 red system for King Cove. I know folks come over here for
36 that, much more utilized from Cold Bay.

37

38 CHAIRMAN TRUMBLES: We have our select areas
39 over here.

40

41 MR. TUTIAKOFF: Do you guys fly over or do
42 you come by boat?

43

44 MR. SQUARTSOFF: Boat.

45

46 MR. TUTIAKOFF: Oh, I'm just asking.

47

48 CHAIRMAN TRUMBLES: Paul.

49

50 MR. GUNDERSEN: I'd like to ask Arnie if

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1 there's any things in particular that you feel we should
2 address, you know, that's on Federal lands or State lands
3 or whatever so.....

4

5 MR. SHAUL: Arnie Shaul, Alaska Department
6 of Fish and Game. Mortenson's one that you just mentioned
7 that's both Cold Bay and King Cove utilize. The other
8 thing of it is that you've got a special regulation in
9 there and people can go in there and fish any time and
10 they're more restricted, a lot of gear and stuff -- you
11 don't have to -- they can go in there during a commercial
12 opening -- commercial fishing -- that way -- other than
13 that there's Thin Point Lagoon and we used to have a weir
14 on that. It's used heavily by the King Cove people for
15 subsistence. We monitor it by aerial survey. It's got a
16 considerably run of both coho and sockeye than Mortenson's.
17 We put a proposal in to continue that weir or start it up
18 again -- cabins here -- we have a lease to King Cove
19 Corporation and weir materials to -- that didn't make it
20 last time, although we are -- like -- able to -- we've been
21 doing it with aerial surveys, both commercial and
22 subsistence.

23

24 Nelson Lagoon, various -- there, the coho
25 thing, we weren't too interested in that because the one
26 thing is that it -- right now there's no market
27 commercially for them and it's a pretty big run. There's
28 the -- subsistence problems in the -- and the weir that
29 we've got there it's -- after the fact and all the time --
30 the fish get above it -- and the advantage of it'd just be
31 the accuracy between an aerial survey and weir count there.
32 However, Nelson Lagoon one of the things that -- how this
33 -- really subsist that much -- but we were more interested
34 in just kind of evaluating the sockeye salmon escapement
35 goal there and use it in Hoodoo Lake and I guess that could
36 be related to subsistence -- how much money people had to
37 -- the fishery to be able to harvest subsistence resource
38 with -- you know, with gas and getting around the -- were
39 hunting but that's one project that we'd like to see that's
40 maybe more related to commercial than subsistence.

41

42 MR. KLEIN: What lake was that Arnie?

43

44 MR. SHAUL: That'd be Hoodoo Lake or Cepsik
45 Lake.

46

47 CHAIRMAN TRUMBLE: Any other questions for
48 Arnie.

49

50 MR. GUNDERSEN: I was wondering if maybe

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1 tomorrow when we do set up this teleconference or whatever,
2 would you be available so if we had any questions about
3 some of these systems or some of these projects that you
4 could give us some background on them?

5
6 MR. SHAUL: Yes, I sure can be available
7 the -- the only thing right now, as long as the weather's
8 bad tomorrow, definitely be available right -- taking off
9 here in a little bit and try to do some aerial surveying
10 here that -- we've got some decent weather but it's
11 supposed to be bad tomorrow so I'll probably be available
12 for that.

13
14 MR. GUNDERSEN: Oh, okay. Because if we
15 need some information or something about a particular
16 system or some of these things we're talking about, it'd be
17 helpful. You got more documentation and knowledge of the
18 streams than we've got so appreciate it. Thanks.

19
20 CHAIRMAN TRUMBLE: Arnie, maybe you can
21 leave your phone number where you can be contacted tomorrow
22 at 10:00 with Steve and that way if you're available he can
23 call you at that number.

24
25 MR. KLEIN: Yes, I just wanted to ask
26 Arnie, does anybody keep a record of the subsistence
27 harvest out of Mortenson's, do they report it?

28
29 MR. SHAUL: Yes, actually I've got that in
30 the office. I don't have it with me. We put it in the
31 annual management report each year. I could have that
32 tomorrow if somebody calls or I can go over there right now
33 if you wanted.

34
35 CHAIRMAN TRUMBLE: Just a refresher,
36 Mortenson's was an issue of potential user conflict is the
37 reason we started this. There was a lot of concern from
38 the community of King Cove because we use Mortenson's a
39 great deal and Thin Point for subsistence fish and there
40 was a lot of complaints and concerns that there was a
41 tremendous amount of sportsfishing people going in there.

42
43 MR. SHAUL: Yes, actually Mortenson's can
44 -- I can go back a little bit on that. It was a lot of
45 people -- it's died down a lot from what it was. But we
46 used to have a lot more people from Anchorage or the Mat-Su
47 Valley or the Kenai Peninsula that went subsistence fishing
48 down there -- we had from Cold Bay and King Cove and that's
49 kind of dropped down, there's still a few coming down there
50 but it's not anything like it used to be. It was -- about

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1 10 years ago it was quite a number.

2

3 CHAIRMAN TRUMBLE: Thank you.

4

5 MR. KLEIN: So who's going to be attending
6 the meeting and who's going to be on teleconference?

7

8 MR. HOLMES: I'll be there.

9

10 MR. KLEIN: Pat.

11

12 MR. SQUARTSOFF: I'll be there.

13

14 MR. TUTIAKOFF: Could you turn your mike
15 on.

16

17 MR. KLEIN: In attendance will be Pat,
18 Pete.

19

20 MR. TUTIAKOFF: I'll be there.

21

22 MR. KLEIN: Vince.

23

24 MR. TUTIAKOFF: 10:00 o'clock.

25

26 MR. KLEIN: Is there a better time?

27

28 MR. TUTIAKOFF: That's fine for me. I mean
29 I just need to know for sure.

30

31 MR. CRATTY: I'll try and be there, Steve.

32

33 MR. SQUARTSOFF: That's fine.

34

35 MR. HOLMES: Fine.

36

37 MR. KLEIN: And by teleconference we'll try
38 to get Arnie and Paul.

39

40 MR. GUNDERSEN: Number of 989-2206.

41

42 MR. KLEIN: 2206. And Arnie, I'll get a
43 number.

44

45 MR. SHAUL: Thank you, Madame Chair.

46

47 MR. KLEIN: Thank you, Madame Chair.

48

49 MR. TUTIAKOFF: What's your number in case
50 we need to call you?

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1 MR. KLEIN: You can get me at 786-3605 or
2 786-3888. If you have any problems call Michelle.

3

4 CHAIRMAN TRUMBLE: Thank you, Steve.

5

6 MR. KLEIN: Thank you.

7

8 CHAIRMAN TRUMBLE: We'll continue on. Next
9 is customary trade, Bill.

10

11 MR. KLEIN: Actually, Madame Chair, I did
12 have one handout that's kind of....

13

14 (Laughter)

15

16 MR. KLEIN:that summarizes the
17 projects in your area. It's just for information purposes
18 only and for your reading pleasure.

19

20 CHAIRMAN TRUMBLE: Thank you.

21

22 MR. KLEIN: Thank you.

23

24 CHAIRMAN TRUMBLE: I guess, Peggy are you
25 going to do this, it looks like Tab H?

26

27 MS. FOX: Yes, I believe that's correct.

28

29 MR. TUTIAKOFF: Customary trade?

30

31 MS. FOX: Customary trade's the subject.

32

33 CHAIRMAN TRUMBLE: Go ahead.

34

35 MS. FOX: Okay, yeah, I'm going to be doing
36 -- wherever it says Bill Knauer it's Peggy Fox. So anyway,
37 I'm going to be referring to this supplemental document
38 more than whatever is in your book so if you want to pull
39 this out I'm going to be asking you to look at certain
40 pages as I progress through my talking points.

41

42 In response to public and Council requests,
43 the Board, during their meeting in May of 2002 deferred
44 action on the proposed rule for customary trade until
45 January of 2003. This decision provides for an extended
46 review opportunity for the Councils, the public, tribal
47 organizations and Federal and State agencies. Since this
48 meeting, the Board has been analyzing public, Council and
49 agency comments received to date. The supplemental
50 materials provided are the result of that analysis.

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1 I'd like to review with you the reasons why
2 the issue of customary trade is before you. Title VIII of
3 ANILCA specifically identifies customary trade as a
4 recognized part of subsistence uses. The term subsistence
5 is defined in regulation as the cash sale of fish and
6 wildlife resources to support personal and family needs and
7 does not include trade which constitutes a significant
8 commercial enterprise. It is important to know the
9 distinction between the terms customary trade and barter.

10
11 Customary trade is the exchange of
12 subsistence resources for cash. Barter is defined as the
13 exchange of subsistence resources for something other than
14 cash and is provided for in Title VIII.

15
16 While exchange of subsistence resources as
17 customary trade may involve fish, shellfish and wildlife
18 resources, this proposed rule only covers the customary
19 trade of fish resources. The Board has found that the
20 term, significant commercial enterprise is unclear. The
21 lack of a definition is hampering effective law enforcement
22 to prevent abuses. The Board wants to preserve traditional
23 customary and trade practices and recognize regional
24 differences while preventing abuse.

25
26 The proposed rule adopted by the Board in
27 December of 2001 and, this is on Page 1 of the document,
28 recommends that no dollar limit be set on the exchange for
29 cash of subsistence caught fish, parts or eggs between
30 rural residents. The proposed rule prohibits such
31 exchanges for fisheries businesses whether rural or non-
32 rural. However, the exchange for cash between rural
33 residents and others including non-rural residents, would
34 be allowed as long as the exchange does not make up a
35 significant commercial enterprise.

36
37 Public comments received as a result of the
38 publication of this proposed rule generally fell in three
39 categories or we call them alternatives. And I'd like you
40 to now turn to Page 3 in the document where I'll begin to
41 briefly describe the three alternatives.

42
43 The bulk of the comments supported either
44 alternative one or alternative two. Alternative three is
45 the result of the recommendations developed during public
46 meetings held by the 10 Regional Councils this past winter.
47 Let me briefly summarize each of the alternatives.

48
49 Alternative 1 on Page 3. This option would
50 maintain the status quo, which permits customary trade

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1 unless it results in a significant commercial enterprise.
2 In the future any perceived abuses would be addressed on a
3 case by case basis with appropriate regulatory language.
4 This would be responsive to comments questioning the need
5 for any new regulation or change to present regulations
6 regarding customary trade.

7

8 Alternative 2 on Page 4. This option would
9 prohibit subsistence caught fish from entering into the
10 commercial market while permitting customary trade
11 practices between individuals to continue. This option
12 would be responsive to comments that the primary concern is
13 to prevent subsistence caught fish from entering commercial
14 markets.

15

16 Alternative 3 also starts on Page 4. This
17 option would implement paragraphs 11 and 12 on a regional
18 basis following the guidelines recommended by the Councils.
19 Where there is no Council recommendation, paragraphs 11 and
20 12 would be as presented in the proposed rule.

21

22 Paragraph 13 would be implemented as
23 presented in Alternative 2 on a statewide basis.

24

25 This option would respond to comments that
26 different regional practices and needs must be provided for
27 and would prohibit subsistence caught fish from entering
28 into the commercial market.

29

30 Now, to be effective a system of record
31 keeping would need to be instituted of regional regulations
32 limit the amount of fish exchanged for cash or the amount
33 of cash exchanged. And what we would envision here is that
34 this would require us to issue permits for customary trade
35 practices, harvest calendars, or harvest records of some
36 sort would have to be kept.

37

38 Okay, that generally describes the three
39 alternatives and the time schedule for working towards a
40 final rule is described on Page 9. We're already at Step
41 3 where we're presenting this document during the Council
42 meetings for further comment.

43

44 Tribal consultation is something that is
45 continuing, it began months ago and is continuing right up
46 until the comment period ends November 1st.

47

48 The Board will meet on January 14th to
49 decide on a final rule. That will be published in February
50 and this will all become effective whatever we decide in

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1 April.

2

3 So in summary, the Board requests the
4 Council to review the material provided and specifically
5 make recommendations that would assist the Board in
6 defining customary trade. The Councils are requested to
7 review your earlier recommendation, which is on Page 14 of
8 this book and let us know whether or not this is still your
9 current recommendation or if you wish to modify it.

10

11 We'd also like to have comments on further
12 defining what we might figure is a significant commercial
13 enterprise. We'd like to know if there should be a limit
14 placed on the exchange for cash between rural and non-rural
15 residents. And we'd like to know whether you think a limit
16 should be established for the exchange for cash between
17 rural residents. And lastly, how will limitations for
18 defining customary trade effect subsistence needs,
19 traditions and the values of a subsistence way of life.

20

21 If you're able to help us with any of those
22 questions it would help our analysis.

23

24 Thank you, Madame Chair.

25

26 CHAIRWOMAN TRUMBLE: Thank you, Peggy.
27 Discussion or comments in regard to what we have proposed
28 or recommended in the past for Kodiak/Aleutians? Pete.

29

30 MR. SQUARTSOFF: No, I was just going to
31 ask Peggy, I guess for Region 3 we've pretty much taken
32 care of ours. But could we find out the response, who's
33 handling it in your department or have you gotten any
34 response from any of the tribal organizations in our area?

35

36 MS. FOX: Yes, Pete. Actually that is
37 summarized in the back of this supplemental material, Page
38 21, starting on Page 21 summary of tribal consultation
39 meetings held to date on this issue. And there have not
40 been any others. We had one scheduled with the Native
41 Village of Eyak but that had to be postponed at their
42 request. So, so far we've gotten no other requests for
43 consultation on this from the tribes besides what's already
44 in here.

45

46 MR. SQUARTSOFF: Yeah, who would I have to
47 get a hold of on it to find out or talk to somebody in your
48 department, who handles it for our region?

49

50 MS. FOX: Okay, that's Carl Jack, yeah.

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1 CHAIRWOMAN TRUMBLE: Vince.

2

3 MR. TUTIAKOFF: I still support our
4 recommendation that we presented. I think it's more --
5 it's not -- I don't think it's going to be misunderstood
6 what the requirements are. And you asked, the two or three
7 questions right after your comments was, define what? What
8 did you want us to define again?

9

10 MS. FOX: I was asking if you could help us
11 with the definition on the limits, how to limit significant
12 commercial enterprise?

13

14 MR. TUTIAKOFF: Limits?

15

16 MS. FOX: How to define the limits for what
17 is a significant commercial enterprise? How will we know
18 it if we saw it? How would you describe it?

19

20 MR. TUTIAKOFF: Well, I guess most
21 communities, you know, I think we went through this
22 discussion before the reason why anyone would require any
23 monetary value would be to replace their gas, their oil,
24 you know, things that they would have to go and buy to get
25 the fish. And anything above that, in my opinion, you
26 know, you're making money on a commercial basis. And we
27 tried, I think we had a number of figures, 300 and 250 and
28 we finally ended up on 500 because, you know, the price of
29 gas here in Cold Bay is 2.58 a gallon, 2.77. In Atka it's
30 running at 3.60, in Adak it's 2.50, Unalaska it's about \$3,
31 Akutan is about 3.50. I mean the gas -- I don't know what
32 Nelson Lagoon is but they must be up there in the.....

33

34 MR. GUNDERSEN: 2.20.

35

36 MR. TUTIAKOFF:2.20. So -- and
37 Kodiak was the same thing. In the smaller villages, you
38 know, the gas -- so really that's all we wanted to pay for.
39 And the nets, you know, the replacement of nets after a
40 couple three years that's a cost that needs to be done.
41 Anyway, you're going to have a tough time to get us to tell
42 you what the limits are. I think the Regional Chairs may
43 have had a discussion on this and we need to hear from the
44 other regions what they consider a commercial enterprise.

45

46 In my opinion, if a guy goes out and buys
47 two brand new engines after one set then he's done a
48 commercial enterprise, you know, just logic. And I think
49 it's going to take a community, individually to report any
50 abuses. And it's going to take our people to do that. We

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1 do have people out there that, you know, do take fish for
2 subsistence and quote/unquote and yet they're living in a
3 \$400,000 home and driving a four-by-four brand new one
4 every day, I mean that's not subsistence in my opinion,
5 they don't need to have a permit. And that's been my
6 argument with Fish and Game for a long time, the State.
7 Anybody that's in the state for 30 days gets a subsistence
8 permit, you know, doesn't matter what their need is. It
9 comes down to need.

10

11 CHAIRWOMAN TRUMBLE: Anybody else have any
12 comments. Pat.

13

14 MR. HOLMES: I agree with Vincent. I think
15 things should be based on need and I probably have the
16 oldest skiff that fishes in the Buskin.

17

18 The worry that I have and Al had when we
19 discussed the second proposal the last time is potential
20 abuse and the thing that worries me most is on a biological
21 point with Afognak being way down and I don't begrudge
22 anybody in the villages for a way to compensate them for
23 gas or things of that sort but I talked to the area
24 biologist in Kodiak and I asked what kind of interest he
25 had on that and he already had some calls this summer with
26 some folks that were all set to go out and start doing it
27 and selling it from each member of their family. Basically
28 what he considered a commercial basis and he refused to
29 give them additional subsistence catch just because the way
30 they asked their question and trying to focus it was that,
31 you know, it was really, really obvious that they were
32 going to go out and just sell their fish. And with, you
33 know, half subsistence recommendation that we hadn't had
34 commercial, you know, the competition is difficult and I
35 see more conflicts and I would really hate to see people
36 going out to some of the small systems in Marmot that
37 really only have a few hundred fish or a couple thousand
38 reds and see those places get hammered.

39

40 You know, I'd really hate to see -- Pete
41 had mentioned before, you know, there's folks that have
42 boats that cost more than my house run up to the Litnik and
43 I'd really hate to see that -- I see this -- I see a lot of
44 people abusing it, not necessarily from the villages but
45 folks that already have money abusing this and creating a
46 more difficult situation for the villages and that's why I
47 kind of originally voted for our first proposal of,
48 exchange within the communities because that's gone on for
49 hundreds of years and it's well documented in the notes
50 from the Russians and everything else. But I think once it

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1 becomes a point where people can be selling it outside
2 their community or exchanging it within their community, I
3 see a real potential for conflict between different
4 communities and seeing some of these small systems get
5 hammered.....

6

7 CHAIRWOMAN TRUMBLE: Pat.

8

9 MR. HOLMES: I'm sorry.

10

11 CHAIRWOMAN TRUMBLE: Do you have in your
12 mind, I think, what Peggy's asking is what you call -- are
13 you looking for, when you're saying what constitutes a
14 significant commercial enterprise, more in a way of a
15 dollar amount or just in general what do you believe it is?

16

17 MS. FOX: Well, that's what we've been
18 struggling with trying to get input from anybody on how to
19 do that. And some people feel it should be a dollar amount
20 and other people feel there must be something else. I
21 think currently we're looking at probably a dollar amount,
22 but, you know, that varies from region to region.

23

24 CHAIRWOMAN TRUMBLE: And I think sitting on
25 this committee we had struggled with this for quite awhile
26 and from probably Bristol Bay with a low amount of 200 to
27 400 all the way up to -- and there was one region which was
28 5,000. And I think as a general and as a rule we got it
29 down between 500 and 1,500 and then decided on a thousand.
30 But our region here has basically, we agree that, I think,
31 the way I read this I think our Council agrees that 500 is
32 that dollar limit.

33

34 MR. TUTIAKOFF: Madame Chair.

35

36 CHAIRWOMAN TRUMBLE: Vince.

37

38 MR. TUTIAKOFF: I think if you look at that
39 wording that's on Page 14 on our region, where it says the
40 double-X there, remove the member after household and
41 remove under 11 and 12, you'll have set the dollar limit.
42 I mean this would -- I mean there's -- and then you have a
43 problem, well, if you got kids living with you that are 18
44 and 22 years old then that's your problem but, you know, if
45 they're living.....

46

47 (Laughter)

48

49 MR. TUTIAKOFF: I kick them out the door at
50 18 and say you're on your own, man. I don't care if you

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1 live out on the tundra or you go wherever you go but I put
2 up with you for 18 years and I'm not going to feed you for
3 another 20 more years. But that's what it comes down to,
4 it's for your family and whoever is in your household. It
5 does not include, you know, those kids over 18 in my
6 opinion. If they're out of high school they're on their
7 own and they should be the ones out there taking their, you
8 know, set of 25 or whatever it is for subsistence. And I
9 think we have to start doing that. If we have family --
10 you consider family to be outside of the household then we
11 run -- then that's the problem we're going to run into.
12

13 The example that Pat brought up a little
14 while is a good example, you know, I've heard that myself
15 in other areas, not necessarily in Adak but in Unalaska and
16 Nikolski, where they're more clannish, they're more family,
17 they have maybe two people that actually do fishing and
18 hunting for the whole family, I mean the whole family, that
19 means like 20 people and everybody else just kind of stays
20 home. Because the cost of 10 boats going out versus two,
21 you know there's a big difference. Maybe that area they
22 might have -- but they don't sell to nobody out there, they
23 just take care of themselves.
24

25 But I recommend -- we can look at it
26 but.....
27

28 CHAIRWOMAN TRUMBLE: Pete and then Ivan.
29

30 MR. SQUARTSOFF: Yeah, I just wanted to,
31 you know, make sure Peggy that I think, you know, some
32 people like I heard in Kodiak, they don't really realize --
33 I think they're confused of why they can catch these fish,
34 I think, to sell. I think it needs to be really spelled
35 out that it's in Federal waters only.
36

37 MS. FOX: Okay, so noted. We'll make sure
38 that that's clear. Thanks.
39

40 MR. LUKIN: In a way I disagree with you,
41 Vince, for the simple reason is that some of our kids are
42 living in the bigger cities and they'd love to be home
43 doing this stuff that we do. And there are just times that
44 they can't. So what I'm saying is that I do that for my --
45 all three of my girls.
46

47 MR. TUTIAKOFF: I'm not saying you take
48 them off your permit as, you know, say 25 in your family,
49 you list them on there to get your 25 for your family
50 member, but I'm saying that individual member if they're

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1 living in Anchorage or Fairbanks or Juneau, they should not
2 have the opportunity to collect the \$500 off the fish if
3 they don't live in the community.

4

5 MR. LUKIN: To me the \$500 isn't the
6 question it's just the matter of getting the fish or.....

7

8 MR. TUTIAKOFF: I don't think this.....

9

10 MR. LUKIN:deer or whatever we're --
11 you know, we.....

12

13 MR. TUTIAKOFF: It's two different issues.

14

15 MR. LUKIN:kind of have an annual
16 thing where they come home, if they could, to get away from
17 their jobs to come home and deer hunt and so we spend our
18 time together and we try to do that every year.

19

20 MR. TUTIAKOFF: Yeah, I agree with you, I
21 think that's two different issues. We're talking about
22 maybe gathering for a family under a permit versus -- and
23 this issue only deals with, in my opinion deals with fish
24 caught and sold per family member, you see what I'm saying?

25

26 MR. LUKIN: Yes, I understand it but I
27 disagree with what you said about pushing your kids out on
28 their own.

29

30 MR. TUTIAKOFF: Well, they're out on their
31 own. I mean if they want to go catch fish I guess that's
32 up to them.

33

34 MR. LUKIN: Well, from the point of the
35 fish part of it or the gain part, that's where I'm coming
36 from, it's.....

37

38 MR. TUTIAKOFF: Unless they're blind in a
39 wheelchair.

40

41 CHAIRWOMAN TRUMBLE: Speridon. I'm glad
42 I'm not your kid.

43

44 (Laughter)

45

46 MR. SIMEONOFF: Madame Chair, this is
47 Speridon Simeonoff. I'm always opposed to the sale of our
48 subsistence way of life. But if we're going to do it we
49 got to be strong in our regulation of, you know, how much
50 we could sell it for, put a cap on there and have a strong

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1 enforcement on that. Because my way of life has never been
2 for sale and unfortunately there are people that cannot,
3 you know, afford to go out and make a lot of money but if
4 we're going to do it we got to be -- we got to have strong
5 regulations.

6

7 Thank you.

8

9 CHAIRWOMAN TRUMBLE: Pete.

10

11 MR. SQUARTSOFF: Yeah, I just had one more,
12 I've also been opposed to any sale of subsistence caught
13 foods. If it has to be it has to be. And I'm pretty
14 comfortable with our \$500 limit per person living in the
15 household.

16

17 CHAIRWOMAN TRUMBLE: Pat.

18

19 MR. HOLMES: Madame Chair, I was just
20 thinking about what Vincent had said, I've been trying to
21 get rid of my last son for a goodly while.

22

23 (Laughter)

24

25 MR. HOLMES: But he's back home and I got
26 to paint my house and rebuild the roof so I think I'll
27 probably feed him this fall.

28

29 (Laughter)

30

31 MR. HOLMES: But I was kind of thinking on
32 the limit thing and particularly what Mitch had commented
33 on and some of the thoughts that an old friend of mine,
34 Larry Matfey, who when I started my career spent a lot of
35 time feeding me coffee and telling me what I ought to think
36 about and I was wondering if -- you know, the concept is to
37 have something to reimburse the cost of doing the fishing
38 and catching the fish and buying gas and replacing nets.
39 And I wondered if our focus might be to consider as a
40 compromise in thinking, would be, set it up where, you
41 know, it's the permit holder that would have the potential
42 of the catch exchange because then, you know, for Ivan if
43 he needed to have gas money or to replace his net then he
44 could set himself aside a little account or be doing what
45 folks have been in doing in Port Lions ever since they
46 moved from Afognak or when they were in Afognak, and they'd
47 have this way to have a little bit of cash to reimburse it
48 but it wouldn't necessarily be including, as Vince has
49 suggested all the guys, eight or 10 kids, but, you know, it
50 would provide the user and maybe that might be the point

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1 we'd want to look at as the user's ability for some slight
2 compensation rather than everybody in his family. And I
3 could see that if my kids became freeloading, like my
4 brother, you know, I'd end up with them all moving back
5 home if they could figure they could knock off another 500
6 bucks, you know, on the side sometime and I wouldn't let
7 them do it but, you know, philosophically.

8

9 Maybe that might be a thought we could
10 explore.

11

12 CHAIRWOMAN TRUMBLE: Thank you, Pat. I
13 think from a lot of these regions up north, they didn't
14 basically have any source of income. Since a lot of this,
15 what they're looking at were just basic -- your basic items
16 just to survive, I mean your electricity, your fuel, food
17 in general to some degree, the fuel to go out and hunt. It
18 wasn't looking at this in any big amount but just basic
19 survival things, you know, to get by on.

20

21 The other part of this, I think, we've all
22 agreed I think in our region, that you're looking at
23 Federal waters, basically we're not looking at a whole lot
24 of waters in that regard. Most of our subsistence fish is
25 -- actually we get our permit from Arnie.

26

27 The thing, I guess, too, in thinking about
28 this is if you look at the Aleutians East, in general, the
29 last two years we've had an economic disaster and we hate
30 to see them having to utilize this to help a little bit but
31 sometimes it maybe it pays the cost of your fuel and your
32 shells, who knows.

33

34 MS. FOX: As far as the other questions
35 that I posed for the Council, I think I've already gotten
36 all but one answer because if you're going to make a
37 motion, it sounds like that you want to stick with the
38 original recommendation, then I only need to know -- or
39 would like to have some comments on my final question. And
40 that is, how will these limitations for defining customary
41 trade effect subsistence needs, traditions and values?

42

43 And I realize I got some comments on that
44 but I guess one area of particular concern to me is that
45 this will require, you know, permitting. We will be
46 requiring permits for customary trade. I've always
47 considered permits, you know, quite an intrusion on people
48 because it requires that they have to go in and get the
49 permit, it requires that they maintain records, it requires
50 that they submit those records on request. So I guess I

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1 would like some comments on that.

2

3 Thank you.

4

5 CHAIRWOMAN TRUMBLE: Pete.

6

7 MR. SQUARTSOFF: Yeah, I would like to see
8 a Federal permit that you have to get from the Federal
9 office in Kodiak.

10

11 CHAIRWOMAN TRUMBLE: Al.

12

13 MR. CRATTY: Yeah, I'm just the opposite.
14 Subsistence, why do you need a permit to subsist, that's
15 the way I look at it

16

17 MR. SQUARTSOFF: Yeah, I think the deal is
18 because of the same of the fish.

19

20 MR. TUTIAKOFF: Madame Chair.

21

22 CHAIRWOMAN TRUMBLE: Go ahead, Vince.

23

24 MR. TUTIAKOFF: We get a subsistence permit
25 anyways, you know, it seems like that -- you know, the only
26 other person that's going to be doing and I probably tend
27 to go with Pat, one who would benefit from the 500 would be
28 the permit holder, the individual who applied for that
29 family or that clan or that community would be the only
30 individual to get any monetary value.

31

32 And you know, asking for another permit
33 just to do this type of a trade for money is -- people are
34 just not going to apply for it. I mean you need to use the
35 system you have in place instead of creating another one.

36

37 MS. FOX: Well, we would have to issue a
38 Federal permit. We couldn't ask the State to administer
39 our regulations with this regard.

40

41 CHAIRWOMAN TRUMBLE: I think in this
42 discussion I strongly, strongly support a permit system and
43 there's two reasons for it. Number 1, I think -- and I
44 realize this doesn't really -- you know, we go out and get
45 our permits it's no big thing for us, there's a lot of
46 regions that are strongly opposed to this. But the
47 potential for abuse, I think is there and to monitor what
48 is being taken, where it's being taken from, especially on
49 some of these systems that are in trouble, I think that
50 permit system is a way to try to regulate what's happening.

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1 MR. CRATTY: But see in Kodiak there's only
2 two places, Buskin and Afognak.

3
4 MR. HOLMES: No, it's Federal.

5
6 MR. CRATTY: Well, I'm out anyway.

7
8 MR. SQUARTSOFF: I felt for subsistence
9 taking of fish for your personal use, I always felt that
10 you shouldn't have to have a permit but when money gets
11 involved, I really feel there should be a strong permitting
12 system to make sure that enforcement can regulate it that's
13 why I'm for getting your permit at the Refuge if you're
14 going to sell the fish. But if you're not then you stick
15 with your State permit and get your fish and don't worry
16 about it.

17
18 MR. TUTIAKOFF: On the Buskin, though -- or
19 the Mortenson, do they get a separate Federal permit to do
20 subsistence over there?

21
22 CHAIRWOMAN TRUMBLE: There's no -- you just
23 go get one from Arnie.

24
25 MR. TUTIAKOFF: We do the same thing at
26 Adak but that's all Federal lands out there, too.

27
28 CHAIRWOMAN TRUMBLE: Well, Mortenson is
29 State pretty much.

30
31 MR. TUTIAKOFF: Oh, it's on State.

32
33 CHAIRWOMAN TRUMBLE: Pat.

34
35 MR. HOLMES: I think I kind of agree with
36 the last speakers, I think if you're going to have sale
37 then you need some way to record how it's done. And I
38 think at our last meeting Staff said that if it was sold
39 then they have to meet all the DEC requirements for
40 sanitation and handling and so if they have to do that then
41 that should be, you know, that'd have to be borne in mind
42 that that might be a requirement on the Federal thing. It
43 complicates things particularly for folks in a rural area
44 but I think the danger for abuse and I think Della's
45 statement of, you know, basically the main Federal waters
46 are, you know, Buskin and Litnik but, you know, looking at
47 the whole region that's not much. But for Kodiak that's
48 three-quarters of the fish that are caught.

49
50 And if we have another run failure at

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1 Afognak and it's closed then we're going to have everybody
2 and his brother in town at the Buskin and I just, you know,
3 Mitch's comments on sale, I just -- I guess I'm repeating
4 myself but I just see a real danger there of abuse and so
5 you're going to need to have some pretty stringent ways for
6 that area. I'd see no problem at all individuals for the
7 rest of the region but I think in Kodiak -- is it possible,
8 Madame Chairman to have a recommendation for different
9 areas within our region? Would that be a way to look at
10 this? Where you have the greatest potential for abuse on
11 Afognak and Buskin, maybe have a \$500 per household or
12 permit holder and then for the other areas that are
13 smaller, you know, you'd have more respect for the resource
14 and a lower potential for difficulties and have \$500 per
15 member where the economy is much more depressed?

16

17 Just a thought.

18

19 CHAIRWOMAN TRUMBLE: Well, no, I think
20 personally overall if you have just one basic, what we can
21 agree on and work with that. It's going to be hard for
22 people to, like the managers, to determine -- I mean so
23 much of what we hear now, they're trying to realign the
24 State and Federal guidelines just because they're having
25 such a problem with enforcement.

26

27 Pete.

28

29 MR. SQUARTSOFF: Yeah, I don't know if
30 they're going to even allow us to do this region by region
31 let along break down within your region.

32

33 MS. FOX: Yeah, we can work with whatever
34 -- you know, if you wanted to break it down that way as
35 long as it's geographically identifiable like the Buskin
36 drainage or something like that we can probably work with
37 that.

38

39 CHAIRWOMAN TRUMBLE: Vince.

40

41 MR. TUTIAKOFF: So just those two issues
42 you wanted us to define what the -- was there another one?

43

44 MS. FOX: No. But I would like a motion so
45 that we know for certain what your final recommendation is.

46

47 MR. TUTIAKOFF: Well, Madame Chair, I'm in
48 support of what we've presented under our.....

49

50 MR. BOS: Thank you, Madame Chair, Greg

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1 Bos, Fish and Wildlife Service.

2

3 There's one other aspect that I think the
4 Board would benefit from from hearing your views or
5 comments and that has to do with, first of all, the
6 comments that we received in the reviews of the earlier
7 drafts, you know, in general were concerned about
8 commercialization and that's what you've been speaking to
9 here on these limits. A number of Councils expressed the
10 intent that the fish that are purchased in customary trade
11 are used for personal consumption by the purchaser. In
12 other words, they're bought to feed the purchaser or their
13 family and not to be resold. And so it's possible then in
14 the final regulations that we could address the issue of
15 resale, in other words, to avoid the middle man where a
16 person buys from a subsistence user and turns around and
17 resales to somebody else for a profit. And it'd be -- I
18 think the Board would benefit from hearing your views on
19 whether there should be something in the regulations that
20 addresses resale. Should resale be prohibited? Is the
21 intent really for the purchaser of salmon in customary
22 trade for their own personal consumption or for their
23 family?

24

25 MS. FOX: I think they've already addressed
26 that right down here.

27

28 CHAIRWOMAN TRUMBLE: Vince.

29

30 MR. BOS: Well, the intent -- Peggy was
31 pointing out that your previous comments were for --
32 expressed the intent for personal consumption. One way of
33 assuring that is to prohibit resale.

34

35 CHAIRWOMAN TRUMBLE: Thank you. Al.

36

37 MR. CRATTY: I got something to say, too.
38 I think there needs to be fliers sent out to the tribals on
39 what could happen if you don't have the permit if you're
40 going to go into a permit process so they know what's going
41 on, what's legal and illegal. There isn't enough
42 information out there for the people.

43

44 MS. FOX: I appreciate that. I agree that
45 we need to do a lot of information sharing communication
46 with regard to implementing this.

47

48 MR. CRATTY: And that would cause.....

49

50 MS. FOX: So thank you.

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1 MR. CRATTY:you know, that would stop
2 a lot of the problems, I think, if the people realized, you
3 know, what they're up against.

4

5 MR. SQUARTSOFF: Yeah, I agree with Al.
6 That's why I was bringing it up because of Kodiak, Kodiak's
7 considered rural and all the people living in Kodiak
8 qualify for subsistence so if they're just hearing they can
9 sell subsistence fish, I mean, you know, not realizing that
10 it has to be caught in Federal waters or whatever, so, I
11 think the public really needs to know what's going on.

12

13 MS. FOX: Thank you for those comments.

14

15 MR. TUTIAKOFF: I was going to -- I have
16 one more question. The deadline for recommendations on our
17 deal is what, this particular thing?

18

19 MS. FOX: November 1st.

20

21 MR. TUTIAKOFF: November 1st?

22

23 MS. FOX: Yes.

24

25 MR. TUTIAKOFF: And we haven't received --
26 I was looking at some of the tribal people that are on the
27 list and I only see a couple maybe for our whole region and
28 I'm concerned that maybe an effort ought to be made to the
29 tribal entities for input. I mean I hate to make a
30 contrary motion and then come back to my community and put
31 me at the stake for putting up something that they didn't
32 want to have happen. A lot of our, like, Unalaska, Akutan,
33 Nikolski and that, they do not sell outside of their
34 community ordinarily, they just like trade or barter.
35 There's a few that do sell on their own but I don't see any
36 big monetary income to them other than trying to get their
37 gas money or maybe postage or whatever it is to get it to
38 where they got to go, freight.

39

40 I think we still have time but for us to
41 come up with what a limit is for commercial enterprise and
42 the other issue, I think it will be pretty hard for me to
43 do.

44

45 CHAIRWOMAN TRUMBLE: It's gone to the
46 tribes.

47

48 MR. TUTIAKOFF: Uh?

49

50 CHAIRWOMAN TRUMBLE: The notice has gone

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1 out to them, a couple times I think.

2

3 MR. TUTIAKOFF: I'm surprised they haven't
4 responded.

5

6 CHAIRWOMAN TRUMBLE: Pete.

7

8 MR. SQUARTSOFF: Well, I think we have to
9 make a decision here because we're representing our areas
10 and if we don't have something to go by I don't want to
11 leave it open either. I mean are we going to be able to
12 meet again and adopt it or whatever between now and
13 November, so we do need to make a decision.

14

15 MR. TUTIAKOFF: Madame Chair, I'd like to
16 bring our Region 3, Kodiak/Aleutians on 11, 12 and 13, that
17 we keep it as we presented it.

18

19 MR. SQUARTSOFF: Second.

20

21 CHAIRWOMAN TRUMBLE: Motion made by Vince,
22 second by Pete.

23

24 MR. CRATTY: Call the question.

25

26 CHAIRWOMAN TRUMBLE: Question's been
27 called. All in favor.....

28

29 MR. TUTIAKOFF: Comments.

30

31 CHAIRWOMAN TRUMBLE: Is there any comments.
32 Is there any discussion before we vote on this? Ivan.

33

34 MR. LUKIN: What I'd like to say is, you
35 know, I look at issues that are important to us and this is
36 one. But the issues that are really important to the
37 Council are continuously deferred. And the issues that are
38 important to them that are brought in front of us, there's
39 deadlines that we continuously got to meet. So I think we
40 need to take a close look at what we're doing and what's
41 happening in front of us.

42

43 CHAIRWOMAN TRUMBLE: You just basically mae
44 a motion to accept them all the way.....

45

46 MR. TUTIAKOFF: No, I accepted only.....

47

48 CHAIRWOMAN TRUMBLE: Oh.

49

50 MR. TUTIAKOFF:ours, Region 3.

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1 CHAIRWOMAN TRUMBLE: Oh, okay, I see.

2

3 MR. TUTIAKOFF: 11, 12 and 13 as we
4 presented it here.

5

6 CHAIRWOMAN TRUMBLE: Okay.

7

8 MR. TUTIAKOFF: As we presented it here.

9

10 CHAIRWOMAN TRUMBLE: You might want to just
11 go ahead and ask for a roll call vote on the motion at this
12 time.

13

14 MR. HOLMES: Are we having any discussion?

15

16 CHAIRWOMAN TRUMBLE: Discussion.

17

18 MR. TUTIAKOFF: We're still in discussion.

19

20 CHAIRWOMAN TRUMBLE: Go ahead, Pat.

21

22 MR. HOLMES: I would like to offer a
23 friendly amendment. And beings that I've been a minority
24 most of my life, still I'd like to make a shot at seeing if
25 anyone would be interested in seconding a motion on Item
26 12, to change -- amend it from household member to permit
27 holder so I'd like to make that as a friendly amendment, if
28 I could get a second. If not then I'll stand down on the
29 topic.

30

31 CHAIRWOMAN TRUMBLE: Do I hear a second to
32 Pat's motion. Hearing none, Pat, I believe the motion has
33 failed.

34

35 MR. HOLMES: I'll be quiet.

36

37 (Laughter)

38

39 MR. SIMEONOFF: I was thinking about what
40 Pete said earlier, subsistence fish caught for sale should
41 be caught in Federal waters, does that mean that the people
42 from Akhiok has to go to Kodiak or Litnik to get their
43 fish?

44

45 MR. TUTIAKOFF: Yeah, if you want to sell
46 it.

47

48 MR. SIMEONOFF: We're going to have a hot
49 discussion at home.

50

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1 CHAIRWOMAN TRUMBLE: Well, I think for
2 the.....

3
4 MR. GUNDERSEN: But you still have State
5 waters.....

6
7 MR. CRATTY: We do, too.

8
9 MR. GUNDERSEN:you still have your
10 State permit system, don't you?

11
12 CHAIRWOMAN TRUMBLE: Yeah, but it's still
13 illegal to be selling your subsistence caught fish under
14 State regulations, it's always been illegal.

15
16 MR. SQUARTSOFF: Right.

17
18 MR. SIMEONOFF: Well, I know there's some
19 people that's going to want to do it and when they hear
20 that they got to go to the north end to do it then.....

21
22 MR. CRATTY: Well, you got to petition the
23 Board of Fish.....

24
25 MR. SIMEONOFF:what's the purpose if
26 they got to spend all their money to get up there?

27
28 MS. JURGENSEN: Outside of Karluk, if you
29 want to go to Karluk.

30
31 MR. SIMEONOFF: Still.

32
33 MR. HOLMES: It's a long drive.

34
35 MR. SIMEONOFF: Still, you know, they can't
36 afford to.....

37
38 MR. CRATTY: What you got to do.....

39
40 CHAIRWOMAN TRUMBLE: We're looking at a
41 small amount of money.....

42
43 MR. SIMEONOFF: Get somebody over there to
44 send them over. Thank you.

45
46 MR. CRATTY: You got to get your
47 corporation to sell their land to the Feds.

48
49 CHAIRWOMAN TRUMBLE: Okay, Pete and then
50 Vince.

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1 MR. SQUARTSOFF: Yeah, see, that's why I'm
2 saying it needs to be clarified in Federal waters only.
3 The State permitting system is in effect and it will stay
4 in effect that there is no sale for State caught fish and
5 there's a lot of people that don't realize that.

6
7 MR. CRATTY: Yeah, I back Pete up 100
8 percent behind that.

9
10 CHAIRWOMAN TRUMBLE: Vince.

11
12 MR. TUTIAKOFF: Question.

13
14 CHAIRWOMAN TRUMBLE: Okay, we're back to
15 the main motion. More discussion or questions, the
16 question's been called. I think I'd like to ask for a roll
17 call vote.

18
19 MS. CHIVERS: Al.

20
21 MR. CRATTY: Yes.

22
23 MS. CHIVERS: Vince.

24
25 MR. TUTIAKOFF: Yes.

26
27 MS. CHIVERS: Pat.

28
29 MR. HOLMES: Philosophically I agree with
30 the members but I'll have to vote no because of what I see
31 as a potential for abuse and I'm with you all the way on
32 concept but I'll have to vote no.

33
34 MS. CHIVERS: Ivan.

35
36 MR. LUKIN: I missed it.

37
38 CHAIRWOMAN TRUMBLE: Vince made a motion to
39 accept Region 3, Kodiak/Aleutians Regional Advisory
40 Council's 11, 12 and 13 for customary trade as written.

41
42 MR. LUKIN: Yes.

43
44 MS. CHIVERS: Paul.

45
46 MR. GUNDERSEN: Yes.

47
48 MS. CHIVERS: Mitch.

49
50 MR. SIMEONOFF: Yes.

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1 MS. CHIVERS: Della.

2

3 CHAIRWOMAN TRUMBLE: Yes.

4

5 MR. TUTIAKOFF: Madame Chair.

6

7 CHAIRWOMAN TRUMBLE: Vince.

8

9 MS. CHIVERS: Seven yes and one no.

10

11 MR. TUTIAKOFF: When does this come up for
12 review, at any time, like at next year's meeting or.....

13

14 CHAIRWOMAN TRUMBLE: It's my
15 understanding.....

16

17 MR. TUTIAKOFF: If we decide it's not
18 working, if we have to make it stricter, then we can bring
19 it out again, right?

20

21 CHAIRWOMAN TRUMBLE: Every year. It's my
22 understanding, because we asked about this with the sunset
23 clause before, Mitch and the Federal Subsistence Board said
24 to me that this would come up technically every year.

25

26 MR. TUTIAKOFF: I think Al had a good idea,
27 if we're going to keep -- look at the areas that fish and
28 wildlife need so we can get permits, sell them to just the
29 mouth of the rivers and 25 foot on each side of the river.

30

31 CHAIRWOMAN TRUMBLE: Thank you, Peggy.

32

33 MS. FOX: Thank you, Madame Chair.

34

35 CHAIRWOMAN TRUMBLE: The next item is No.
36 15, U.S. Fish and Wildlife Service Subsistence Management
37 and this is our review of Regional Council composition for
38 compliance with FACA. Is that Tab I in this book?

39

40 MS. FOX: Yes.

41

42 MR. TUTIAKOFF: Madame Chair, I think this
43 would be the spot where we talk about our letter, that we
44 discussed in our working session, and we haven't had an
45 opportunity to see it yet, I know it's in draft form.
46 Maybe we can get it passed out so we can read it and take
47 a five minute break here to read it before we get on to
48 this issue.

49

50 Thanks.

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1 CHAIRWOMAN TRUMBLE: We'll go ahead and
2 take a five minute break.

3

4 (Off record)

5

6 (On record)

7

8 CHAIRWOMAN TRUMBLE: Go ahead, Peggy, we'll
9 get started.

10

11 MS. FOX: Thank you, Madame Chair. The
12 topic is Regional Council composition and our FACA
13 compliance.

14

15 You have a briefing paper in your booklet,
16 I think it's under Tab K, I don't have my booklet in front
17 of me, do you have it -- Tab I, excuse me. That touches on
18 the topic. It's a fact sheet that we issued a while back.
19 And for this briefing I just want to present an overview
20 and then open it up for discussion or question.

21

22 Earlier year you received a copy of a
23 letter from the Department of the Interior. The letter is
24 now referred to as the Griles' letter. It spoke to
25 departmental concerns about the membership balance on the
26 Regional Advisory Councils. The Councils are subject to
27 the requirements of the Federal Advisory Committee Act
28 referred to as FACA. FACA requires the membership of an
29 advisory committee to be fairly balanced in terms of points
30 of view represented and the functions to be performed by
31 the advisory committee.

32

33 The Department has asked the Federal
34 Subsistence Board to review procedures used to select
35 members for the Councils.

36

37 I'd also like to note that that letter
38 indicated this was part of a nationwide review of Federal
39 Advisory Committees and there seems to be a perception held
40 that it was only targeted at our system but that was not
41 the case it's been happening all over the United States.
42 We're directed just to look at our own system of course.

43

44 Recently, the Chair of the Federal
45 Subsistence Board, Mitch, was interviewed by the Alaska
46 Public Radio Network. He stated that the Regional Councils
47 have been very successful and well accepted throughout the
48 state. He added that, as with any program, there can
49 always be room for improvement. And, in fact, Mitch and
50 Carl have met with Deputy Secretary Griles a couple of

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1 weeks ago or so and discussed the Board's proposal prior to
2 the Deputy submitting his final decision on that proposal.

3

4 So the Board recently completed its changes
5 or proposed changes to the Council composition and you
6 received a copy of the August 26 letter from the Board to
7 Mr. Griles. And the report which explains the changes in
8 a fairly good depth.

9

10 Now, the Office of Subsistence Management
11 just received a response the day I left to come to Cold Bay
12 from the Department indicating that we have full
13 departmental support to implement the changes that were
14 proposed by the Board so we have conclusion to this
15 process.

16

17 Now we are developing an implementation
18 plan. The changes, briefly, proposed by the Board were
19 that the membership was to increase on most Councils, that
20 is, all but one. The Yukon/Kuskokwim Delta and
21 Southcentral Councils will increase their membership from
22 11 and seven respectively to 13 in each Council. The
23 Southeast Council is the one Council that won't change and
24 will remain at 13. The remaining Councils will increase
25 their membership to 10. Larger Councils will allow
26 additional opportunities for representation of other
27 directly affected interests, recreational, sport and
28 commercial uses that have a direct and legitimate interest
29 in subsistence allocations.

30

31 Secondly, the change in Council composition
32 -- the Councils will have designated seats, 70 percent of
33 representatives of subsistence interests and 30 percent for
34 representatives of recreational, sport and commercial
35 interests.

36

37 For the seven Councils with 10 members,
38 three seats will be designated to recreational, sport and
39 commercial interests. One of these designated seats will
40 represent commercial interests, one will represent
41 recreational and sport interest and one seat will represent
42 either interests. Of the three Councils with 13 members,
43 four seats will be designated recreational, sport and
44 commercial interests divided equally.

45

46 For example, your region currently has nine
47 members and two alternates. Under the proposed changes the
48 membership will increase to 10 and alternates will be
49 allowed to complete their terms but alternates will be
50 discontinued in future years.

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1 So of these 10 seats seven will represent
2 subsistence interests and three will represent other
3 interests. As I said earlier, one will represent
4 recreation, sport uses and one will represent commercial
5 interests and one seat could represent either interest.

6
7 All Council members will continue to be
8 residents of the Council region as required by Title VIII
9 of ANILCA and all members must be knowledgeable about
10 subsistence uses of fish and wildlife within the region.
11 Council members may either be rural or non-rural residents
12 of their respective regions.

13
14 Now, the report that accompanied the August
15 26th letter explains other changes in more detail to the
16 nominations process and those are ones that we have further
17 work to do on but they basically outline how the nomination
18 application process will go and the criteria that will be
19 used, which haven't changed much at all from the criteria
20 that we've used in the past to make decisions on members.
21 The one difference is that people have to declare who they
22 represent so that we can identify who are the seven
23 representing subsistence interests and who are the three
24 representing other interests.

25
26 So these changes will be phased in over
27 three years as was indicated in the package beginning with
28 the application nomination process next year. So when we
29 go out looking for nomination applications in the January
30 and February time frame, we will be doing a lot different
31 approach on outreach and a much wider approach than we've
32 used in the past trying to seek people to be nominated or
33 apply for the vacancies that we will have in 2003 to try to
34 begin to achieve the goals that were agreed to by the
35 Deputy Secretary. Full implementation of the new
36 composition must be completed by 2006 so that gives us
37 three years of nomination and application process to
38 achieve the seven and 10 split.

39
40 Some of the changes that will be required,
41 of course, this will require us to change the charters,
42 that will also require us to make one minor change in the
43 regulations. And lastly, another significant effort will
44 need to be made to change the Regional Advisory Councils
45 operations manual including a workshop with each of the
46 Councils on the implementation of these changes, which I'm
47 tentatively thinking we probably should do next winter or
48 no later than a year from now. It depends on how much we
49 can get worked out. But we should have it pretty well
50 worked out by the time we start advertising for new

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1 applications and nominations.

2

3 That concludes my comments.

4

5 CHAIRWOMAN TRUMBLE: Thank you, Peggy.
6 Council comments. Discussion. Vince.

7

8 MR. TUTIAKOFF: Yes. Well, as you know, we
9 talked for an hour before we started the session this
10 morning in regards to the letter from Mr. Boyd. And out of
11 that came a response and I ask that when we get done with
12 the questions for Peggy then we read it into the record and
13 also that as part of this, it be directed to not only Mr.
14 Boyd but to Mr. Griles on the heading.

15

16 One of the questions I need to ask and
17 maybe the Board can maybe ponder it or think about it but
18 this whole process of Federal Subsistence management on
19 Federal property for subsistence use is now becoming so
20 diluted with the increase of 10 members, what's going to
21 stop it two years in the middle of this process, in the
22 middle of 2005 that they're going to say, well, we want to
23 have increase the Council members and/or remove the
24 subsistence membership, make it smaller so we can include
25 -- and these are just my comments from seeing it happen
26 before under the fish councils that have been in a part of
27 the Alaska system for the last 50 years, where you have
28 basically local control, local area controls and now it's
29 being controlled by countries or boards. And you've got
30 the fishing company concerns, you got the at sea and on sea
31 and on shore concerns, you got the airlines, you got
32 guides, you got commercial fishermen, cannery workers, I
33 mean all of these different little bodies could play in
34 this whole process.

35

36 At what point does the U.S. Government and
37 Fish and Wildlife put their foot down and say, no, this is
38 a process specifically for subsistence use and the
39 management and how they do the resource management. I
40 think I'll just leave it at that as a statement and hope
41 that the other members will bring up their comments at this
42 point on the record and then ask the letter be read and
43 then move on.

44

45 CHAIRWOMAN TRUMBLE: Pete.

46

47 MR. SQUARTSOFF: Yes, I believe I came on
48 this board to go under Title VIII and then we just got this
49 new operations manual for 2002 and I really can't see -- or
50 I would like to not see any change, having to change that

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1 handbook. I totally am opposed to it. I mean we just got
2 this and now it wants to be changed already. I think we're
3 fine. I think we've got all user groups pretty much
4 represented here on the Kodiak/Aleutians RAC.

5

6 I'm totally opposed to the letter.

7

8 CHAIRWOMAN TRUMBLE: Pat.

9

10 MR. HOLMES: Well, Madame Chairman. Peggy
11 there's a couple of points -- one point that was made by
12 one of the legal eagles here on our committee and that was
13 changing the membership to 10. And under the definition in
14 our little handbook here in ANILCA it says that you need to
15 have an odd number of members of your committee so that
16 seems a bit of a faux pas on the part of the Service.

17

18 And the other point mentioned is that the
19 three members to represent sportfishing, commercial and I
20 forget what the other one is are not required to be
21 residents of the area and I think that's malarkey because
22 again in ANILCA it defines that members of the RAC must be
23 members of the immediate area, doesn't it?

24

25 CHAIRWOMAN TRUMBLE: Region.

26

27 MR. HOLMES: The region. And so I think
28 that that's a gross error in itself.

29

30 I think that the letter that our group put
31 together reflects quite well the thoughts of all our
32 communities and our RAC. And I'd like to suggest that on
33 our letter you might want to also CC it to the other RAC
34 Chairs as well as Mitch so that they can understand the
35 direction that we're taking in arguing against these
36 points. Because a lot of folks on our RAC here I've known
37 for close to 30 years and I think it has some fairly decent
38 representation of commercial fishermen, sportfish guides,
39 outfitters. I think we've already got widespread diversity
40 needed -- I'm sorry, I can't talk anymore, you'll probably
41 be relieved.

42

43 Thank you.

44

45 CHAIRWOMAN TRUMBLE: Thank you, Pat. Paul.

46

47 MR. GUNDERSEN: I would like to say as
48 Peter and them, too, it's just when we came on board to
49 form this board and work in the direction for subsistence
50 and subsistence only on Federal lands and working in the

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1 best interest for the region and communities. There are a
2 number of other vehicles that are put in place for these
3 other user groups to be heard. And I felt and I still do
4 feel that we're in a position to implement part of Title
5 VIII through this program and I think what Vince pointed
6 out, this just keeps diluting down and we're going to lose
7 direction.

8

9 CHAIRWOMAN TRUMBLE: Al.

10

11 MR. CRATTY: I feel the same way as the
12 rest of the board members. I sure don't want some sport
13 fishermen guide on here telling me I can't subsist or some
14 hunting guide telling me I can't subsist animals. And
15 that's the way I feel, thank you.

16

17 CHAIRWOMAN TRUMBLE: Ivan or Mitch.

18

19 MR. LUKIN: Well, I guess what comes to my
20 mind is, I mean just what we got on this table here keeps
21 your head spinning, I mean look at all this here. Is that
22 what subsistence is all about? It's not according to the
23 way I was raised. We add some more to it it will really
24 keep us spinning. I think we need to leave well enough
25 alone and try to focus on why we're here.

26

27 I don't know I get kind of discouraged when
28 I see, you know, what's next, what's coming next. This was
29 something we were raised on and the rights that have been
30 taken away over the years little by little and it makes you
31 wonder what's coming next year.

32

33 That's all I got to say.

34

35 MR. SIMEONOFF: Madame Chair.

36

37 CHAIRWOMAN TRUMBLE: Mitch.

38

39 MR. SIMEONOFF: I'd be opposed to adding
40 more members to our Council. I would probably suggest that
41 we have a standing invitation to those people to attend our
42 meetings if they would like.

43

44 CHAIRWOMAN TRUMBLE: Thank you. I agree
45 with everyone on this table. I also look at this, there is
46 a public process in place to hear from other agencies and
47 user groups depending on what that issue is at the level of
48 the Regional Councils, at the level of the statewide board.
49 And I think we shouldn't be having to add to this to a
50 mixture, I think that's going to complicate things already.

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1 And if you have to come down to start determining what
2 percentages or who you're representing, I mean you take
3 this Council, for instance and we'll use Paul as an
4 example. Is Paul going to say, like, I'm determining my
5 blood lines, I'm 70 percent subsistence, I'm 20 percent
6 commercial and 10 percent sports? This board and this
7 Council is already a good example represents guiding and
8 all the different factors in here because it's what some of
9 these members use to make their living. But their main
10 issue for being on this Council is subsistence and
11 representing our people.

12

13 Given that, I think I would very much like
14 -- we worked really hard last night and the Council did a
15 good job of putting together what our thoughts were and I'd
16 like to ask Glenn to read that letter for public testimony
17 into the record on our behalf.

18

19 MR. CHEN: Thank you, Madame Chair. For
20 the record my name is Glenn Chen, I'm with the Bureau of
21 Indian Affairs. And this Advisory Council asked me to help
22 them prepare a letter that states their concerns and issues
23 regarding a couple of issues that will be discussed at this
24 meeting.

25

26 In particular, the issue about FACA
27 compliance with Regional Council composition as well as
28 another letter regarding meeting scheduling. And at this
29 moment Madame Chair has asked me to read only that part
30 that pertains to the FACA compliance.

31

32 Letter addressed to Mr. Tom Boyd, Office of
33 Subsistence Management, 19th of September 2002.

34

35 Dear Mr. Boyd, the Kodiak/Aleutians
36 Regional Advisory Council would like to bring to your
37 attention a number of concerns that have arisen from our
38 review of several documents forwarded to us by OSM.
39 Specifically we are referring to, one, the July 24th, 2002
40 briefing paper outlining changes in RAC composition and,
41 two, the undated letter discussing scheduling of future RAC
42 meetings. These concerns are discussed in detail on the
43 following pages.

44

45 RAC composition. We are extremely
46 concerned about the process that OSM has proposed for the
47 nomination and selection of RAC members. We feel that the
48 adoption of this process will significantly alter the
49 composition and the effectiveness of the Regional Advisory
50 Councils to the extent that the RACs will be unable to

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1 adequately advise the Federal Subsistence Board in its
2 implementation of ANILCA and the rural subsistence priority
3 outlined in Title VIII.

4

5 Our viewpoint is based on the following.
6 To our knowledge, the general FACA guideline requiring that
7 advisory committees be fairly balanced in terms of points
8 and views and functions has not been well defined and that
9 OSMs interpretation of those guidelines may be incorrect
10 and/or bias by recent legal actions pertaining to this
11 issue.

12

13 The primary role of a Federal Subsistence
14 Program Regional Advisory Councils is to represent
15 subsistence users and to ensure that the rural priority is
16 implemented on Federal lands and waters, thus, ANILCA,
17 Title VIII was not intended to create, maintain or enhance
18 resource utilization opportunities for commercial and/or
19 recreational users. We therefore consider that the
20 addition of non-subsistence members to the RAC who's
21 primary interests may conflict with subsistence priority
22 and the designation of specific seats representing
23 commercial and sports and recreational interests are
24 contrary to the intent of ANILCA, Title VIII and are
25 neither appropriate nor legitimate within its stated
26 purpose.

27

28 The current nomination and selection
29 process for RAC members has demonstrated the accurate
30 representation of interests as required by FACA is already
31 occurring under the existing system. As an example, the
32 Kodiak/Aleutians RAC contains members who have interests
33 and/or are involved in commercial fishing, commercial
34 guiding and sport recreational fishing and hunting
35 activities. Thus, our membership already meets the
36 criteria of "balanced representation" among users of fish
37 and wildlife resources without having to institute the
38 proposed "quota system of designated seats."

39

40 We question the purpose, reasoning and
41 value of the proposed 70/30 subsistence and commercial,
42 recreational member ratio. It's unclear whether or not
43 this ratio was derived as an arbitrary value, was based on
44 any laws or rules provided in FACA that we're unaware of.

45

46 The adoption of a 10 member RAC contradicts
47 the guidelines regarding the need to have an odd numbered
48 council for tie-breaking purposes as set forth in OSM's RAC
49 operations manual.

50

00154

1 The Kodiak/Aleutians RAC offers the
2 following counter proposal to OSM regarding the composition
3 of future RACs and membership compliance with FACA.

4

5 No. 1. Retain the current size of the
6 Kodiak/Aleutians RAC at nine members to ensure that an odd
7 number remains for tie-breaking purposes.

8

9 No. 2. Retain the current process for
10 nomination and selection of the Federal Subsistence Program
11 Regional Advisory Council members.

12

13 No. 3. Eliminate the proposed requirements
14 from mandatory quotas and/or designated seats for non-
15 subsistence users.

16

17 FACA Requirements for adequate
18 representation of interests have been and continue to be
19 achieved through the current nomination and selection
20 process.

21

22 Additionally, we formally request that OSM
23 do the following.

24

25 Conduct a thorough review of administrative
26 actions, legal mandates and judicial decisions regarding
27 RAC membership and interpretation of FACA requirements for
28 adequate representation.

29

30 And to provide a clear explanation of the
31 logic and/or process used to arrive at a 70/30 quota
32 formula.

33

34 This concludes this portion of the letter.
35 And for the record, these viewpoints represent the full
36 consensus of the RAC.

37

38 CHAIRWOMAN TRUMBLE: Thank you, Glenn. Is
39 there anything we'd like to add to that at this time? Pat.

40

41 MR. HOLMES: I'm going to be very brief
42 because I'm trying not to cough.

43

44 I'd like to propose amending on the bullet
45 adoption of the 10 member RAC, et cetera, to insert before
46 OSM, Section VIII of ANILCA because that's a much stronger
47 statement than just saying the operation manual and that's
48 the mother of all documents.

49

50 I'd also like to suggest that we insert a

00155

1 sentence, another bullet, saying, which came out in Peggy's
2 presentation that would read, the exemption of the required
3 regional residence for the three new members is also in
4 violation of the ANILCA definition for RAC structure and
5 membership.

6

7 If it would please the Council.

8

9 CHAIRWOMAN TRUMBLE: Okay with everyone.

10 Peggy.

11

12 MS. FOX: Thank you, Madame Chair. I don't
13 at all consider debating this with you. I would like to
14 make three points of clarification if I might.

15

16 The first one is that the regulation change
17 that I mentioned is the one that has to do with indicating
18 that the Council size needs to be an odd number. We would
19 change that as a result of the Department's decision that
20 they will go to 10 and 13 respectively for the different
21 Councils. So that is the regulatory change that I was
22 talking about. We're aware of that and that's in the works
23 right now.

24

25 Secondly, if I misspoke I never intended to
26 indicate that the nominations would come from outside the
27 region. I meant to say, if I didn't say it right, that
28 that doesn't change. They've always been and we're
29 required under ANILCA to look at nominees and applications
30 from residents within the region. There's nothing changing
31 there. So I wanted to make sure that's clarified.

32

33 You know, your letter should be as
34 effective as possible so I don't want these -- these
35 clarifications need to be made with you, all right.

36

37 I guess, thirdly, I'd like to say that --
38 our suggest that the letter be written to the Board. This
39 is the Board's product, it is not a product of the Office
40 of Subsistence Management, it never came from the Tom Boyd,
41 it came from Mitch Demientieff and it was a Board decision
42 and so I'm rather perplexed as to how it got talking about
43 a letter from Mr. Boyd because Tom didn't write a letter,
44 the letter came from Mitch Demientieff and the proposal
45 that went to the Deputy Secretary was from a Board
46 discussion, it was a Board decision. So I would suggest
47 that your letter be directed to either the Board or the
48 Deputy Secretary.

49

50 CHAIRWOMAN TRUMBLE: We will do that, thank

00156

1 you, Peggy. It may be because we were looking at Tom's
2 letter.

3

4 MS. FOX: The other letter.

5

6 CHAIRWOMAN TRUMBLE: The other letter.

7

8 MS. FOX: On another subject.

9

10 CHAIRWOMAN TRUMBLE: Somehow they got put
11 together.

12

13 MS. FOX: Okay. One final thing if I
14 might.

15

16 CHAIRWOMAN TRUMBLE: Okay.

17

18 MS. FOX: And that is another clarification
19 and that our program needs to comply with two different
20 acts and that is ANILCA and FACA. And at some points there
21 is some indication of some conflict or some potential, you
22 know, for consideration is how to get those two acts to
23 work in concert. And this is at the point at which we're
24 at on this particular subject with Council composition.

25

26 ANILCA protects the fact that the Councils
27 will always be compromised of a majority of subsistence
28 users. That is the intent of the entire program. FACA
29 requires us to have a balanced Council. Now, in other
30 cases where you don't have such, if you will, perhaps
31 conflicting legislation that balance is different, it isn't
32 a majority of one interest over other interests, it is
33 equally divided and I can cite examples of that. It
34 doesn't matter but the point is is that ANILCA protects the
35 majority of the Council members representing subsistence
36 interests and that's how there is a balance struck between
37 FACA and ANILCA in this case.

38

39 If there's anything else I could help with
40 I'd be glad to.

41

42 CHAIRWOMAN TRUMBLE: Vince.

43

44 MR. TUTIAKOFF: Just a comment, you know,
45 and not to get anybody all upset but I still feel this
46 ought to go to Mr. Boyd and Deputy Secretary Griles and
47 also, you know, if that's where we got to go is to the
48 Federal Subsistence Board Chairman, then send it to him.
49 But that's one point.

50

00157

1 The other one is we didn't write the rules
2 of FACA and if they're in conflict with ANILCA then that's
3 their problem. ANILCA is what we deal with. The Federal
4 entities deal with FACA and how they're structuring various
5 public entities and public structures. I think that has to
6 go back to whatever committee that deals with that issue
7 and it should not be brought down to our level to try to
8 determine what's right and what's wrong.

9

10 I feel strongly as everybody else here, you
11 know, I signed up nine years to be part of the Subsistence
12 Board I really felt that I was going to be representing the
13 interests of the population within our region, Native, non-
14 Native. And as long as they were taking subsistence for
15 their personal use it did not matter. But I'm getting to
16 the point here as I mentioned earlier, that's very
17 disturbing that we're having to add the entities that are
18 in conflict with subsistence. They are in direct conflict
19 with our user group and I'm very opposed to any kind of
20 restructuring by the Department or any other entity to
21 trying to change ANILCA.

22

23 I'm opposed to any regulations -- I think
24 this ought to be added on here in our letter to these three
25 individuals, that we would and will oppose any regulation
26 changes that changes the Board composition of any RAC in
27 regards to Federal subsistence. I think that should be put
28 in there, too, but where we put it, I think we have to meet
29 to put it in there.

30

31 If we're going to be writing these kinds of
32 letters we can't really pussyfoot around with them, we got
33 to tell them where we stand and if they don't like it they
34 can replace us, that's fine. Then we'll fight the fights
35 on the other side of the fence and find out what fence
36 comes down first. That's what it's coming down to.

37

38 CHAIRWOMAN TRUMBLE: Peggy.

39

40 MS. FOX: Vince's comments raise one other
41 point of clarification and that is ANILCA and Section .805
42 requires us to use Federal Advisory Councils and Federal
43 Advisory Committees which we've not established and those
44 are to be administered under FACA. So the direct tie
45 between the two acts was made when ANILCA was passed in
46 Section .805.

47

48 I guess I'll stop there, thanks.

49

50 MR. TUTIAKOFF: Okay, I did see that in

00158

1 there. But what I'm concerned about is when the appoints
2 are made by the Secretary he took into consideration FACA
3 in looking at our make up of the Board and what I'm seeing
4 now is that, well, I'm taking a step back now, I'm getting
5 a lot of pressure from outside groups and we're getting it
6 all over the United States, I'm sure of that, but they're
7 waking up to the fact that these Regional Councils are
8 becoming more and more important to their livelihood,
9 whether they're guides, sportsfishermen or, you know,
10 they're out there making money under the commercial guise
11 of subsistence basically.

12

13 To add more members rather than remove us,
14 which they'd have one heck of a fight to do, you know, why
15 don't they rather than appointing me back the next round,
16 appoint -- make that seat known rather than making the
17 board bigger. You know, we're having problems amongst
18 ourselves in dealing with -- having to fight for our rights
19 as a subsistence user and then have these groups sit and
20 fight at every turn and every move and then bring these
21 issues that we talk about here to the Fish and Game Board
22 and we're fighting that individual board on a seasonally
23 basis, I mean it's a crazy system. But I think what we're
24 trying to do here is become a State of Alaska Fish and
25 Wildlife Federally controlled board and I don't like it.

26

27 And if that's the way it's going to go, if
28 I'm appointed back the next round, I do go through this
29 process, I'm going to write a letter and resign because of
30 that fact, I think I'm no longer serving the purpose of
31 what I brought and what I was intended to do here. And
32 you're going to see more and more Native population or
33 Native individuals or are not going to be part of this
34 system.

35

36 CHAIRWOMAN TRUMBLE: Peggy.

37

38 MS. FOX: Thank you once again, Della. I'm
39 interested in hearing, I guess, a response to I guess how
40 we feel -- a vision for how this is a positive change that
41 would play out and that is, around the State the Federal
42 Subsistence Management Program has sponsored working groups
43 to meet and resolve user conflicts. For example, around
44 moose management because there's conflicts between guides
45 and sports hunters and subsistence users and in particular
46 that's been along the Yukon/Kuskokwim area. We've
47 sponsored a lot of these types of working groups statewide
48 around caribou or muskox or whatever. Those groups have
49 met several times and have been able to resolve conflicts.
50 And the success of those groups has been because all of the

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1 affected interests have been at the table. They've had the
2 guides attend the meetings, they've had the subsistence
3 users, they've had Council members, they've had Fish and
4 Game, everybody who has a role in the resolution of that
5 come to the table and meet and discuss it and work it out.
6 It's held in those communities, where those issues occur.

7

8 And I guess that's kind of what we envision
9 as maybe occurring for the Councils in the future. And our
10 interest, I guess, in that is that it is, again, a local
11 and at times needs to be a regional process. But it isn't
12 interfered with from a statewide level or by other regions,
13 people who are affected get together and they decide on
14 what the resolution is that they can all agree to.

15

16 And I guess that's what we're trying to see
17 as a possible outcome of this process after the Council
18 compositions are changed, is that, the Councils then
19 address and deal with those issues at this level rather
20 than at the Board level and perhaps -- well, I guess I'd
21 like to hear some feedback on that if that makes any sense
22 to you or is that a poor vision.

23

24 CHAIRWOMAN TRUMBLE: Pete.

25

26 MR. SQUARTSOFF: I feel, you know, the way
27 Vincent does on the thing and we have, like for a good
28 example, with the goat issue formed a subcommittee to work
29 on the issue with other user groups. And like Mitch said,
30 they're definitely welcome to come to our meetings and we
31 can form these subcommittees if we have to to work on
32 different issues but I really want to stick with this.

33

34 CHAIRWOMAN TRUMBLE: Pat.

35

36 MR. HOLMES: I agree with Pete. I mean
37 we've been kind of solving local conflicts in Kodiak and
38 throughout the region since statehood. And folks just sit
39 down and I don't really think there's a need to have
40 another additional level of bureaucracy and change.

41

42 You mentioned two things that you quoted
43 from ANILCA and I would like to know, I took a class from
44 Tina Cunning several years ago and it was one of the most
45 gruesome classes I've ever took, on ANILCA, and I read the
46 whole bloody thing. And I was wondering after the meeting
47 if you might provide for me where majority, you mentioned
48 majority of people participate in subsistence in the
49 Council structure because the way I read it it says your
50 background is subsistence. So has ANILCA been changed or

00160

1 is this a Staff interpretation on FACA?

2

3 The second thing I'd like, so where this
4 majority word comes from in ANILCA because you said it was
5 from ANILCA. And then on the residents of this -- region
6 members because under Section .805 in this brief summary
7 which .805 is a big, big pile of words, it says,
8 specifically Section .805 requires Regional Council members
9 to be residents of the region and gives authority to review
10 and evaluate proposals, et cetera. And I think if it ends
11 up that we are imposed with a new structure and I really
12 don't, again, think that it's necessary because we do have
13 a good distribution of interests, I see this as a thing
14 that would greatly complicate discussions if we have people
15 from outside the region that you say we may choose -- may
16 -- different.....

17

18 MS. FOX: No.

19

20 MR. HOLMES:so if you could give me
21 some clarification in it, please.

22

23 MS. FOX: Okay, thank you. Let me see if
24 I captured all the points. First of all, with regard to
25 where in .805 that it says a majority on the FACA
26 committees will be subsistence users, no, it does not say
27 that. I meant to indicate that the balance between ANILCA
28 and FACA was struck and, this is a solicitor's
29 interpretation with designated a majority of the seats to
30 be representing subsistence interests and then the minority
31 number to be set aside for other interests.

32

33 ANILCA requires that, in .805, that members
34 be residents of the region only. Our regulations built on
35 that and say that they must be knowledgeable of subsistence
36 uses.

37

38 So those are the two basic criteria, the
39 two primary criteria that come from ANILCA and come from
40 our regulations. Other criteria that we've added, the one
41 that comes from FACA is that it must be also knowledgeable
42 of other commercial and sport interests or uses in the
43 region, must be knowledgeable of the resources in the
44 region. Must demonstrate leadership and communication
45 skills. And those are all ones that have been a part of
46 the process to date anyway, that hasn't changed.

47

48 But anyway to clarify -- oh, yeah, lastly
49 -- oh, yeah, I guess that was it, I think I've covered your
50 points. Is there anything else?

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1 MR. HOLMES: So you're interpreting
2 residents of the three new members because before you said
3 they may not necessarily be residents that if they have
4 familiarity then they can reside outside of the region?

5
6 MS. FOX: I thought I clarified that for
7 the record, they have to be residents of the region.

8
9 MR. HOLMES: So then you.....

10
11 MS. FOX: All members have to be residents
12 of the region, yes. And if I continue to make a mistake
13 about that, I'm sorry, is that clear?

14
15 MR. HOLMES: Okay.

16
17 CHAIRWOMAN TRUMBLE: Does anybody else have
18 anything at this time? I think we've got some corrections
19 to the letter and we will submit that.

20
21 MR. HOLMES: May I stand corrected then on
22 my suggestion of adding the question on the exemption of
23 the rural resident. Peggy clarified that that would not be
24 the case so I was in error in mishearing the earlier
25 presentation so if we could drop that sentence out.

26
27 CHAIRWOMAN TRUMBLE: Okay, so noted.
28 Peggy, would be able to, at some point in time, I know I'll
29 probably see it at the statewide level, but it would be
30 nice for the other Council members to get some of the
31 feedback from the other Councils in regard to this?

32
33 MS. FOX: Yes, I will follow-up on that.
34 As you indicated, we're still not through all the meetings
35 but we will summarize that and share it.

36
37 CHAIRWOMAN TRUMBLE: Thank you.

38
39 The next item that we do have on the agenda
40 is the statewide rural determination update.

41
42 And just for your information, too, we do
43 have a letter in regard to Tom's letter regarding to our
44 locations of our meetings and we kind of would like to add
45 that on additions of new business because we definitely
46 would like that letter to also be read into the record at
47 a later point in time.

48
49 MS. FOX: Madame Chair, due to the lateness
50 in the development of that letter relative to the times

00162

1 that the books had to go to the printer, at the meetings
2 we're intending -- I was intending to cover that when we
3 talk about scheduling future meetings at the end. So I do
4 have some talking points on that.

5
6 CHAIRWOMAN TRUMBLE: Okay. That will work
7 then, thanks.

8
9 MR. TUTIAKOFF: What's next?

10
11 CHAIRWOMAN TRUMBLE: Rural determinations.
12 Peggy.

13
14 MS. FOX: Again, this is Peggy Fox and I'm
15 just going to, very briefly, touch on this because we're
16 not asking for any comments. It's simply an informational
17 update because our schedule has shifted on finalizing the
18 rural determinations.

19
20 We're still waiting to receive the final
21 product from the contractor with a proposed methodology for
22 doing another round of rural determinations. And when
23 that's done we realize that we should probably get some
24 peer review of that just to make sure that it's, from the
25 standpoint of other people in the field of social science,
26 that it makes sense to them as well. So that's kind of set
27 our process back but it's an important step to make sure
28 that we have as technically and scientifically sound a
29 process to move forward with. Not that that determines any
30 outcomes but it just hopefully lays to rest questions about
31 how we do this.

32
33 So as a result, it's now going to be in
34 January when we have proposed methods being presented to
35 the Board. There will be a presentation at the -- and I
36 think it's on January 15th when we're going to do statewide
37 rural determinations and the 10 Council Chairs will be
38 invited to come in for that meeting when we decide on
39 customary trade on the 14th and look at a proposed
40 methodology on the 15th. And at that time the Board and
41 the Council Chairs, of course, you'll have a packet in
42 advance, but will be making a decision on a proposed rule
43 that will go out or some kind of a proposed policy relative
44 to the methodology for public comment.

45
46 So at your winter meetings, February/March
47 you will have the opportunity to review that proposed
48 methodology in how we're going to make rural determinations
49 for the next decade. And in May, the Board will make a
50 decision. So once the decision is made on the methodology

00163

1 it goes back, either back to that contractor, presumably or
2 possibly to a new contractor to apply it. In other words,
3 to start to generate the list of communities that are
4 considered rural versus non-rural, applying that
5 methodology. Now, that, again, will be presented to the
6 Board as a proposal. And again, go back out to the
7 Councils.

8

9 Right now we're looking at probably the
10 fall or the winter meetings, I don't know right now, it's
11 too far off because that's into 2003 or early 2004, back to
12 the Councils with the list of communities that basically
13 laid out the way I indicated, non-rural or rural as a
14 proposal and then the Board is looking at making a final
15 decision on that in May of 2004 so it's quite a ways off.

16

17 But this is our latest schedule and
18 process. I don't think that has too much to do with most
19 of the region, maybe Kodiak might raise some concerns about
20 whether their status might change or not and I'm sure
21 you're tracking it for that reason. But we don't expect
22 much change but of course I don't want to speak before I've
23 seen the end product, too much.

24

25 But I'll be glad to take any questions on
26 the process if you have them.

27

28 Thank you.

29

30 CHAIRWOMAN TRUMBLE: Pete.

31

32 MR. SQUARTSOFF: Is there a list of those
33 communities that are in question? My question has always
34 been if the Coast Guard base is included in Kodiak because
35 they do use a lot of the resources, the Coast Guard
36 personnel in Kodiak?

37

38 MS. FOX: Gosh, you know, I can't remember
39 what the current -- I don't think that's changing but I
40 don't know what the current decision on that was. Do you
41 know, Laura, on the Coast Guard base?

42

43 MS. JURGENSEN: Yeah, the military
44 installations.....

45

46 MS. FOX: You have to come up here.

47

48 MS. JURGENSEN: Laura Jurgensen, Office of
49 Subsistence Management. And I've been overseeing this
50 contract. The military installations are not included in

00164

1 a rural determination, that's not expected to occur in
2 Kodiak for example, or up north. And certainly one that's
3 automatically, I'm sure going to change but again any
4 decision is at the Federal Subsistence Board purview would
5 be Adak, having the major change. But, you know, again
6 we're looking at, right now at having seen all the
7 documents and right now the final draft is undergoing peer
8 review by a few people in-state, social scientists and one
9 outside at the University of Washington, but again we don't
10 expect any changes.

11

12 And then again, any changes, this is just
13 the methodology of how they do it. The Board wants a
14 stronger method on what they consider rural and non-rural
15 communities.

16

17 And we have approximately 10 to 20
18 communities all across Alaska that are possibly in
19 question. You know, we have the population guidelines,
20 less than 2,500, 2,500 to 7,000, and over 7,000 population.
21 But the new methodologies that are being proposed and
22 there's two of them, they're incorporating other variables
23 about what makes a community rural or non-rural.

24

25 And if you have any questions further you
26 can always contact me at the Office of Subsistence
27 Management also as this process goes along.

28

29 MR. SQUARTSOFF: Yeah, I just want to state
30 for the record because the Coast Guard base in Kodiak is
31 the largest Coast Guard base in the United States and it is
32 growing all the time. And those guys, a lot of them are
33 hunters and fishermen and they make a big impact on the
34 resources on Kodiak.

35

36 MS. JURGENSEN: Okay.

37

38 CHAIRWOMAN TRUMBLE: Is there any
39 discussion or comments at this time in regard to this
40 issue? Hearing none, we'll move on. Is that the Partners
41 for Fishing Monitoring?

42

43 MR. KLEIN: Thank you, Madame Chair. Like
44 Peggy's last briefing this is strictly for information
45 purposes. I just want to bring you up to speed on where
46 we're at with the Partners for Fisheries Monitoring
47 Program.

48

49 In terms of capacity building and building
50 more local involvement into the monitoring program the

00165

1 Partners for Fisheries Monitoring Program will be one of
2 our primary mechanisms and this is where rural and tribal
3 organizations are hiring fish biologists and
4 anthropologists to help them implement the monitoring
5 program. As a result of Board action we have six fish
6 biologists and a social scientist that were selected within
7 six tribal organizations. I'm on Page 155 of your book for
8 the partners briefing.

9

10 Those organizations were the Association of
11 Village Council Presidents, Bristol Bay Native Association,
12 Council of Athabascan Tribal Governments, Kuskokwim Native
13 Association, Native Village of Eyak and Tanana Chiefs
14 Conference. Those organizations will be hiring or have
15 hired a partners position and they'll be representing the
16 Yukon/Kuskokwim, Bristol Bay, Alaska Peninsula and
17 Southcentral Alaska regions.

18

19 We have developed funding instruments to
20 fund those for up to five years. When the Board made those
21 selections they also wanted an evaluation of the program
22 after a year and consideration of additional partners
23 positions. And obviously the Kodiak/Aleutians region and
24 northern Alaska are two big gaps that I'm sure will be
25 evaluated in that analysis.

26

27 And that's a short briefing on the topic
28 and I'd be pleased to answer any questions.

29

30 CHAIRWOMAN TRUMBLE: Steve, it seems like
31 we -- I know we've discussed this and I know you mentioned
32 that they are big gaps and we've mentioned before that, you
33 know, we preferred to have a biologist that represents the
34 Kodiak/Aleutians and then a separate one for Bristol Bay.
35 At this time has there been any discussion at the Staff
36 level or anything or how that can be resolved or what can
37 be done to address that issue?

38

39 MR. KLEIN: It's been discussed at both the
40 Board level and the Staff level and no, it's definitely
41 realized as a gap but the direction we had was let's see
42 how this program evolves over a year, analyze how the
43 program is proceeding, look at these gaps and decide on the
44 next course of action. And the biggest problem is money.
45 mean do we want to take more money out of projects to fund
46 additional partners positions. Currently we only have so
47 much money and nobody's sending us additional money to fund
48 more positions.

49

50 CHAIRWOMAN TRUMBLE: I'm going to be really

00166

1 blunt and up front. One of the two, I'm not sure which --
2 at the times I've been the Chair on this Council and the
3 times even since Vince had it, in looking at how the
4 funding gets allocated in this state for this Federal
5 program, the Kodiak/Aleutians gets on the bottom every
6 time. We've got issues in our communities, we've got
7 issues that are cross-regional that effect our regions all
8 the time but yet we're on the bottom of this cycle and I
9 get really frustrated and tired of it because whenever any
10 actions or anything that are taken we're the ones that seem
11 to get hit the hardest. And I'm really fed up with the
12 whole process.

13

14 MR. TUTIAKOFF: Madame Chair.

15

16 CHAIRWOMAN TRUMBLE: Vince.

17

18 MR. TUTIAKOFF: You know, in looking at
19 this list, I started smiling and thinking to myself, when
20 two and a half years ago when the Fisheries Advisory Board
21 was formed to start looking into the Fisheries Monitoring
22 Program and the amount of money would be available for this
23 group to put out for biology studying in various rivers,
24 systems, I was at that meeting as the Chair and initially
25 was on that committee but after one day of meetings they
26 came back and removed Kodiak/Aleutians from that committee
27 and appointed one of the Interior Councils to it. Their
28 decision was that, you know, there's a very hard hit area
29 of the Yukon/Kuskokwim and up into the Canadian Yukon area,
30 that those people -- tribal entities were having a tough
31 time in dealing with what was happening down in the lower
32 areas so that's where they needed to focus their money. I
33 looked right at it as, well, that's fine but you don't need
34 to have three of the five members to be -- to get that
35 funding, you need to have some kind of representation from
36 Kodiak/Aleutians.

37

38 Because of the extensive water areas
39 between Kodiak and all the way up to Nelson Lagoon, you
40 know, we have the largest water.....

41

42 CHAIRWOMAN TRUMBLE: Coastal.

43

44 MR. TUTIAKOFF:coastal areas and it
45 seems like it was logical to include the Kodiak/Aleutians
46 but I was outvoted and basically I could tell right then
47 the line was being drawn in the sand where this process was
48 going to start and where it was going to end.

49

50 As long as we continue to have these

00167

1 political fights that come into the arena of subsistence
2 and that's what happened, defensive commercial interests
3 versus subsistence on the guise of subsistence then we're
4 going to have this problem.

5
6 You know, I know how Della feels, it was
7 very frustrating to sit there and basically you can say
8 what you wanted to say and they say, oh, okay and then move
9 on and do whatever they wanted to anyway and make decisions
10 that affect our region. And make decisions that were
11 political when they should not be. So I agree with her.

12
13 And there's not much we can do other than
14 keep attending the Chair's meetings and keep protesting the
15 issue. I think our letter to the Chair and all these other
16 entities are going to show that we're getting upset and at
17 some point in time they need to start appointing a
18 representative to these various entities that drive the
19 commercial interests utilizing subsistence.

20
21 CHAIRWOMAN TRUMBLE: Very well, Vince,
22 thank you. Pat.

23
24 MR. HOLMES: I concur with the Chair and
25 vice Chair. And I would strongly question whether a
26 fisheries biologist in the partner program from Bristol Bay
27 would at all represent the Peninsula and the rest of our
28 region because Bristol Bay and the Peninsula have been
29 diametrically opposed in subsistence and culturally for
30 eons. I really feel that our region is being discriminated
31 against in funding for the monitoring programs as well as
32 this partners program.

33
34 Thank you, Madame Chair.

35
36 CHAIRWOMAN TRUMBLE: Thank you. And a
37 comment was just made over to my right here that
38 technically when you're putting these two regions together
39 and I say Bristol Bay and Kodiak/Aleutians there's a
40 conflict of interest. We are never going to be well
41 represented ever by Bristol Bay.

42
43 I'm sorry, Steve, to be the proponent of
44 all this.

45
46 MR. TUTIAKOFF: He's just oh, oh, kill the
47 messenger.

48
49 MR. KLEIN: I hear your pain.

50

00168

1 MR. TUTIAKOFF: Sorry about that.

2

3 MR. KLEIN: I would like to have a point of
4 clarification. The position with Bristol Bay Native
5 Association, they are just representing the Bristol Bay
6 Alaska Peninsula region. And I guess the only positive
7 words I could share with you would be to find an
8 organization that could represent the region. Sooner or
9 later there will be another call for proposals. I served
10 on the panel to sort through the applications and I think
11 that's -- any efforts to find a strong organization to
12 represent your region would help you down the road.

13

14 Thank you, Madame Chair.

15

16 MR. TUTIAKOFF: Yeah, just a quick comment.
17 The reason I was removed was under the auspices that a
18 Bristol Bay rep would also represent the Kodiak/Aleutians.
19 That was when I got -- when I knew it was going to be a fix
20 and I was out. And they can get more votes going north
21 than they could coming down to southeast.

22

23 CHAIRWOMAN TRUMBLE: Thank you.

24

25 MR. KLEIN: Thank you, Madame Chair.

26

27 CHAIRWOMAN TRUMBLE: Our next item on the
28 agenda is agency and organization reports. The first one
29 we do have is the Izembek National Wildlife Refuge. And
30 Mr. Poetter, good to see you.

31

32 (Laughter)

33

34 MR. POETTER: Thank you, thank you. Madame
35 Chair, Rick Poetter, Izembek National Wildlife Refuge.
36 First and foremost, I do want to apologize for missing the
37 last three meetings. Part of my job, of course, is
38 management of my time and being in the right place at the
39 right time. From the very first meeting I attended of your
40 RAC committee and it was in Port Lions I expressed I see it
41 as the highest -- my highest priority to be at your
42 meetings because I do understand that you need to interface
43 with me because in theory I'm the most knowledgeable as to
44 the overall operations as to what's going on on the Izembek
45 Refuge. So I do apologize for not being there, I did have
46 some good reasons for it but will not dwell on that.

47

48 Let me think here. Oh, the other apology
49 I had, I knew there were two, was for not having the agency
50 report in the document for your previous review before you

00169

1 got here and that was apparently a printer's error. I did
2 have it in time to make the printer it just didn't get in
3 there.

4

5 Okay, well, let's start out. Good news for
6 our station is we were funded last year to put on a new
7 position. It's our pilot. And of course, as the Council
8 is well aware that's one key position for us out here
9 because that's how we get our surveys done and provide the
10 information for you all to make decisions on. Particularly
11 our biggest emphasis is trying to get a caribou survey done
12 because that's one of our highest needs right now is to do
13 that. Kevin Fox is our new pilot. And he comes well
14 qualified. He's got a couple master's degrees in wildlife
15 and forest ecology. Forest ecology probably won't help him
16 too much out here but we do have a lot of shrubs and a few
17 Sitka spruce. But anyway, the biggest thing is that his
18 wildlife ecology was geared towards big game management so
19 that's going to be a big plus for our station. Just as
20 sideline. He was hired to do flying, run our permit
21 program and similarly he has law enforcement authority.

22

23 And as a bonus package with that, his wife
24 is similarly well educated and we've been in need of a way
25 to help, you know, do visitor services. And in that, it
26 entails everything from management of visitors that come
27 into the office or the ferry or cruise ships but it also
28 involves more detailed or more specifically to relations
29 and information exchange with the villages. In particular
30 doing educational programs and the like. Our goal and I've
31 got funding packages in the system to hire a refuge
32 information technician, similar to what Laura's position is
33 at Kodiak. I see that as a key -- a real key for out here
34 to -- for that position and it would be somebody from the
35 local communities that understands the local viewpoints
36 much more than we do and would be able to liaison back and
37 forth between our agency and the Refuge and the villages.
38 So we're still striving toward that goal but I didn't want
39 to put that individual, have a Refuge information
40 technician hired until we had somebody that we could
41 dedicate to making sure they get the proper attention that
42 they need as far as guidance, training, duties, whatever.
43 I would not envision them to live in Cold Bay. I would
44 hope that that type of position would be based out of one
45 of the other villages and then commute over and
46 occasionally, you know, spend some time in our office
47 obviously to pick up, you know, to do the day to day
48 mundane things. But that similarly they would help out
49 with doing educational programs, things like that.

50

00170

1 Anyway, we got to go down the road on that.
2 But the start is to get this visitor services specialist
3 going to work.

4
5 There's a few things on water fowl as far
6 as studies going on. I'll just sort of leave those to any
7 questions you might have just in the essence of time.

8
9 Stellers Eider, we're doing our round-up
10 again on Stellers Eider this year. We started our effort
11 on the third of this month but due to high winds and one
12 day of poor tides when we did have good weather, we really
13 only got started last Sunday. So we've got three drives in
14 and we've collected 900 birds, handled them. About half --
15 a little over half are rebanded or previously banded birds.
16 And so our goal is about 2,500 so we're still off. We got
17 to continue with that effort.

18
19 Caribou, again, we sent out a variety of
20 permits to the various tribal councils and other folks that
21 were willing to help distribute subsistence permits so
22 we've got those out.

23
24 Winter aerial survey, as I alluded to
25 before, that's one of our -- or that is probably our key
26 biological survey that we need to get done. We went to
27 great extents this year to try and -- because we were
28 without a pilot but we had availability of pilots, we were
29 able to, when we got a weather break, bring down the pilot
30 from Alaska Peninsula Refuge and he came down and
31 unfortunately the weather window didn't hold out for us, we
32 ended up with two days of actual survey. Did the Peninsula
33 from Port Moeller on down to about the Joshua Green Valley
34 and it just closed down on us and we couldn't get out to
35 finish it up.

36
37 The numbers on that basically since we
38 didn't finish it are just basically invalid because we
39 didn't get the whole area. It's hard telling how many were
40 farther south but in essence it wasn't up around the 2000
41 numbers, so to me, you know, we really got to get a survey.
42 I think we're sort of right at that -- I don't think we got
43 a great number of animals out there on the Peninsula but I
44 think we do have a sustainable population with the current
45 pressure that it's getting. Without any definite numbers,
46 that's just more of what I'm hearing from guides their
47 impressions of what they're seeing out there because they
48 do have some eyes and ears and also from users like
49 yourself that are going out. If you all have any other
50 information I'd be glad to hear and talk to anybody.

00171

1 Because we were trying to catch that window
2 of opportunity, in fact, he flew down and that day they
3 started right in surveying, I do want to still continue
4 with the program of involving somebody local from the
5 communities to, just, again provide that local input and go
6 along on the survey.

7
8 We do not have an aircraft, other than, you
9 know, we got a Super Cub and it doesn't allow for anybody
10 to tag along. So we still may not be able to take anybody
11 along if we take advantage of the weather and quickly get
12 out and start counting. But we will try to still bring
13 down somebody with a 206 so that we can put in other
14 observers. But our survey methods require basically two
15 planes because the Super Cub being so slow and the weather
16 windows are so short.

17
18 Brown bears. We put a lot of money -- the
19 Fish and Game and ourselves put in a lot of money to do a
20 total count survey of brown bears in the area. This map is
21 of the Peninsula and Unimak Island and it depicts the
22 transects that were actually accomplished and I'll let you
23 pass that around. Unfortunately I don't have but the one
24 copy in color. I didn't have a color copier to reproduce
25 it. As you can see, the Peninsula is covered pretty
26 extensively. This is a statistic modeling that basically
27 allows a total number of bears to be -- a number for total
28 number of bears to be derived.

29
30 Originally the model was set up to include
31 Unimak Island as all one unit and we've since in our
32 discussions are sort of trying to keep Unimak as sort of a
33 separate entity. We indicated that we'd like to see that
34 so done. And so it required a few more survey hours and
35 transects on Unimak Island to validate the number of
36 observations, et cetera.

37
38 This map shows, in red, the grouping of
39 bear observations and unfortunately the data hasn't been
40 crunched enough yet to give us a total number yet. So
41 these just show -- depict where the bears were sighted.
42 But of more importance, the next subject is location of
43 where moose were sighted. A total of, what was it, I had
44 it in my notes here, 59 moose, I believe it was were
45 sighted. The key in my mind is the location of where those
46 are at. It's in the area that was intended for the State
47 hunt and the subsistence hunt.

48
49 Basically my management concerns would be
50 for any taking of -- or any moose actually below south of

00172

1 Pavolof Bay, the concentration of animals is to the north
2 of there, between there and Port Moeller boundary.

3

4 Along with moose, since we're on that
5 subject, I have a note in here, I know there's concerns for
6 being able to get locals permits for the moose and so the
7 Council initiated a permit system of their own under the
8 Federal. Dick Sellers has been contemplating changing that
9 season from a drawing to a regular State season. In other
10 words, a resident, a regular resident season. That would
11 allow everybody within the region to go out. It's targeted
12 for local people based on the season, November/December.
13 You don't have guides here. John Q. Public doesn't have
14 any way of getting out there so it's really -- and non-
15 residents can't come because it's not a resident season.

16

17 MR. GUNDERSEN: I spoke to Dick about that
18 a couple times.

19

20 MR. POETTER: That's what he indicated to
21 you, too, uh?

22

23 MR. GUNDERSEN: Yes.

24

25 MR. POETTER: Okay. So I see that as a big
26 plus. I'm hoping that we can just do away with all permits
27 and get that off of everybody's back if the Council so
28 feels in agreement of that.

29

30 There's a brief summary of the Mortenson
31 Creek thing here but I think you also had a briefing from
32 the Fisheries Office regarding that but I just threw that
33 in just in case. It was similar to the one that I provided
34 last year.

35

36 Guides and other special use permits that
37 we've issued. Our big game guides are staying the same,
38 except now they're a 10 year permit -- well, they were five
39 year and then reauthorized for another five years are
40 coming up for recompetition. So anybody -- yeah, Della.

41

42 CHAIRWOMAN TRUMBLE: No, go ahead.

43

44 MR. POETTER: Anybody that locally has an
45 interest or is qualified as a guide this is the time for
46 them to get in as big game guides within the Federal
47 system.

48

49 It's all competitive. They fill out a
50 prospectus, indicate what kind of operation they're going

00173

1 to have, their experience, et cetera, et cetera. And those
2 guidelines have been up for review and anybody that's
3 interested, this is the time for them to really be thinking
4 about that.

5

6 Yes, Madame Chair.

7

8 CHAIRWOMAN TRUMBLE: Rick, we -- I know
9 from Kodiak and from Izembek, we've talked about those
10 plans for these Refuges and that there was supposed to be
11 a public process going to the communities to discuss them,
12 where are we at with the one for our regions?

13

14 MR. POETTER: That's the comprehensive
15 conservation plan and we're due to start ours this spring,
16 basically. They're still involved -- it's been a slow
17 process with the one that's ahead of us, which is basically
18 Togiak Refuge. And the staff and planning that's been
19 working on that are really tied up with that and still
20 trying to get it finished. But we're going to start in on
21 doing some preliminary work and getting that process going
22 so within the next year you're going to see a lot more
23 progress towards that.

24

25 CHAIRWOMAN TRUMBLE: And this application
26 period for competitive permits is set for October 2001
27 through January 17th, 2003, has that posted for the guide
28 outfitters?

29

30 MR. POETTER: The guides, they're on a
31 mailing list and all this information is sent to them
32 automatically. All registered guides.

33

34 MR. SQUARTSOFF: Yeah, Rick, I have brought
35 it up before, a couple of different times at meetings,
36 about these guided permits on the Refuges. With the way
37 the fisheries are going in the villages, I really feel that
38 the villages should be allocated some of these permits so
39 that they can go into different things besides their
40 commercial fishing. I don't know what the number should
41 be, but I think a percentage of these permits should be
42 left aside for allocation to the villages within the area
43 of the Refuge.

44

45 MR. POETTER: I don't know the background
46 or I don't remember the background but it's an open
47 competitive process, so, yeah, we thoroughly encourage
48 somebody like Rick Koso or Ray Koso, anybody that might be
49 qualified. I know Rick's not but might be a qualified
50 guide to apply and get an area.

00174

1 MR. SQUARTSOFF: Yeah, I don't know, you
2 know, I think the young people maybe in the schools could
3 get the information. Because the school is a big part of
4 the communities and the kids take this stuff home to the
5 parents and they talk about it. And the way the fisheries
6 are going, there's no future for the young people.

7
8 CHAIRWOMAN TRUMBLE: And could you get a
9 copy to me, also, what that application looks like so I
10 could -- and I guess who determines who gets these permits?
11 Is there a committee or is it just you or how does that
12 happen?

13
14 MR. POETTER: Okay, the process last time
15 was each guide provides a perspective and we provide a
16 summary of the area because it's mapped out and then they
17 give their - basically it's an application and they
18 summarize about 10 different criteria, it's from
19 experience, safety, includes the effect on habitat, effect
20 on other users and on down the line. They then send all
21 those applications in -- or perspective in, we put together
22 a ranking panel and it involves basically managers or
23 assistant managers. For this region it was Togiak Refuge,
24 Alaska Peninsula Refuge and Izembek Refuge and, in fact, I
25 was one of the panel ranking members on that when I was
26 working at Alaska Peninsula. And we spent three weeks in
27 Anchorage sitting around tables and reading each perspective
28 and some of these guide areas, we've got about five on
29 Izembek Refuge, including Unimak Island and you can get 10,
30 12, 15, 20 perspective for an area and we go through each
31 one of them, rank them out based on guidance provided by
32 our regional office and then come up with numerical scores.
33 And then, in essence, the person with the highest score is
34 recommended for awarding of the area.

35
36 They're talking about making a minor change
37 to that system in that the manager would look at the
38 highest grouping and within that highest grouping would do
39 one on one interviews and then make a selection from that.
40 That's still in the process for being worked on.

41
42 CHAIRWOMAN TRUMBLE: Paul.

43
44 MR. GUNDERSEN: What is the absolute number
45 of permits that would be issued off the Refuge?

46
47 MR. POETTER: Each guide area is previously
48 determined how many -- and that's in that advertisement
49 perspective, how many guides we're looking for in each area.
50 Now, if say we said it was just one we did make some

00175

1 changes and modifications -- say there were two guides that
2 said, okay, well, I'm applying for the bottom area and I'm
3 just applying for the top area, very similar to Richard
4 Guthrie and Dick Gonlugson, they share a guide area. So we
5 said, okay, yeah, that's a good break, we're not trying to
6 cut -- we're not getting two people stacking up on one
7 another doing the same thing so we're splitting it up. And
8 they're getting the entire area sort of covered, so to
9 speak. We don't manage by number of species taken, we
10 manage it by number of clients.

11

12 For instance, Unimak Island is sort of one
13 of our different areas in that it's -- and the primary
14 species, of course, is brown bear down there but now
15 caribou -- when this originally was done there was no
16 caribou -- caribou was basically on a big decline and so
17 they weren't considered until the population came back up.
18 Anyway, Unimak Island has two guides on it that share the
19 entire area. Basically that's because it's a permit draw
20 for that and so that gives the individual who drew a permit
21 two people to go to and not be stuck with just one person.

22

23 CHAIRWOMAN TRUMBLE: Rick, I have three
24 items that I'd like to talk -- or at least make notice of.
25 I guess the first thing is in talking about these guides,
26 you mentioned that you mailed that out to the registered
27 guides, that you have a mailing list. And I think for both
28 Refuge systems they should be posted publicly in each of
29 these communities.

30

31 MR. POETTER: Yeah, I'm not -- I don't know
32 exactly what they did but I know there was an advertisement
33 in the -- or notice in the paper put out. I'm not sure
34 about specifically if anything was sent to the corporations
35 or the tribes.

36

37 CHAIRWOMAN TRUMBLE: I never seen anything
38 and that's how people -- we post things in our harbor
39 houses, that's how people mainly get their information that
40 are interested in doing this.

41

42 MR. POETTER: Okay, I'll check on that.

43

44 CHAIRWOMAN TRUMBLE: The other issue is the
45 local person doing the caribou surveys.

46

47 MR. POETTER: Uh-huh.

48

49 CHAIRWOMAN TRUMBLE: I know the other
50 gentleman that was working and did attend our last meeting

00176

1 mentioned about three times that -- our wanting a local
2 person to do these surveys was a credibility issue. There
3 is no credibility issue here. It was more a joint effort
4 because of a local person participating earlier and doing
5 that caribou count, that population was more accurate,
6 these guys know exactly what's going on. They're on the
7 waters, they're out hunting, they know what they see and
8 they're better able to contribute to that process. So it's
9 not an issue of credibility.

10

11 MR. POETTER: Oh, no, I didn't take it that
12 way.

13

14 CHAIRWOMAN TRUMBLE: Well, you might want
15 to talk to your staff about that.

16

17 MR. POETTER: Okay.

18

19 CHAIRWOMAN TRUMBLE: The other issue and
20 this is one I hope I never have to bring to this table ever
21 again and if I do I'm not exactly sure what I'm going to --
22 I'm going to move to Cold Bay to be honest with you and
23 I'll leave off Welfare to watch this. I have gotten word
24 when I've been over here the last few days and I'll give
25 you a name later that -- and we've gotten lately where a
26 few people have been finally coming over here on the ferry
27 system in September in September and October to hunt, pick
28 berries, utilize the Refuge system as it should be. And to
29 have one of your enforcement officers running around asking
30 where are those people from King Cove, I want to know where
31 they're at. I am sick and tired of hearing this. The guys
32 come over to go hunting. I get, of them, you know, planes
33 flying over them, buzzing over them but to outright point
34 and look for people from my community and I'm hoping not in
35 the rest of the region to look for them to find out whether
36 they're doing something wrong is, in my mind,
37 discrimination. And I say when I'll come over here and
38 move over here because I'm going to post signs and say
39 anybody, I don't care where you come from if you're getting
40 treatment like that I want to hear that. And if I'm
41 hearing it from only King Cove then we've got a problem.

42

43 We're trying to work and I know since I've
44 been on this Council, working with the various agencies and
45 regions and people in our communities to better, what I
46 think we've got and to better work together and communicate
47 and make these partnerships work. But if it's stuff like
48 that that I'm hearing somebody needs to take a real good
49 look at what's going on as far as enforcement's concerned.

50

00177

1 MR. POETTER: There's only two officers
2 here right now, myself and my deputy.

3
4 CHAIRWOMAN TRUMBLE: Then that makes it
5 pretty simple.

6
7 MR. POETTER: Okay.

8
9 CHAIRWOMAN TRUMBLE: It's not you.

10
11 MR. POETTER: I will see what that was
12 about then. Because obviously -- well, he does not have
13 any kind of animosity one way or -- that way at all.

14
15 CHAIRWOMAN TRUMBLE: The person that told
16 me basically told me this, his credibility in my mind and
17 most of the people in this whole region is pretty high.

18
19 MR. POETTER: Okay. Yeah, if I could not
20 only have the name of that, of my individual but the other
21 individual it would really be of significance.

22
23 CHAIRWOMAN TRUMBLE: Thank you.

24
25 MR. POETTER: You know, it's hard -- yeah,
26 I don't want anything like that to happen and there's no
27 intent to do that at all. Because the area is -- yeah,
28 it's wide open for King Covers to come over and that. I
29 know there are some community animosities, you know,
30 there's strife, there's differences, territorialism,
31 whatever you want to call it. But from the Refuge's
32 standpoint, there's none of that. It's open, it's a
33 National Wildlife Refuge, it's open to all users unless
34 regulatory changed and that's where we're at.

35
36 CHAIRWOMAN TRUMBLE: Pete.

37
38 MR. SQUARTSOFF: Yeah, I'd just like to
39 comment on that a little bit. I think, you know, some of
40 it may be coming by the increasing amount of guides and
41 clients coming in on the Refuge.

42
43 CHAIRWOMAN TRUMBLE: Does anybody else have
44 anything for Rick at this time?

45
46 MR. LUKIN: I heard him mention something
47 earlier about he didn't take numbers of animals or
48 whatever, but you said you took numbers of -- you took your
49 figures by your clients or your guides and I was kind of
50 wondering what you were trying to tell us there.

00178

1 MR. POETTER: The State manages the big
2 game species in the State and Fish and Wildlife Service
3 isn't intending to do that, that's their authority. But we
4 do manage client use, it's sort of a -- it runs close
5 together but that's the divisions we make.

6
7 CHAIRWOMAN TRUMBLE: We're going to run
8 into a time crunch here, everybody's trying to get out as
9 we were planning. Rick, I really appreciate you being
10 here, it's good to see you again.

11
12 MR. POETTER: It's my pleasure. And I
13 really do want and will be at every meeting I can because
14 that's my goal.

15
16 CHAIRWOMAN TRUMBLE: Thank you.

17
18 MR. POETTER: And hopefully I can but if I
19 can't be there I'll send somebody that is as knowledgeable.
20 In addition to that, you know, I'll also say I was
21 available for conference calls but I don't think that
22 message was passed on and next time I will specifically let
23 you know before your meeting meets or when your meeting is
24 I'll call and let you know that I am available.

25
26 CHAIRWOMAN TRUMBLE: Thank you.

27
28 MR. POETTER: Thank you.

29
30 CHAIRWOMAN TRUMBLE: Kodiak National
31 Wildlife Refuge. Tonya.

32
33 MS. BROCKMAN: Good morning, Madame Chair.
34 Thank you very much for having me here. My name is Tonya
35 Brockman and I represent the Kodiak National Wildlife
36 Refuge in Kodiak.

37
38 I was really nervous for this speaking
39 engagement but until I saw Lukin from his chair made me
40 relax a little bit, so thank you for making me laugh there.

41
42 I know managers and my supervisor were
43 planning on coming but they had a very busy summer and were
44 unable to make it so they sent me. I'm the Refuge
45 information technician in Kodiak. I have a written update
46 of our activity report for the Refuge if you want to take
47 a look at that as I just follow it. It's pretty basic.

48
49 We had a good year. I got on in April and
50 that was right when the March meeting got over so this

00179

1 stuff covers April through August of this year.

2

3 The first one is the king crab proposal
4 which Rich went over really well and was already decided
5 on. The second is the subsistence related fishery
6 management activities which includes a lot of the work that
7 Tony does at our office. Salmon stream surveys around the
8 island and some cooperative projects with Fish and Game.
9 In fact all these reports involve a lot of cooperative
10 efforts with Fish and Game and other organizations and
11 agencies.

12

13 So they used videos to monitor the
14 escapement and used for counts on the Little River and
15 Akulura systems and that was a real encouraging project, it
16 looked like the data came out good.

17

18 And at the top of the second page it talks
19 about Litnik and what happened there with that system. The
20 fish found there was really low, only 19,520 fish and the
21 minimum goal is 40,000 so as you can see they're concerned
22 about this system and want to take action. Our Refuge
23 manager, Leslie Kerr, wrote a letter that I shared with all
24 of you yesterday and it just explains that we're in support
25 of Fish and Game's proposal for funding.

26

27 About mountain goats, there was a survey
28 done in cooperation with Fish and Game and it showed a
29 population wide of approximately 1,400 mountain goats and
30 a real good kid production there. The hunting season had
31 195 permits issued and 119 hunters in the field and the
32 report of harvest of 70 goats, about 72 percent males.

33

34 I mentioned sea otters here and I know that
35 was given in detail at the March meeting and I guess if you
36 have any questions. We had a meeting in May with the
37 Marine Mammals Management Staff from Anchorage and they
38 described to the public what was happening there and I also
39 took that information to the villages. There's also a
40 fact sheet in your booklet there that describes what's
41 happening with that and the most update information on sea
42 otters.

43

44 The Refuge assessed over winter mortality
45 of deer and it showed that few deer died during the winter
46 and it looks like the deer herd is continuing to increase
47 so -- there's also going to be some more projects with a
48 biologists, a deer specialist and I think some of that will
49 be useful information since a lot of work has not been done
50 with the deer that we'd like to find out.

00180

1 The Refuge and Fish and Game did some elk
2 and brown bear captures and they ended up capturing 13
3 adult female elk and four adult brown bears. That was an
4 interesting project there. It was just for the purpose of
5 research protocols and to monitor the elk herd distribution
6 composition there.

7

8 Also for the record there were 14
9 subsistence elk permits issued last year but no harvest was
10 indicated. For the brown bear there were two subsistence
11 hunting permits issued for the spring of 2002 but no bears
12 were harvested. One was in Larsen Bay and one was Old
13 Harbor.

14

15 And we're also doing some projects with the
16 US Geological survey and the Alaska Science Center for
17 habitat mapping. And I don't have more specifics on that
18 but I think there's a lot of questions as to where Maritime
19 Refuge waters are and we just want to get a clear idea of
20 where our markers are of the Refuge, it's a concern for
21 many people.

22

23 As far as outreach, I'm the new Refuge
24 information technician and I was able to go to almost all
25 the villages. I went to Karluk with the salmon camp and
26 worked with the kids there and that worked out good. We
27 have a real good salmon camp program in Kodiak. If you
28 want more information on that I can provide it. And the
29 focus of these village meetings was to discuss migratory
30 bird issues and I went around mostly with Herman Squartsoff
31 and he's on the Migratory Bird Comanagement Council. He's
32 able to answer all the people's questions and I also took
33 that information to a couple of the tribal councils in
34 town. I also covered sea otter stuff and just tried to
35 address concerns and issues regarding subsistence in the
36 villages.

37

38 I just want to note that I'm interested in
39 any input you have on outreach for the Kodiak Refuge and
40 how we can do a better job in getting the word out on
41 things you need to know about. I'm willing to work with
42 you and find out what your concerns are there.

43

44 And just for your information, too, with
45 the staff, Tony will be leaving us in just a couple weeks
46 and we're getting a new wildlife biologist to replace
47 Robert. I know a lot of you miss him and his company here
48 at the meetings so there'll be some new staff turning over
49 at the Refuge.

50

00181

1 I'll do my best to answer your questions,
2 if I can't I will get back with you either in a letter or
3 in person or by phone and do the best I can to communicate
4 with you.

5
6 Thank you.

7
8 CHAIRMAN TRUMBLE: Thank you, Tonya. Is
9 there any questions or comments for Tonya at this time.
10 Pat.

11
12 MR. HOLMES: I'd just like to make a
13 comment and compliment to the Refuge Outreach Program.
14 I've worked with the salmon camp since its inception and I
15 think that Missy and Samantha are just doing really bang-up
16 job in town and when they get out in the villages on
17 environmental education. And I just think they should be
18 commended, I think they do a really swell job.

19
20 CHAIRMAN TRUMBLE: Thank you. Pete.

21
22 MR. SQUARTSOFF: Yeah, I just had one
23 Tonya, maybe you could talk with Leslie, I don't know what
24 the status is on this Maritime Refuge on Afognak, I
25 understand it's handled by Homer, was Kodiak going to get
26 control of that or were you going to work towards that
27 or.....

28
29 MS. BROCKMAN: The Maritime Refuge is based
30 out of Homer and to the best of my knowledge it has to do
31 with the Park, it's going to be turned over to the Parks
32 and not the Refuge. But I can get a more definite answer
33 for you in writing if you'd like.

34
35 MR. SQUARTSOFF: Yeah, well, my concern was
36 because of the subsistence issues and all that stuff on any
37 enforcement, I don't feel Afognak's going to get much
38 enforcement from over in Homer.

39
40 MS. BROCKMAN: Okay, I'll take that into
41 consideration. Thank you, Pete.

42
43 CHAIRMAN TRUMBLE: Any other comments.

44
45 MR. CRATTY: I had a question for you
46 Tonya, I don't know if you can answer it or not but I was
47 wondering a couple of years ago at a meeting they said
48 there was decline in the harlequin ducks on the west side
49 of the island and I was wondering what was happening there,
50 if they had studied more on it.

00182

1 MS. BROCKMAN: The result -- they did a
2 survey of the Ayakulik River on harlequins and I can get
3 back to you on the results of that survey.

4

5 MR. CRATTY: Okay.

6

7 MS. BROCKMAN: As far as I know there was
8 a decline but as far as specific numbers I don't have with
9 me.

10

11 MR. CRATTY: Yeah.

12

13 CHAIRMAN TRUMBLE: Any other. Pete.

14

15 MR. SQUARTSOFF: Yeah, on the beginning on
16 putting the cameras in for the salmon.....

17

18 MS. BROCKMAN: Uh-huh.

19

20 MR. SQUARTSOFF:at Akulura, were you
21 involved in it and how well did that go?

22

23 MS. BROCKMAN: The video cameras -- oh,
24 about your last question, Al, I know they did more surveys
25 in that, too, and as far as those results I'll get back
26 with you because Danny was involved with several boat
27 surveys.

28

29 So as far as I know they did the video
30 monitoring projects and Fish and Game has that project.
31 And it's working at well, they're doing it in small systems
32 and I think they're going to continue to implement the
33 videos. And as far as -- until they understanding the
34 truths of the videos they'll have a person there. The
35 results are encouraging.

36

37 MR. SQUARTSOFF: Yeah, I came by the
38 office, I come to Kodiak a lot so I can stop by but I
39 encourage our other members to do that also when they're in
40 Kodiak because you get a lot of good information by
41 stopping by the Refuge.

42

43 CHAIRMAN TRUMBLE: Mitch.

44

45 MR. SIMEONOFF: You mentioned with the sea
46 otters, do you also gather information from other marine
47 mammals, harbor seal or the stellar sea lion?

48

49 MS. BROCKMAN: The National Marine
50 Fisheries Service is in charge of the harbor seals. The

00183

1 Refuge has jurisdiction over the sea otters and walrus. So
2 that would be a question for the National Marine Fisheries
3 Service, they have that kind of data. But I can research
4 for you and find out.

5
6 MR. SIMEONOFF: Well, the reason I ask is
7 I'm a member of the Harbor Seal Commission and we work at
8 harvest monitoring and sampling. You were referring to sea
9 otters and the work conducted with the Sea Otter Commission
10 and Stellar Sea Lion Commission.

11
12 MS. BROCKMAN: Right. The Marine Mammal
13 Management office in Anchorage works closely with the Sea
14 Otter Commission and Stellar Sea Lion and I've been trying
15 to inquire about some of the cooperative work with
16 traditional ecological knowledge and incorporating that
17 into some of the studies. But that would be a good
18 question for that Marine Management office in Anchorage --
19 Marine Mammal Management office. But your specific
20 question was survey results or.....

21
22 MR. SIMEONOFF: You offered information on
23 the sea otters, my question is gathered information on
24 other marine mammals like the harbor seals or stellar sea
25 lions?

26
27 MS. BROCKMAN: No, the Refuge does not.

28
29 MR. SIMEONOFF: Okay.

30
31 CHAIRMAN TRUMBLE: Thank you, Tonya.

32
33 MS. BROCKMAN: Thank you, Madame Chair.

34
35 CHAIRMAN TRUMBLE: King Salmon Fisheries
36 Resource Office, Mike Edwards.

37
38 MR. EDWARDS: Madame Chair, Council
39 members, thank you. I know everyone's getting a little
40 antsy so I'll be as brief as I can. I've got a brief
41 summary of the work that our office has been conducting on
42 the Peninsula and the Aleutians and you'll find this
43 information on Page 159 of your booklet.

44
45 The first one I'll talk about is the Frosty
46 Creek weir here on Izembek. The Frosty Creek weir has been
47 running, this is the third year, it will be the final year
48 of it. The information from the two previous years are in
49 your book but the current escapement as of yesterday for
50 Frosty Creek is 41,556 chum salmon, 1,233 pink salmon,

00184

1 1,262 sockeye salmon, six chinook salmon and at this point
2 283 coho salmon have moved upstream past the weir and to
3 date we have had 4,244 dolly varden go up past the weir.
4 And that is the Frosty Creek weir.

5
6 I'll just go through them all and then come
7 back if anyone has questions.

8
9 The next one is the Mortenson's Creek weir
10 which is an OSM funded project. The other project, Frosty
11 Creek, came out of station funds to fund that project. And
12 in cooperation with King Cove, we did employ two local
13 hires on the Mortenson Creek weir this year and that was a
14 nice thing to do and we tried to do that last year but
15 things just didn't happen, we couldn't get the person on
16 board but this year we were able to and we really enjoyed
17 doing that. As Steve Klein pointed out, that's an integral
18 part of this is to do this capacity building and get the
19 local residents involved. And again, last years data is in
20 the booklet and escapement to date as of yesterday from
21 Mortenson is 5,206 sockeye salmon, 53 chum salmon and 15
22 pink salmon and 2,564 coho salmon have entered Mortenson's
23 Creek as of yesterday so far.

24
25 And another component that's been added to
26 the Mortenson Creek is a krill survey, a use survey of use
27 by the public and what's going on down there at the spit so
28 we can get some quantitative information on the use down
29 there be it subsistence or sport use and that was added to
30 the project this year.

31
32 The other two projects are similar, they're
33 not really in your region. One is the estimation of coho
34 salmon escapement into the Clark River. That project is in
35 full swing, this is the first year of it. And where we
36 stand right now, we've radio-tagged 100 sockeye at the weir
37 at Chignik and we have a technician out there that is
38 currently tracking the fish to find out what portion of the
39 fish going through the weir in August are actually headed
40 to the Clark River. That's the concern of the people in
41 Chignik and Chignik Lagoon. And they're just, this week,
42 starting some walking surveys up there and again, we're
43 using local hires out of Chignik Lagoon to conduct the
44 walking surveys.

45
46 The other project we have ongoing in that
47 same general area is the carrying capacity of habitat used
48 seasonally by coho salmon in the Kmedeluk. I'm sure, as
49 the Council is well aware, the Kmedeluk coho salmon are
50 greatly depressed and our office is taking a new approach

00185

1 to look at the problem. The State has tried egg boxes for
2 several years and have not really seen good results and
3 part of that has just been there's been no fish coming back
4 to get eggs from. So what our office is doing with this
5 project is we're looking at habitat to try and see if
6 habitat is the constricting, the bottleneck in the
7 production of the Kmedeluk. And we're also doing this
8 project -- I don't have listed here, weir up at Yantarni up
9 at Clear Creek which is very close to the Kmedeluk and has
10 a very good healthy coho system up there, a good coho run,
11 excuse me, and we're going to use -- basically play good
12 cop, bad cop, do, we're going to do the same habitat
13 inventories in both systems and snorkeling for juvenile
14 densities in the Clear Creek one which has the healthy runs
15 and see if there's a difference between the habitats in
16 Yantarni or the Kmedeluk and see if habitat is limiting
17 there.

18

19 And I would like to express gratitude,
20 really appreciate the Council's support on Proposal 03-043
21 which is going to be the aerial surveys of the streams
22 adjacent to the Kmedeluk because as it was pointed out,
23 since they no longer can fish the Kmedeluk, people are
24 going to go elsewhere and we'd like to get that baseline
25 data and I just wanted to thank the Council for their
26 support on that proposal.

27

28 That concludes my presentation.

29

30 CHAIRMAN TRUMBLE: Thank you. Any
31 questions or comments.

32

33 MR. GUNDERSEN: I wonder how far the guy
34 with the radio is going to have to chase that radio salmon,
35 it's probably in the belly of some bear now.

36

37 (Laughter)

38

39 MR. EDWARDS: Well, so far we haven't had
40 that.

41

42 (Laughter)

43

44 MR. EDWARDS: We have two fixed receivers
45 set up there. There's the Clark River and probably a
46 hundred yards away is the mouth of Home Creek. And so
47 we've set up two fixed receivers there so whenever the fish
48 enter the system, hopefully our data loggers will pick them
49 up and then our technician is hitting some of the local
50 known spawning areas with the local hire, that local

00186

1 knowledge has been really helpful with our tech, getting
2 him out and helping him find where the fish are. And to-
3 date, like I said the 100 tags have been out and I think
4 they've accounted for about 70 of them so far.

5
6 So everything's moving fine with that
7 project.

8
9 CHAIRMAN TRUMBLE: Thank you. Any other
10 questions, comments. Thank you.

11
12 MR. EDWARDS: Thank you.

13
14 CHAIRMAN TRUMBLE: Alaska Department of
15 Fish and Game.

16
17 MR. HONNARD: Madame Chair, Council
18 members. My name is Steve Honnald. I'm with the
19 Department of Fish and Game, Commercial Fisheries and
20 finfish research. My intention today was to give you kind
21 of a full blown presentation on Afognak Lake but we
22 discussed a lot of it already so I'm just going to kind of
23 go through a few points to save time.

24
25 One thing I would like to comment on
26 regarding Tonya's presentation. Regarding Akulura, the
27 project went really well as far as cooperation with Fish
28 and Wildlife Service. They provided funding for all the
29 equipment, the video equipment and they also provided
30 logistics and then the Department supplied personnel to run
31 a weir and to operate the video equipment. So what we did
32 is we had a video enumeration system set up out there to
33 see how it would work. It's really just a feasibility
34 project at this point. It's a three year feasibility
35 project to see if it will work. And we also have a weir in
36 place to kind of groundtruth our video counts.

37
38 So this first year we ran into some
39 technical projects. I think overall for a first year it
40 went really well though and I just wanted to let you know
41 about that.

42
43 This handout that I provided has quite a
44 bit of information we've already covered so I'll just go
45 over some of the high points here. I don't have a page
46 number and my intention was to do this on a slide show and
47 I was going to point out things in the slide show, I didn't
48 plan on referring to a hand out -- no, actually I guess I
49 do have page numbers.

50

00187

1 Let's turn to Page 4, the page numbers are
2 on the right corner there. And as you all know, there was
3 a run failure this year, and a weak run in 2001 for sockeye
4 salmon at Litnik. So on Page 5 I've got a copy of the
5 joint news release that was issued by the Department of
6 Fish and Game and the Fish and Wildlife Service. So the
7 subsistence fishery was closed, effective June 13th. The
8 page numbers are right in the right corner -- oh, there
9 aren't any on yours, I'm sorry, I apologize for that.

10

11 Okay, let's start at the beginning and I'll
12 just go through it. So if you go past, there's two maps at
13 the beginning, go past them and I've just got a copy of the
14 news release which is right after the first photographs.
15 Okay, that's where I'm at, now, everybody got to that
16 point. So this is just a copy of the news release and the
17 Department of Fish and Wildlife Service were working really
18 well together and making sure that that system, the
19 priority was to get escapement into that system. And this
20 was the first subsistence closure of any kind in the Kodiak
21 Island area. So that's why it's a real concern and why
22 we've been really trying to tackle this situation.

23

24 So the next page, I was just going to go
25 over some of the trends so you can see where we've been at
26 there as far as the stock status. So the next page is a
27 graphic representation of the escapement. This figure just
28 shows the escapement from 1992 to 2000 and the harvest.
29 And on the left-hand side of the graph is an axis that
30 shows the number of sockeye and the bottom is years. And
31 the solid bars are the escapement and the hash marks are
32 the harvest. And then I've got two solid lines there that
33 indicate escapement goal so that that lower -- or two lines
34 -- the lower hash line is the lower escapement goal which
35 is 40,000 and the upper escapement goal is 60,000.

36

37 So you can see our escapement goal was met
38 for all the years up until 2000. We met the minimum goal
39 in 2000 and then in 2001 we really saw a major drop off.
40 The commercial fishery was closed in 2001. The subsistence
41 fishery was still open and that's pretty much that harvest
42 there. And in 2002, all the fisheries were closed, sports,
43 subsistence and commercial.

44

45 The next graph is a graph that just shows
46 you the timing of this run, it's an early run system. And
47 on the bottom of the figure is the dates. So this is
48 basically escapement by day so you can see the escapement
49 begins in late May and it pretty much peaks in early June
50 and then tails off towards late June, early July. So just

00188

1 to kind of give you an indication. The subsistence fishery
2 typically mirrors this timing, probably a little earlier to
3 get those fishes that are coming in. And I'm sure Pete or
4 Ivan can correct me if I'm wrong here.

5
6 The next graph shows the average
7 subsistence catch compared to the total harvest for those
8 same years. So the average subsistence catch has been
9 about 6,000 reds. The total harvest includes that
10 subsistence catch so you can see that in some years the
11 subsistence catch was a fairly high proportion, other years
12 there was a lot of commercial and sport catch and then in
13 2001 you can see that basically that subsistence catch was
14 pretty much all there was and 2002 I don't have on here.

15
16 The next graph is a pie chart and this is
17 just to show you the harvest by user group. So you can see
18 these are -- on the left, the left pie is a 10 year average
19 and the right pie is a five year average. So you can see
20 the subsistence users have averaged about 17 percent and
21 that's that darker pie, the darker portion of the pie. And
22 then in the last five years, up to 2001 about 27 percent.
23 So a pretty high percentage of that harvest is used by
24 subsistence groups.

25
26 The next table I have here represents the
27 subsistence harvest by area and I've also got it split out
28 by residents. So if you look all the way over to the right
29 you can see the total subsistence harvest for sockeye
30 salmon for all residents of the Kodiak area is about 25,000
31 for the last 10 years. The shaded column there shows
32 Afognak Bay so it's been about 6,000 of that 25,000.
33 There's also a five year average in there, the total
34 harvest has went up a little bit to about 29,000 and the
35 Afognak Bay harvest about 6,600.

36
37 If you look by village, on the very left
38 column it's split out by all residents, Kodiak City
39 Ouzinkie and Port Lions.

40
41 So if you look at Kodiak City, they caught
42 about 18,000 reds overall for the total subsistence catch
43 in the area and about 5,000 of those came from Litnik.
44 Ouzinkie caught about 1,370 or, you know, 1,500 and about
45 a couple hundred, 160 to 175 came from Afognak Bay. And
46 Port Lions, the catch has been around 2,000 fish overall
47 for reds and of those about 400 or somewhere between 250
48 and 400 from Afognak Bay.

49
50 The next graph kind of just shows this

00189

1 graphically so you can kind of maybe see it a little bit
2 better. If you start at the left top corner, the pie there
3 it shows all of Kodiak, all residents 24 percent of the
4 fish were caught from Afognak Bay for the 10 year period.
5 All residents from just Afognak Island, 85 percent are from
6 Afognak Bay from Litnik so on Afognak Island it's the most
7 heavily utilized subsistence resource.

8

9 And then just looking at Kodiak city which
10 would be the next one down, about 28 percent all the fish
11 from Kodiak City residents come from Afognak Bay and about
12 88 percent of all their fish they catch on Afognak Island
13 are from Litnik.

14

15 I've got Ouzinkie and Port Lions on the
16 next one. Basically their total subsistence catch is --
17 about 11 percent of it comes from Afognak Bay. IF you
18 split that out just into Afognak Island which are on the
19 right side of this figure, 63 percent of the Afognak Island
20 sockeye caught by subsistence are caught from that -- the
21 Ouzinkie catches are from Afognak Bay and Port Lions 96
22 percent of the reds they catch on Afognak Island are from
23 Afognak Bay.

24

25 We've talked about the projects. This next
26 one just shows the ongoing assessment projects that the
27 Commercial Fisheries Division typically runs and how long
28 they've been running them. We've had a weir operated at
29 Litnik since 19 -- we've sampled those fish for biological
30 data since the mid'80s and then we monitor the fish ticket
31 system and the sport catch surveys to get the harvest
32 information also and that's been ongoing for several years.

33

34 Previous projects at Afognak Lake, in 1987
35 and 1988 there was a similar situation, the lower
36 escapement goal was not being met. The subsistence fishery
37 wasn't shut down but there still was a concern so the
38 Department initiated studies to determine if the lake might
39 benefit from a lake fertilization project. These studies
40 indicated a very nutrient poor rearing area. The lake, the
41 sockeye rear in the lake as juveniles for one to three
42 years and it's a real critical time in their lifecycle and
43 these studies showed that there was very poor nutrients and
44 very poor food base for those fish. So in 1990, a five
45 year fertilization project was initiated. And what a
46 fertilization project will do, it will increase the
47 nutrients which increases food for these microscopic
48 critters that the sockeye eat and so that was the goal of
49 that project.

50

00190

1 Kodiak Regional Aquaculture Association
2 funded this project and the Department decided how much
3 fertilizer to put on and evaluated the project.

4
5 At the same time the Department approved
6 KRA to use Afognak Lake as a brut stocks for other
7 enhancement projects and the reason for that is that it was
8 an easily accessible stock and at that time it was -- once
9 this fertilization kicked in it was starting to kick in, we
10 were starting to get good escapement so there was always
11 some excess fish. So the Department approved them taking
12 a small number of fish for brut stock so that they could
13 stock some other systems. For instance one at Port Lions,
14 Crescent Lake. On a couple of occasions the hatchery that
15 reared these fish, Pillar Creek hatchery on the road system
16 had really high survivals on their fish when they got them
17 into the hatchery and because of that they had too many
18 fry. I make determinations of how many fry they can stock
19 into these enhancement systems for put and take fisheries
20 and I decided that it wasn't -- they had too many fish they
21 were going to damage these systems. So what they wanted to
22 do is take these extra fish and put them back into Afognak
23 Lake. Well, at the time we were fertilizing the lake so we
24 felt that that would provide enough food for these extra
25 fish, it was a small number of fish. So for about three or
26 four years some fish were stocked back into Afognak Lake.

27
28 After 1998, the Department decided that due
29 to the fact the system was being possibly overescaped, the
30 escapement goals were being exceeded, that we didn't want
31 to put extra fish in there so we eliminated that and told
32 them that if they couldn't stock all their fish they'd have
33 to destroy them or find another spot to stock them.

34
35 The Department was charged with evaluating
36 this fertilization program as well as these stockings. The
37 KRA paid for the money and the Department conducted studies
38 on the lake. We sampled the lake, what's called lonology,
39 lake studies. This picture here is of a biologist
40 collecting zooplankton samples. We also looked at smolts
41 condition. We didn't have enough funding to actually
42 enumerate all the smolt coming out of the system so we just
43 collected small samples to see if we could see any change
44 in their condition.

45
46 All these evaluation studies are complete
47 and at this point for 2003 the only stock assessment funded
48 by the Department is those original projects I mentioned,
49 the weir sampling and checking what the harvest is.
50

00191

1 So that's where we get to wanting a new
2 project and we pretty much discussed this pretty
3 thoroughly, I think, yesterday and I appreciate the fact
4 that it sounds like you're real supportive of the
5 Department doing this project so I won't go over the rest
6 of this too much.

7
8 The only thing I would like to just show
9 you real quick is basically the last four pages of this
10 handout where it starts out with proposal evaluation and
11 this is a list of strategic priorities by the Federal
12 Subsistence Fisheries Monitoring Program. And I just
13 wanted to point out that this Afognak Bay situation and the
14 proposal we intend to propose pretty much meets all these
15 strategic priorities. For instance, Federal jurisdiction.
16 Afognak Bay is part of the Alaska Maritime National
17 Wildlife Refuge waters. Conservation mandate, I think we
18 all know that that's met. We haven't met minimum
19 escapement goals and the subsistence fishery was closed.
20 Allocation priority, yeah the subsistence fishery was
21 closed and we don't really know what will happen in the
22 next several years either so that could be a problem. And
23 we do have some data gaps, on the next page, one of the key
24 things we haven't collected there because we haven't had
25 funding is smolt immigration data. If we can find out how
26 many smolt are immigrating from the lake we'll know if
27 there's a fresh water problem. We'll know if there's a
28 problem with survival in the lake. It will also give us an
29 idea of what the run will be like, the adult run will be
30 like coming back. If we know how many fish go out, we can
31 at least project whether it will be a weak, a decent run or
32 a strong run. So it will give an indication to user
33 groups, subsistence fisheries, we can let you know ahead of
34 time that, hey, there could still be a problem there you
35 might have to look for other sources of fish.

36
37 And I think there's definitely local
38 concern as has been expressed here at this group. So I'm
39 real pleased that you're supporting this proposal and it
40 sounds like the Federal folks are willing to work with us
41 on this so I'm looking forward to getting back to Kodiak
42 and moving this forward.

43
44 That's all I got. I know I rushed through
45 it but I know you're on time constraints. If you have any
46 questions I'd be happy to answer them.

47
48 CHAIRMAN TRUMBLE: Pete.

49
50 MR. SQUARTSOFF: Yeah, I just had one

00192

1 comment, I guess. I wanted to state for the record that on
2 this decline of the sockeye at Afognak Lake, I really feel
3 personally that the dolly varden trout have a lot to do
4 with it. We elk hunted that lake a lot of years before
5 they changed it from registration to drawing but there
6 would be schools of dolly varden up in that lake that
7 looked like schools of herring out in the ocean.

8

9 So I think that makes a big effect on the
10 salmon smolt and the spawning.

11

12 MR. HONNARD: Yeah, that's a good point and
13 that's the type of things that we like to hear, any kind of
14 local knowledge on the system, we definitely appreciate
15 knowing about. Because that way we can design our studies,
16 you know. We've actually had some other concerns about
17 dolly varden predation, for instance, at Akulura Lake and
18 one year we actually enumerated the dolly vardens to see if
19 there was a large number. We probably won't have funding
20 to do a full scale mortality study but at least we can kind
21 of get a better handle maybe on the dollys through the weir
22 and see what's going on. And those are enumerated, we just
23 haven't focused on it because the managers are looking at
24 salmon numbers primarily. But that's something we could go
25 back historically and look at those data and we could count
26 them in the future a little more thoroughly.

27

28 MR. SQUARTSOFF: I think there's a lot of
29 them that reside in the lake don't even go out into the
30 ocean. You know, a lot of them do go to the ocean but
31 there's a lot that don't even go to the ocean I fee.

32

33 MR. HONNARD: Yeah, that's a good point.
34 One thing we saw at Akulura is there seemed to be like a
35 migration out of the lake when the smolt were going out,
36 they were following the smolt out and that's something we
37 could probably see with a good smolt project because we'd
38 see the dollys coming down after the smolt and we could
39 document that.

40

41 Madame Chair.

42

43 CHAIRMAN TRUMBLE: Thank you, Steve.

44

45 MR. HONNARD: Thank you, Madame Chair and
46 Council members.

47

48 CHAIRMAN TRUMBLE: Okay, I do believe the
49 next item on our agenda is written reports and I think they
50 are in it. The sea otter one I know is in there so at this

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1 time some of us have seen it, we can move past that unless
2 there's something someone wants to bring up at this time.

3

4 And then additions or new business. I do
5 believe there isn't any at this time. Items for 2002
6 annual report. Michelle, maybe we can work on this after
7 I get back and you get back.

8

9 MS. CHIVERS: Okay.

10

11 CHAIRMAN TRUMBLE: Time and place of next
12 meeting and also a letter from Tom Boyd. So we'll take
13 care of the time and place of next meeting first and then
14 address the issue in regard to the Councils. Peggy.

15

16 MS. FOX: But I will be addressing the time
17 and place of next meeting in my presentation as well.

18

19 CHAIRMAN TRUMBLE: Okay.

20

21 MS. FOX: So if we could do that first and
22 then.....

23

24 CHAIRMAN TRUMBLE: Okay.

25

26 MS. FOX: Thank you.

27

28 CHAIRMAN TRUMBLE: Go ahead.

29

30 MS. FOX: Thank you, Madame Chair and
31 Council members. You've obviously received the letter from
32 Tom Boyd that addresses the topic of Regional Council
33 meetings and the letter is intended to open a dialogue with
34 the Council around concerns that have been raised about
35 some Council meeting locations and conflicts with
36 scheduling.

37

38 After reviewing the letter with Staff in
39 our preparatory session we realized the letter didn't
40 provide sufficient background for the Councils to
41 understand why we believe these concerns have reached such
42 a level of importance as to have to bring them to the
43 Councils.

44

45 As you are all aware our program, Staff and
46 responsibilities have increased dramatically since October
47 1st of 1999. Expanding into fisheries management has added
48 enormous complexity and dramatically increased the need for
49 additional information and decision-making. As a result we
50 have seen increased needs for communication with the

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1 Councils. We are now working regularly with new
2 organizations such as YRDFA, new agencies such as National
3 Marine Fisheries Services; new public such as
4 sportfisheries, commercial fishers, transporters and guides
5 and even our long time working relationship with the
6 Department of Fish and Game has changed dramatically as we
7 now work with two additional divisions, sportfish and
8 commercial fisheries.

9

10 All this is to say that we are now many
11 more -- there are now many more stakeholders with direct
12 and legitimate interests to be considered as we move
13 through the subsistence management decision-making process.

14

15 The concerns, in brief, evolve around the
16 public and agency Staff -- evolve around giving the public
17 and agency Staff adequate access to the cornerstone of our
18 process, the Regional Advisory Council meetings. The
19 letter lays out all the concerns that have been brought to
20 our attention and I suggest we look at some ways in which
21 we can respond.

22

23 Tom really wants a collaborative approach
24 on resolving these concerns. Specifically we see the need
25 to carefully evaluate our travel to smaller communities.
26 Having the meetings in hub areas makes it easier and less
27 expensive for everyone who must travel to meetings, Staff
28 Council members and the public. When local issues of
29 concern arise effecting a single village, additional
30 meetings can be held in the effected village with the
31 Council Chair and at least one other Council member as well
32 as Staff to address the situation. On occasion, the issues
33 may be significant enough to hold Council meetings in a
34 particular smaller community where it is important to
35 interact directly with the residents. In most instances,
36 however, issues are more broadly based than one community.

37

38 So how can we best consider the interests
39 of all the residents of those communities? As you know
40 Regional team Staff members serve more than one region.
41 For example, today, Richard Uberuaga is here when he also
42 serves Northwest and that meeting occurred yesterday so he
43 couldn't be in both places at the same time. As well,
44 Steve Fried who serves this Council and Northwest was at
45 the Northwest meeting and wasn't able to attend this
46 meeting and help you with the certain subjects that you
47 particularly need his attention to.

48

49 Therefore, with more than one Council
50 meeting per week resulting in overlap or back to back

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1 meetings can create staffing problems. We've always sought
2 to do our best to serve the Councils. Similarly, we know
3 it is important you have technical support that you need to
4 be effective.

5
6 With the additional fisheries
7 responsibilities and decisions to be made there's a larger
8 audience that wants to work directly with you. How can we
9 assure that the Staff support you need is able to attend
10 your meetings and that other agency staff who want to serve
11 you are able to participate? One way to prevent conflicts
12 may be to plan our meetings one year out. This fall we're
13 asking each Council to indicate their desired dates for the
14 next year. In other words, for both your winter meeting --
15 your upcoming winter meeting in February/March as well as
16 your next meeting in the September/October time frame.

17
18 Then we can discuss any apparent scheduling
19 conflicts with the Councils at least six months in advance
20 of the meeting as opposed to what happened this year when
21 those discussions occurred only about a month out.

22
23 Some regions are not likely to be affected
24 by this letter. In those regions meetings are generally
25 held in regional hubs. In some regions, Council Chairs and
26 other Council members have elected to visit villages to
27 hear specific concerns and report back to the full Council
28 at the next public meeting.

29
30 Still in other regions, selected locations
31 have not raised the concerns expressed in the letter to the
32 ease of access because they're road-connected and the
33 present of adequate facilities.

34
35 We expect to conclude that solutions are
36 somewhat dependent on the region. For example, Western
37 Interior doesn't even have a regional hub and this region,
38 in particular, is very widespread.

39
40 In closing I ask that you carefully
41 consider these concerns as they apply to your region and
42 offer Tom some advice on how to serve the Councils better.

43
44 Thank you.

45
46 CHAIRMAN TRUMBLE: Thank you, Peggy. I
47 think at this time I'm going to just read into the record
48 our response in the name of time and it pretty well covers
49 what our response to this issue is.

50

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1 The Kodiak/Aleutians RAC was particularly
2 dismayed by your letter concerning the scheduling of future
3 RAC meetings. We strongly disagree with many parts of your
4 letter and offer the following contrasting viewpoints.

5
6 We feel that it is important to continue
7 holding RAC meetings in rural communities and that the
8 communities selected must contain a significant number of
9 people who engage in traditional subsistence practices. We
10 feel that this is the only means for obtaining adequate
11 participation by the affected users. The selection of Cold
12 Bay as the fall 2002 meeting site provides a particularly
13 good illustration of this point. The complete lack of
14 attendance and participation by subsistence users is a
15 direct result of holding this meeting at a location where
16 there are few local practitioners, not a single resident in
17 Cold Bay outside employees of the Refuge or ADF&G who
18 attended as agency representatives were present at this
19 meeting.

20
21 We challenge OSM's logic that the cost of
22 holding meetings in rural villages is prohibitive and
23 cannot be justified within the Federal Subsistence Program
24 budget. During the fall 2002 meeting we noted that there
25 were many members of the OSM Staff in attendance, some of
26 which had little, if any significant involvement at the
27 meeting. As such we question the need for expending the
28 limited Federal Subsistence Program dollars on travel costs
29 for so many Staff. Substantial program savings could be
30 realized if non-essential OSM Staff members did not attend
31 the RAC meetings.

32
33 If cost was, in deed the issue that limits
34 our selection of location then the dollars saved from
35 reduction in travel by OSM Staff could be used to cover the
36 added expense of conducting meetings in rural villages.

37
38 We reject OSM's suggestion of holding RAC
39 meetings at regional hubs or within urban communities. And
40 we say this in a sense that our selections from the
41 communities of Nelson Lagoon, alternate site King Cove got
42 turned around to Cold Bay and it was through much
43 discussion with Tom Boyd that we went back to Nelson Lagoon
44 but I had to give up King Cove and say, well, go to Cold
45 Bay. And then our other site was Anchorage where we don't
46 have any subsistence users in Anchorage.

47
48 The concerns of you and your Staff
49 regarding the inconvenience and complications of travel to
50 smaller communities are understood but not shared. As RAC

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1 members, we, too must accept the consequences of travel
2 delays that may require unanticipated time away from our
3 jobs, homes and families and for the most part we all
4 donate to the process, our time to this process.

5
6 However, we feel that any inconvenience
7 does not outweigh the benefits associated with holding
8 meetings in rural locations where there is substantial
9 subsistence use among the community and where local users
10 would have the opportunity to provide direct testimony to
11 the RAC regarding their concerns.

12
13 We disagree with the recommendation that
14 meetings need to be scheduled one year in advance. While
15 we understand that your recommendation is partly due to an
16 unusual situation encountered this fall in which there have
17 been scheduled conflicts with some of the RAC meetings, due
18 to overlapping dates, it is important to note that our past
19 and present meetings have not conflicted with those of
20 other RACs. And in most cases, I think, for the
21 Kodiak/Aleutians, ours is pretty early in the meeting
22 season.

23
24 In regards to scheduling future meetings,
25 the Kodiak RAC offers the following counter proposal to
26 OSM, number 1 RACs should have the final decision on the
27 location, duration and timing of their fall and winter
28 meetings.

29
30 Number 2, RAC decisions on meeting location
31 will incorporate first and foremost factors that relate to
32 local regional subsistence use and current issues to
33 enhance opportunities for direct participation by these
34 users.

35
36 Three, budget ceilings on meeting costs
37 should be achieved by a reductions and participations and
38 travel costs expended by OSM and/or OSM sponsored staff
39 rather than by limiting the location where meetings can be
40 held.

41
42 Four, regional hubs should not be used as
43 a preference over rural communities and villages unless
44 that is necessary to prevent postponement and rescheduling
45 of a meeting due to weather related circumstances.

46
47 Five, in addition to eliminating non-
48 essential staff at RAC meetings, OSM should carefully
49 evaluate the criteria and/or need for having essential
50 staff in attendance. While, we recognize the value of

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1 participation by these persons during our deliberations on
2 subsistence proposals, such involvement could perhaps be
3 achieved more cost effectively via teleconferencing.

4

5 Six, RAC meetings should be scheduled
6 within a calendar window that allows adequate planning and
7 preparation for logistics and I also think participation is
8 another part of that criteria -- should participation by
9 the community or the members -- residents of the region --
10 should a particular RAC desire to have a specific block
11 time reserved for its meeting due to anticipated schedule
12 conflicts with community cultural activities, subsistence
13 harvest, et cetera, it would submit its desired dates as
14 early as possible and would have a priority for such dates
15 on a first come, first serve basis.

16

17 Closing, Tom, thank you for the opportunity
18 to provide comments and feedback on the FACA compliance and
19 RAC meeting schedules and I guess in this case we'll take
20 the FACA part out of this. We would appreciate a formal
21 response to our issues and concerns and would like to
22 expedite action on our request. Please be advised that we
23 will also be sharing our letter with the other Federal
24 Subsistence Program Regional Advisory Councils and the
25 viewpoints expressed in this letter represent full
26 concurrence among all of the Kodiak/Aleutians RAC members
27 present at the fall 2002 meeting.

28

29 Thank you.

30

31 I believe the next item on the agenda would
32 be the dates for the next meeting and what I have been
33 given by some of the members is first site selection Old
34 Harbor, second alternate site Port Lions and of course
35 weather permitting, not getting into either one of the
36 communities would be Kodiak. And the dates that were given
37 at this point are March 3rd or March 17th. So if we can
38 come to some consensus on the date.

39

40 MR. TUTIAKOFF: Madame Chair.

41

42 CHAIRMAN TRUMBLE: Go ahead, Vince.

43

44 MR. TUTIAKOFF: I suggest Port Lions on the
45 17th of March, the 17th being a travel date, I guess.

46

47 MR. HOLMES: What?

48

49 MR. TUTIAKOFF: Travel date.

50

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1 MR. HOLMES: Oh, the travel date, fine.

2

3 MR. TUTIAKOFF: The meeting starts on 18
4 and 19.

5

6 CHAIRMAN TRUMBLE: So basically travel day
7 17th, meeting dates 18th and 19th and travel day would be
8 the 20th and I guess if we get early enough we can try
9 again to get out earlier.

10

11 Is everybody in concurrence? Pat.

12

13 MR. HOLMES: The Board of Game meets March
14 7th through the 17th and in recent years I've been the
15 delegate from the Advisory Committee to go and hopefully
16 we'll have our goat proposal to present to them and if --
17 hopefully, I don't know where in their agenda it would fall
18 but if we might be able to massage the date and move it
19 either earlier in the month or later in the month, that
20 would be handy, even a day shift at the end or late
21 February would be nice. I tell you I really want to make
22 both meetings if I can. And I'd kind of second and go
23 along with Port Lions because I think it's been a little
24 long since your committee has visited there.

25

26 CHAIRMAN TRUMBLE: Thank you. You want to
27 try for a travel day of the 18th and meeting dates of the
28 19th and 20th of March. Do I hear a motion.

29

30 MR. CRATTY: Second.

31

32 CHAIRMAN TRUMBLE: No your motion.

33

34 MR. CRATTY: Oh, make a motion.

35

36 CHAIRMAN TRUMBLE: Al seconded the motion
37 so Vince can make it.

38

39 MR. TUTIAKOFF: Okay. For discussion,
40 there were two areas that we were talking about was Port
41 Lions or Old Harbor, I just brought up Port Lions and if
42 there's no objections then we'll go to Port Lions but it's
43 up to the Council if they feel they ought to go to -- when
44 was the last time we were at Old Harbor?

45

46 MR. CRATTY: Just last spring.

47

48 MR. TUTIAKOFF: Last spring, okay, so.....

49

50 MR. CRATTY: I don't mind going to Port

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1 Lions but I don't want to be charged an extra day for my
2 food and meals if I ain't going to be there.

3

4 MR. SQUARTSOFF: Yeah, we do have some
5 different lodging there now. And the reason I was putting
6 Port Lions as an alternate is because you can't get stuck
7 there. If you can get to Kodiak you can get to Port Lions
8 and vice versa.

9

10 MR. CRATTY: Sounds good.

11

12 MR. TUTIAKOFF: Question.

13

14 CHAIRMAN TRUMBLE: Motion's been made and
15 seconded for travel dates of March 18th, meeting dates
16 March 19th and 20, first site Port Lions, alternate site
17 Old Harbor, weather doesn't allow us into either
18 communities I guess we're into Kodiak. Question's been
19 called, all in favor signify by saying aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN TRUMBLE: Opposed, same sign.

24

25 (No opposing votes)

26

27 CHAIRMAN TRUMBLE: I do believe at this
28 time that this covers our meeting and I'd like to thank
29 everybody.

30

31 (END OF PROCEEDINGS)

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1 CERTIFICATE

2

3 UNITED STATES OF AMERICA)

4)ss.

5 STATE OF ALASKA)

6

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

10

11 THAT the foregoing pages numbered 113 through 200
12 contain a full, true and correct Transcript of the
13 KODIAK/ALEUTIANS FEDERAL SUBSISTENCE REGIONAL ADVISORY
14 COUNCIL MEETING, VOLUME II, taken electronically by Nathan
15 Hile on the 19th day of September 2002, at the City
16 Building in Cold Bay, Alaska;

17

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

22

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

25

26 DATED at Anchorage, Alaska, this 29th day of
27 September 2002.

28

29

30

31

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