SOUTHEAST FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

VOLUME I

Egan Convention Center
Anchorage, Alaska
March 10, 2016
1:30 p.m.

COUNCIL MEMBERS PRESENT:

Michael Bangs, Chair
Michael Douville
Albert Howard
Donald Hernandez
Kenneth Jackson
Harvey Kitka
Cathy Needham
Patricia Phillips
Steve Reifenstuhl
Robert Schroeder
Raymond Sensmeier
Frank Wright
John Yeager

REGIONAL COUNCIL COORDINATOR - ROBERT LARSON

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P R O C E E D I N G S

(Anchorage, Alaska - 3/10/2016)

(On record)

CHAIRMAN BANGS: I'd like to call the meeting to order. First I'd like to have Harvey do a roll call. Harvey.

MR. KITKA: Thank you, Mr. Chair.

Steve Reifenstuhl.

MR. REIFENSTUHL: Here.

MR. KITKA: Frank Wright, Jr.

MR. WRIGHT: Here.

MR. KITKA: Patricia Phillips.

MS. PHILLIPS: Here.

MR. KITKA: Michael Douville.

MR. DOUVILLE: Here.

MR. KITKA: Harvey Kitka is here. Robert Schroeder.

MR. SCHROEDER: Here.

MR. KITKA: Albert Howard.

MR. HOWARD: Here.

MR. KITKA: Donald Hernandez.

MR. HERNANDEZ: Here.

MR. KITKA: Kenneth Jackson.

MR. JACKSON: Here.

MR. KITKA: Raymond Sensmeier.

MR. SENSMEIER: Here.

MR. KITKA: John Yeager.

MR. YEAGER: Here.

MR. KITKA: Michael Bangs.

CHAIRMAN BANGS: Here.

MR. KITKA: Cathy Needham.

MS. NEEDHAM: Here.

MR. KITKA: Mr. Chair, we've got a quorum.

CHAIRMAN BANGS: Thank you, Mr. Secretary.

I'd like to ask if Mr. Jackson would do an invocation for us.

MR. JACKSON: Thank you, Mr. Bangs.

(Invocation)

CHAIRMAN BANGS: Thank you, Ken. We have a quorum, so this meeting is now officially called to order. I'd like to thank everybody for coming. This is a monumental trip for a lot of us who have to travel for a couple days to get here. I'm just glad that we have a full Council. I'd like to start over with Mr. Reifenstuhl and introduce yourself and we'll just go around the room this way.

MR. REIFENSTUHL: My name is Steve Reifenstuhl from Sitka.

MR. YEAGER: John Yeager from Wrangell.

MS. NEEDHAM: Cathy Needham from Juneau.

MR. HERNANDEZ: Don Hernandez from Point Baker.

MR. JACKSON: Ken Jackson from Kake.

MR. SENSMEIER: Ray Sensmeier from Yakutat.

MR. KITKA: Harvey Kitka, Sitka.

CHAIRMAN BANGS: Michael Bangs from Petersburg. I'd like, if you have a chance, just tell us maybe what you do. If you're a commercial fisherman or subsistence, whatever, as part of your thing. I'm a commercial fisherman and an avid subsistence user.

MR. WRIGHT: Hi, my name is Frank Wright from Hoonah. I'm a commercial fisherman and subsistence user.

MS. PHILLIPS: Patricia Phillips, Pelican, Alaska. I'm the mayor and gardener. My husband and I have a commercial fishing business.

Thank you.

I also am here for subsistence.

MR. DOUVILLE: Mike Douville. I'm from Craig. I'm a full-time commercial fisherman. I fish for halibut, black cod, salmon. I also serve on the city council for several years. My first term on the Craig Tribal. I'm also a good sport fisherman and subsistence user.

MR. HOWARD: Good afternoon. My name is Albert Howard. I commercial fish, sport fish. I'm a charter boat captain. Also the mayor for the city of Angoon. President for Angoon Community Association. I pretty much subsistence use, feed my family off of the land and water every day.

MR. SCHROEDER: Bob Schroeder. I'm a Juneau resident. As many of you know, I was staff to the program for different times, for Forest Service, and I worked on subsistence research and planning for many years. I've got a special connection with the T'aakdeintaan in Hoonah and I'm pretty much one of those urban subsistence users.

Thank you.

CHAIRMAN BANGS: Thank you all.

Mr. Reifenstuhl.

MR. REIFENSTUHL: Mr. Chairman. We didn't get a chance to fulfill what you'd asked for, so if I may. The only meat I eat is what I subsistence harvest in the mountains or on the ocean and I feed my

family that way. And I'm the general manager of Northern Southeast Regional Aquaculture. Thank you.

MR. YEAGER: John Yeager from Wrangell. I'm a commercial fisherman and a sport charter captain as well. I also sit on the SSRAA board.

MS. NEEDHAM: Cathy Needham. I own a business in natural resources and environmental consulting and I work with tribes throughout the state on natural resource based issues, fisheries and wildlife type projects as well as NEPA.

Just like Bob Schroeder, I'm an urban subsistence user.

MR. HERNANDEZ: Thank you. Don Hernandez again. I'm an active subsistence hunter and fisherman and I also commercial fish. I have a salmon and halibut permits IFQ.

MR. JACKSON: Ken Jackson, subsistence user. I have some IFQs with halibut and pretty much retired after 25 years logging and 100 percent disabled veteran and just retired.

Thank you.

MR. SENSMEIER: My name is Raymond Sensmeier. I'm with the Yak-Tat Tlingit Tribe. I'm a subsistence user. We hunt seal. The Yak-Tat harvest the highest number of harbor seals in the state. Further north they hunt different types of seals and sea lions. I'm on the Alaska Native Harbor Seal Commission. Just appointed to the Southeast RAC. There's too many others.

Thank you.

CHAIRMAN BANGS: Thank you, Ray.

Harvey.

MR. KITKA: Harvey Kitka again. I'm a retired commercial fisherman, retired electrician. Now I'm just a sport fisherman and a subsistence gatherer.

CHAIRMAN BANGS: Thank you. Now I'd like to introduce our Coordinator, Mr. Larson.

MR. LARSON: Thank you, Mr. Chair. My name is Robert Larson. I work for the Forest Service. I am the Southeast Council's Coordinator. I live in Petersburg and we have a number of staff and public in the room today. At your pleasure, they can introduce themselves.

CHAIRMAN BANGS: Staff, can you stand up and briefly start with Mr. Capra.

MR. CAPRA: Mr. Chairman. Members of the Council. Jim Capra with Glacier Bay National Park and Preserve. I'm the Dry Bay Area Ranger and the Subsistence Coordinator for Glacier Bay.

MR. SUMINSKI: Good afternoon, everyone. Terry Suminski. I live in Sitka, work for the Forest Service and I'm the Subsistence Program Leader for the Tongass National Forest.

MS. BURKE: Hi. Melinda Hernandez-Burke. I'm the Tribal Relations Program Manager for Region 10.

MR. MUSSLEWHITE: My name is Jake Musslewhite. I'm a fish biologist for the Forest Service in Juneau.

MR. VAN ALEN: I'm Ben Van Alen, also a fisheries biologist for the Forest Service in Juneau.

MS. OEHLERS: Good afternoon. Susan Oehlers with the Forest Service in Yakutat. I'm a wildlife and subsistence biologist.

MS. DARR: Brie Darr. I'm staff officer with the Forest Service in Sitka.

MS. WORKER: Good afternoon, everyone. I am Suzanne Worker and I'm representing the Office of Subsistence Management today.

MR. REEVES: Good afternoon. Jeff Reeves, subsistence biologist, Craig, Forest Service.

MR. CROSS: Robert Cross, subsistence fisheries biologist out of Sitka for the Forest Service.

MR. KOLLER: Good afternoon. Justin

Koller. I'm a subsistence biologist in Sitka, but I also serve Hoonah.

MS. CELLARIUS: Good afternoon. I'm Barbara Cellarius. I'm the Subsistence Coordinator for Wrangell/St. Elias National Park and Preserve. I'm based in Copper Center, but Wrangell/St. Elias goes all the way down to the Malaspina Forelands and so includes a portion of this region and the community of Yakutat. Thanks.

MR. WHITFORD: Good afternoon. My name is Tom Whitford. I'm the Regional Subsistence Program Leader for the Forest Service and a member of the Interagency Staff Committee.

MR. REAM: Good afternoon. My name is Joshua Ream. I'm a researcher for the Division of Subsistence with the State.

CHAIRMAN BANGS: Any other staff.

(No comments)

CHAIRMAN BANGS: Okay. Thank you. We're to the point of reviewing and adopting the agenda. I do have some additions to the agenda, so I'll entertain an amendment once you review it quickly and we'll get on it.

MR. WRIGHT: Mr. Chair. Move to adopt the agenda as a guide.

MR. KITKA: Second.

CHAIRMAN BANGS: It's been moved and seconded to adopt the agenda as a guide. I would entertain a motion to amend it.

MR. KITKA: So moved.

MR. SENSMEIER: Second.

CHAIRMAN BANGS: We had a motion to adopt the agenda as written as a guide, but we need to amend it.

MR. LARSON: I'll go over the amendments. Mr. Chair. I am prepared to suggest the following amendments to the agenda. The first is to

have a time certain of this afternoon moving the Wrangell/St. Elias Subsistence Resource Commission appointment to old business. We could have Barbara Cellarius up and take care of both of those bits of business at the same time this afternoon. She's not available tomorrow, so that would actually be the best for Council's deliberations.

I have a couple of additions, three. The first under old business is a Designated Hunter Program review as requested by the Council from their last meeting. We could make that item (c) old business. We could include that after the -- we're looking at two different versions. Hold on a second here. It would be under (c) and we would call that the Designated Hunter Program review.

And then under new business we would add an update on the petition to list the wolves in Southeast Alaska as also a topic that was left over from our previous meeting. So we'll provide that as an update.

CHAIRMAN BANGS: Ms. Needham.

MS. NEEDHAM: Mr. Chair. I would also like to suggest that we add the all-Council letter to the agenda, a discussion about the all-Council letter as an action item of whether or not we'll accept it.

CHAIRMAN BANGS: Okay. Put that under new business, say (f). Anything else. Mr. Larson -- I mean Mr. Schroeder.

MR. SCHROEDER: Mr. Larson is the person sitting next to you. This is Schroeder over here.

(Laughter)

MR. SCHROEDER: I've got a couple items. I'd like to hear from OSM on how they're handling the thoughtful letter that we sent them concerning C&T. That would be a new business item if it's not here someplace that I've missed.

I'd like a brief discussion under new business of Tim Towarak's suggestion that things be put in place to allow subsistence users to represent agencies. I thought that was a really potentially good

idea. That may be something that the Council wishes to support. That would also be a new business item.

And then new Council Member Ray Sensmeier gave me some information on the efforts of the Yak-tat Tlingit Tribe to get some of the Yakutat Forelands nominated as a Tier III outstanding natural resource water and I have a letter which hopefully the real Mr. Larson will circulate. My suggestion would be that we consider supporting that petition.

That's what I've got.

Thank you.

CHAIRMAN BANGS: Thank you, Mr. Schroeder. Anything else.

(No comments)

CHAIRMAN BANGS: We have a motion to adopt the agenda as amended. So we need a motion to adopt the amendment.

MR. WRIGHT: So moved.

MR. REIFENSTUHL: Second.

CHAIRMAN BANGS: It's been moved and seconded to adopt the amendment. Now we need a vote on the agenda amendment. All those in favor of the amendment say aye.

IN UNISON: Aye.

CHAIRMAN BANGS: Opposed.

(No opposing votes)

CHAIRMAN BANGS: It passes unanimously. So now we have to adopt the agenda as amended. So we need a motion to adopt the amended version of the agenda.

MR. WRIGHT: I so move.

MS. PHILLIPS: As a guide.

CHAIRMAN BANGS: Yeah, as a guide. It's been moved.

MR. KITKA: Second.

CHAIRMAN BANGS: And seconded. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN BANGS: Opposed.

(No opposing votes)

CHAIRMAN BANGS: Passes unanimously. Okay. Now we're onto the election of officers and I'll turn it over to Mr. Larson.

MR. LARSON: If I could, Mr. Chair, before we move on to the election of officers, I would like to make a couple of quick announcements. The first is that there is a sign-up sheet on the back table. It would be very much appreciated if everybody could ignore the title and make it a print-up sheet so we could actually read your names. I struggle with that some weeks from now trying to match the spelling of the last name with the person. So if we could be very legible in recording your name on the sign-up sheet, that would be very much appreciated. It's part of our legal record.

The other is that there are blue cards at the back table as well. If you wish to address the Council, you could sign up on one of those at any time. There will be a time for non-agenda item testimony at the first -- you know, tomorrow morning as well. So the first of every day we meet.

Mr. Chair. We need to elect officers for the Southeast Council. I will entertain nominations for president.

MR. REIFENSTUHL: I would like to nominate Michael Bangs.

MR. LARSON: Michael Bangs has been nominated. Are there additional nominations.

(No comments)

MR. LARSON: Hearing no additional nominations.....

MR. WRIGHT: Move to close nominations.

MR. LARSON: Move to close. Unanimous consent that Mike Bangs becomes your president. Is there any opposition to that.

(No opposing votes)

MR. LARSON: You are now our new Chair and I'll turn the Chair over to you.

CHAIRMAN BANGS: Thank you. Now we're on to Vice-Chair. I would entertain nominations for Vice-Chair. Ms. Phillips.

MS. PHILLIPS: Thank you, Mr. Chair. Move to nominate Cathy Needham for Vice-Chair.

CHAIRMAN BANGS: Are there any other nominations for Vice-Chair. Mr. Douville.

MR. DOUVILLE: Mr. Chair. I move that nominations cease and cast unanimous vote for Cathy Needham.

(No opposing votes)

CHAIRMAN BANGS: Thank you, Mr. Douville. It seems Ms. Needham is our new Vice-Chair. Congratulations, Ms. Needham. I'm open for nominations for Secretary.

MS. PHILLIPS: Mr. Chairman.

CHAIRMAN BANGS: Ms. Phillips.

MS. PHILLIPS: Move to nominate Harvey Kitka as our Secretary.

CHAIRMAN BANGS: Any other nominations for Secretary.

(No comments)

MR. SENSMEIER: Motion to close.

CHAIRMAN BANGS: Thank you, Ray. It has been moved to close nominations, so unanimously Harvey is our new Secretary. Okay. Now we're going to review and approve the previous meeting minutes.

Briefly check through if you haven't already and see if there's any changes.

We need a motion to approve.

MR. WRIGHT: Mr. Chair. Move to accept the minutes of the previous meeting.

MR. KITKA: Second.

CHAIRMAN BANGS: It's moved and seconded to review and approve the previous meeting minutes. All those in favor.....

MS. PHILLIPS: Discussion.

CHAIRMAN BANGS: Discussion. Anybody have anything. Ms. Needham.

MS. NEEDHAM: Thank you, Mr. Chair. On page 13, under the annual report items that we discussed, number five, the current minutes read, after several years of discussion, the Council has decided not to submit a proposal to change the current customary and traditional use determination regulations but instead approved a letter to the Board which outlines the Council's policy and interpretation of the current regulations.

My understanding is that the Council decided not to submit a proposal to change the current customary and traditional use determination regulations at this time, but wanted to assure that we could leave that option open for the future if we could find the right process in doing so.

So my recommendation for changes to the minutes would be that it reads after several years of discussion, the Council has decided not to submit a proposal to change the current customary and traditional use determination regulations at this time, but instead approved a letter to the Board which outlines the Council's policy and interpretation of the current regulations.

CHAIRMAN BANGS: Thank you, Ms. Needham. We need a motion to amend the minutes or just include it. Ms. Needham.

MS. NEEDHAM: Thank you, Mr. Chair. I

have one other item. On the same page in the same section under report items for 2015, number one, I question the word whether or not it is important to the entire program and should be maintained at current levels for the FRMP program. It seems like using the word maintained is meaning that it doesn't really allow for us to state that we want to increase. So I think it would be the intent of this Council that we don't want it to be maintained at current levels, we just want to assure that it doesn't be reduced any further.

I think maintained says that we're happy with the current level of funding in FRMP. I don't think that we are. So I'm not sure exactly how to wordsmith that, but it might be worth hearing from the rest of the Council if I'm correct on that point.

CHAIRMAN BANGS: Any more discussion on that. Maybe we could leave it as -- I mean add what you're saying, but leave maintain at least the current level and increase the funding if possible. I think that's what the intention was.

MS. NEEDHAM: That's what it currently says, is maintain at its current level, whereas I would think that in our discussions we would appreciate increased funding as well. So if we say maintained at the current level, that doesn't allow us to go up or down or doesn't allow them to go up or down.

CHAIRMAN BANGS: Yes, I understand. I was thinking that we could say at least current level and not to go down, but to go up. So it would say that we choose to maintain at least at current levels and hopefully increase. We really want an increase. That's basically what you're saying and I think that's the feel of the Council.

MS. NEEDHAM: I think that would address it.

CHAIRMAN BANGS: Could you give Mr. Larson some language.

MS. NEEDHAM: Item number one should read: Funding for the Fisheries Resource Monitoring Plan projects is important to the entire program and should be at least maintained at current levels and opportunities for funding projects from other sources investigated.

CHAIRMAN BANGS: Thank you, Cathy. Any other discussion on the minutes.

MR. HOWARD: Mr. Chairman. Under Kootznoowoo Incorporated Extraterritorial Jurisdiction Petition, it should be Angoon Community Association, not Angoon Cooperative Association.

CHAIRMAN BANGS: Thank you, Mr. Howard. What page is that on for Mr. Larson.

MR. HOWARD: Page 8, Mr. Chairman.

CHAIRMAN BANGS: Thank you. Any other changes to the minutes.

(No comments)

CHAIRMAN BANGS: Entertain a motion to accept them as amended.

MS. PHILLIPS: Call for question.

CHAIRMAN BANGS: The question has been called for. All those in favor of accepting the minutes from the previous meeting say aye.

IN UNISON: Aye.

CHAIRMAN BANGS: Opposed.

(No opposing votes)

CHAIRMAN BANGS: Motion carries. We're at the point now for Council Member reports. I'd like to start with Steve over on that side of the room. Give us a report from your community.

MR. REIFENSTUHL: Can you start over there instead?

(Laughter)

CHAIRMAN BANGS: Okay. Sorry, Steve. Mr. Schroeder, could you please give your Council report.

MR. SCHROEDER: Surprisingly, I'll be really brief. My big concerns that I think the Council will need to pay much more attention to in coming years

will be the effect of climate change on our region and on resources in general. My suspicion is that we'll be faced with the need to move quickly on many changes to preserve subsistence uses in just a really very altered environment. I have a request that we get a briefing from Forest Service at our next meeting on how Forest Service is addressing the issue of climate change in the Tongass National Forest.

The second issue that I'd really be concerned about is our transboundary mines. The Council has done its job. I think the letter was submitted by the Council more than a year and a half or two years ago to the Secretaries to push for action on transboundary mines. I think we're still in some sort of a embarrassing hold zone on having our voice heard on the transboundary mine issue. Hopefully we'll be able to take some action on this at least to nudge it along in coming months.

That's about all I have at this time.

Thank you.

CHAIRMAN BANGS: Thank you.

Mr. Howard.

MR. HOWARD: Thank you, Mr. Chairman. I guess with everything we have going on at home I could sit here and talk all afternoon, but I won't do that. Our main concern is our food making it back home and our ability to catch it like we've always had. What we're finding is that agencies aren't really listening to us. I mean they'll say they're consulting and they'll come in, listen and leave.

I'm glad Mr. Schroeder talked about the mine issue, the transboundary mine. What's happening in Angoon is the local tribe there that I'm currently the president of has asked during the EIS of the tailings expansion that the tailings be moved to the Juneau side because they're getting $1.6 million and Angoon is getting the wastewater. They put 3.5 million gallons of wastewater on the northern end of Admiralty.

You can combine that -- it's like putting a puzzle together. You can take the lessons learned during the ETJ petition and the travel patterns of salmon. Salmon come in through Icy Strait and

listening to some of the guys talk on even or odd years they come in through that side. That's been called a mixing zone, which means the fish sit there and they mill around for a while. My fish, Sitka's fish, Juneau's fish. We also have Klukwan's fish stand there. So they just kind of mill around there.

And 3.5 million gallons of wastewater a day goes in that bay. Every 30 days that's 100 million. Every 300 days it's a billion. They've been doing this since the '80s, so that has an impact on our subsistence lifestyle. We're concerned.

We were fortunate our former Monument ranger lived in Angoon for 10 years and he knew the ins and outs and the process. He was frustrated with the fact that we weren't heard. We've heard consultation, government-to-government. A lot of our elders in Angoon understood the meaning of that. They were a part of that. Even though we voiced our opinions and our concerns, we were ignored. But back to the former Monument ranger. He took his own money, his own personal money out of his pocket.

Let me back up for a second. The Forest Service made sure before the mine opened that they did a baseline study of the bay, everything around the mine. They have the information. There's a baseline of it. Somewhere between the time he was the Monument ranger and now, the Forest Service seemed to have lost that. They don't know where it went. Poof. And then he found it and then he replicated parts of it. What he had found was that, in fact, when we were going through the EIS study, that in fact they were doing exactly what we were concerned about. They're polluting the bay. There's documentation.

I'm trying to keep this short as possible, but there's a lot of information here that I'd like this body to hear because it's impacting us in Angoon. The seal hunters in Hoonah, where traditionally I'm from, I've been told that growing up, so there's definitely -- this travel pattern of the seal, if you look at it, is a 62-mile radius. Now in the response I get form the agencies concerning Greens Creek, they say, well, the mercury levels in the seal could have come from anywhere.

Growing up, my dad -- you know, we always knew where to go, where the seals were at a

certain time of the year because they go back there and that's where they have their pups at. Well, the time they got this male seal was around the time it goes right back where it was born. Keep in mind I've got a 12th grade education, so this must be traditional knowledge. Something you can't teach in school.

We've got a lot of educated kids. I call them kids now because I'm getting to where they used to call me a kid, so I'm almost to that age, but Floyd, you know, him and I used to get kicked around pretty good by our own people and they'd parade around -- I'll use an example. His brother would bring all these young kids up with their college degrees and everything and Floyd got tired of it and his statement was, to me one day, some of these kids are educated beyond their intelligence.

Anybody that knows Floyd, he's poking a stick at them, but at the same time I thought about it. You could have all the education in the world, but if you don't know how to apply it to life, it don't mean anything. If you don't try to understand Angoon and what's happening, you'll never figure out why I'm doing what I'm doing.

You'll just assume I'm a troublemaker.

It's tough to sit and watch our community get hit by the seiners, get hit by the cruise industry dumping their waste and what's been referred to for years as the doughnut hole in Chatham Strait. In the commercial fishing industry with all their money on the Hill. There's a blue building sitting next to the Capital. That's the Seiners Association and all the influence that implies.

CHAIRMAN BANGS: Mr. Howard, could you wrap it up, please. We don't have too much time.

MR. HOWARD: Yeah, that's what I mean. Mr. Chairman, I guess I'd like more support from the board on the extraterritorial jurisdiction petition and bring that back to life at some point.

Thank you, Mr. Chair.

CHAIRMAN BANGS: Thank you, Albert.

Mr. Douville.

MR. DOUVILLE: Thank you, Mr. Chair. Just a real brief. We are seeing some effects of climate change maybe, you know. We had the tuna outside Noyes Island and we caught them in significant numbers. We've never seen that before. Deer seem to be fine, but we still are lacking sockeye in several of our streams, even Hetta, Sarkar, Klawock. We're most relieved that the ESA wolf listing came out the way it did. We were overjoyed. That's the third time we've been down that road.

Thank you.

CHAIRMAN BANGS: Thank you, Mr. Douville.

Ms. Phillips.

MS. PHILLIPS: Thank you, Mr. Chair. Full disclosure, my family has halibut IFQs. I own Area 2C D class and 3A C class.

My father-in-law Jake Phillips told me that I should get involved in the International Pacific Halibut Commission meetings because it makes the decisions that affect the way of life that my family lives. I attended the International Pacific Halibut Commission meeting in Juneau in January and also got to make comments to the American Delegation and to the Conference Board on issues that affect the fishery and our way of life.

I wasn't really tuned in to the effect of Bering Sea/Aleutian Island halibut bycatch and the Gulf of Alaska halibut bycatch. I knew it was an issue, but I didn't fully understand the degree to which it is impacting the small coastal communities and the small boat fleet that relies on that resource.

The next two to three years, mostly two, there's going to be a lot of discussions at the North Pacific Fisheries Management Council level about halibut bycatch and limits. The International Pacific Halibut Commission and the North Pacific Fisheries Management Council have agreed to develop a framework for improving coordination between the IPHC and North Pacific Fisheries Management Council to balance the objectives of groundfish and halibut management.

The IPHC is an international

organization and it has to take into consideration the nation of Canada and the North Pacific Fisheries Management Council is an American entity. So this framework will establish research priorities, formalize communications and there will be a protocol committee to develop concepts and backgrounds for the full IPHC and the North Pacific Fisheries Management Council to consider. We wrote letters in support of halibut bycatch in the Gulf of Alaska, so I may be bringing issues forward to the RAC.

As for local issues, Lisianski Inlet was very productive in pink salmon last year. It was one of the most productive areas within Southeast Alaska. It's looking like it may be again in 2016.

The Arctic winter events that we traditionally have through the course of a winter, we only had one and it didn't last very long, but it froze the entire inlet up past Pelican before the southeast came in and knocked it loose and the tide took it out. But we are having increasing high wind events, increasing heavy rain events and extended heat in the summer with very little runoff in our streams. So, I don't know. The change is in the air.

I've been to Hoktaheen almost every summer for I don't know how long, forever, and the resource is in marine waters and it's very difficult to get a sockeye there anymore. Those that travel long distances, like from Hoonah, if they get there and they can't get anything, then they're going back empty-handed, yet we have a lot of the -- what do you call them -- high-speed weekend warriors who are able to fish there, but it affects the subsistence harvest of the priority that should be there.

That's my report, Mr. Chair.

Thank you.

CHAIRMAN BANGS: Thank you, Patty.

Frank.

MR. WRIGHT: Thank you, Mr. Chair. This year we had a heck of a lot more snow up high, but down low I only think we had a foot in front of my house. That's good in a way that up high they're getting a lot of snow because last year there wasn't

anything but -- last year a lot of rain took care of the rivers.

Last year the plant life was -- must be the warming of the world. Everything came in a month early. The blueberries were there early, my wife's raspberries were a month early, rhubarb was early, everything was early. Whatever is happening with the climate is starting to affect us. This year it's pretty warm again, so the rhubarb is already coming up and I hear about people getting salmonberry flowers already coming out.

Last year Hoonah Indian Association put a proposal in to cut the commercial crab, dungeness crab from behind the island, which is Pitt Island, which is just around the corner from Hoonah, which helped the subsistence users be able to get dungies all year round. We didn't have to worry about commercial coming in there with 100 pots and dumping them in there. I didn't have to worry about my pots disappearing and that was good. And the crabs are healthy.

The clams, they're pretty healthy too. In the same area where we get cockles they used to have -- they were malformed when we used to have a log dump on Long Island, but since the log dump is not dumping logs anymore, they're real healthy and sweet-tasting when you eat them raw. They're pretty good again. When the log dump was there, I tried to eat them in the raw and kind of bitter, but now they're nice, fat, plump and sweet again.

We have the sea otters still trying to encroach in Port Frederick, but Hoonah Indian Association tries to get the young guys to go out and thin them out before they get into the bay because of our dungies and our cockles and clams that we're trying to protect. That is a community protecting a resource that we value very much.

The newest thing we have is a new dock has been put in for the ships to come in, so now that we don't have to lighter -- those ships don't have to lighter any people to shore, the people can just get off on the dock. I value this because Hoonah's economy is kind of low, but the employment in the summer is really good. A lot of young people -- I like this shipping because a lot of the young people, when

they're 16 years old can go work down in the cannery, so they have employment all summer long. It builds character and they have a responsibility to get up in the morning to go down and work.

As soon as the ships realize that they're able to come into Hoonah and just dock up, Disney is talking about coming in and all our natural resources are healthy, so I have no worry about them. I worry about the halibut because of the decline. It's been a while since I caught a big one. Maybe 100 pounds is as big as I've caught in a few years. My quota in 3A has gone down, 2C has gone up just slightly.

That's all.

Thank you, Mr. Chair.

CHAIRMAN BANGS: Thank you, Frank.

Harvey.

MR. KITKA: Thank you, Mr. Chair. In Sitka we still have an issue with the herring and the herring spawn. Probably more so this last year with the commercial fishing industry fishing all in one spot. Instead of going to all the places where they take the biomass, they figure some of the biomass was all very -- and some further south, and then they fished the whole biomass in Sitka Sound and basically last year almost in one spot. That is an ongoing concern.

We have an ongoing concern with the sea otter just like everybody else. Global warming is probably going to be affecting some of these things too.

I got a complaint from the people that got goat hair from the goats in their hunting permit and they said people are doing the art work with it and they got the permit, I think, from the Federal government. I think this body had a lot to do with it. But they want a chance to get their goats in the spring when the fur is getting loose instead of having to get in the fall and it's really hard work for them to get the fur out of the goats at that time.

Last year probably was the first year

That's going to be an ongoing concern.

Thank you.

CHAIRMAN BANGS: Thank you, Harvey.

Ray.

MR. SENSMEIER: I think Albert a while ago mentioned the cruise ships. We're concerned about them as well in Yakutat. They don't actually pull into the bay, but they go by up to the Hubbard Glacier, which is where we hunt for seals. As I mentioned earlier, we're the highest harvesters of harbor seals in the state. There used to be a lot of seals up there, maybe four or five thousand, and some up in Icy Bay, maybe 60 miles north, but it's treacherous waters. If you don't go at 3:00 in the morning when it's calm, you know you're not going to get up there.

Now they come in at precisely the time the females are giving birth to the young. Sometimes there's five ships a day and the baby seals, which don't have fat and they don't even know how to swim when they're born, are being constantly flushed into the icy water, which is colder than the ocean water. So the population has really dropped to less than 1,000. In April, it's approximately the same, 4,000 in each place, but when the cruise ships come in May, that drops to 1,000.

Up in Icy Bay, it's upwards of 9,000 seals now, the largest group of seals in the world, but it's treacherous to get up there as I stated and as someone else stated. Seals are like a fish, they go back to where they were born. So we're concerned about the time that they come in.

The other thing that we're really concerned with now is the transboundary mining issue. There's 14 of us from different communities that formed a Tribal Transboundary Mining Work Group. I had the privilege and honor, all of us went to Canada with Lt. Gov. Byron Mallott to talk to them about this issue. We met with the Deputy Prime Minister and the Mining Minister and we flew out to Williams Lake and the mine there had breached and all that tailings went down the Fraser River and to their drinking water. So, for the first time in history no Natives fished the

Fraser River.

There's another one at the headwaters of the Unuk by Ketchikan, the Stikine by headwaters of Wrangell, which will be the largest mine ever constructed in the world. They refer to it as the Golden Triangle. They dump the tailings and they build earthen dams and valleys and a smaller one upstream and they line it with plastic and hard rock acidic ore has to be stored under four feet of water. If it becomes exposed, it forms sulphuric acid. But they say on that one the lower dam is higher than the Hoover Dam and to say that that can be monitored and keep four feet of water in perpetuity is unrealistic. It's 80 miles. The one by Yakutat, the Alsek, was 80 miles from the largest earthquake ever recorded. So we're really concerned about that, especially with the Alsek, which is just south of us.

We'll talk about the Forelands issue and that pertains to the mining as well. When the Forelands issue comes up, I'd like to speak again to that.

Thank you.

CHAIRMAN BANGS: Thank you, Ray.

Ken.

MR. JACKSON: Thank you, Mr. Chair. Kake, with a population of about 630, is situated about 92 miles southeast of Juneau, used to have the tallest totem pole, but 20 feet of it fell off a couple months ago. It was 132.5 feet, so minus the 20 feet now.

We're having the same problems as everybody else. Low employment. They shut down Cold Storage and the hatchery has been shut down for two or three years now, but possibly may come back next year. The runs of salmon, especially for sockeye in some of the streams, like one of the ones we used to use is Pillar Bay. I went down there twice last year and there was nothing.

They've been doing pretty good on Gut Bay, Falls Lake. It's just that you're allowed 10 a day at Gut Bay and the guys go across there. You're allowed 20 annually per family and you're allowed 25, I think, annually for Falls Lake. You can't fish both of

them at the same time even though they're close together. You have to fish one one day and the next day you can fish the other one, but you can't have more than the fish allotted annually.

I'm not complaining about the sports fishermen, but I would like to see some parity because they're allowed to take six per person per day for the whole summer and they can take as many as they want as long as they process it. My feeling is that they don't monitor the sports fishermen as much as they do the subsistence fishermen.

The other question I had was, when we had this meeting last year, the Stikine fishermen are allowed to tie off their gillnets and don't stay with them overnight, but check them the next day. We can't even let our gillnets touch the bottom. We can't have somebody on shore holding them. We can't have another boat tie off to the other end. We can let them out and let them drift, but we get fined heavily if we do that. I know because my cousin got fined $1,200 for throwing a shackle on the end just so it wouldn't drift so fast.

The other thing is, if we have bycatch, we have to throw it back overboard if we catch more than a 20. Sometimes the bycatch is more than what you're allotted and you just have to look in the water. To me that's wanton waste, but they will fine you if you take them. If we could get some help on that I would appreciate it or just raise our annual limit, you know. That's nearly 40 miles for us to run just over and it's open water and a lot of the guys go over in skiffs and I'm worried that we're going to lose two or three guys someday.

Other than that the crabs and everything else, the shellfish is going down because of sea otters. Our guys have been hunting them. The market is low for the pelts. It's hard to find a market. Sitka does them and I think there's another tannery up north. The turnaround is slow.

There appears to be a lot more deer even though -- a lot of it's our fault because we don't report on the deer. I was looking at the reports that the Fish and Game put out. It's us. We need to start getting on our guys. Hey, if you got two deer, you need to let them know it. They said there was only one

deer taken off Kupreanof last year, but I know of 16 bucks that were shot by people that I know. We need to start reporting more.

I was told that somebody took 1,000 fish out of Phillip Bay and I'm saying, wow, where did that come from. Maybe somebody else is fishing them, but it didn't come from Kake and we're the ones that normally take fish from there, so I don't know. I'm just kind of in a quandary about getting guys to report more and a lot of it is on us because sometimes we don't report and Fish and Game can't get their numbers in. It's not completely their fault. But we're scared, you know.

The moose population appears okay. I think the limit was taken. They're starting to spot brown bears, so we're not the only ones going other places to eat. Brown bears are coming on Kupreanof now. I think a lot of Petersburg probably pushed them over.

(Laughter)

MR. JACKSON: But the one thing I will say about -- you know, I've been observing the logging areas and Kake Tribal and Sealaska had logged their areas and they thinned them and Sealaska planted their trees in the clear-cut areas and they came back and we thinned those and we pruned them and there's so much more vegetation and berries under theirs, but if you look at the Forest Service, there's nothing. There's no vegetation, not even devils club underneath their trees. So my spiel would be it would nice if the Forest Service would thin more and possibly open up the sunlight so berries will come in.

We're starting to supplement our food and that's the other thing. We don't die because the fish don't come in. This thing happened a long time ago. The people became gardeners and the kids are going to teach us because they're learning how to garden. The few kids that I saw, I think it was like a 4x4 box, about six feet high, they got 80 pounds of potatoes out of that thing. It's just amazing what we can do if we don't have other things.

We're just going to have to -- like I say, our seaweed is not there anymore because of -- I'm blaming the cruise ships, but I do have a solution that

maybe would work. A lot of these barges come from Seattle full and they go back empty. Maybe we can have a dump-off site and send that stuff back to them. Double hull the things though. Or have them build tanks onto the cruise ships. It's not good for us to complain if we don't have a solution or at least try to figure out something. Otherwise we just end up fighting for nothing. They have more money than we have. Like I say, our unemployment is really high. Nearly as high as Angoon's. Our biggest employer is the school. We have maybe over 100 students, but next year it's supposed to get down below 90.

I think that this climate change is going to be -- we have to watch it because fish come in later. Some of these guys leave their sites September 1st. I was talking to the guys that monitor it. We're hearing, but I'm not too sure, but some of the fish are still going up. They say just a few. Maybe they're right, but some fish are coming in later. Maybe they're coming in early too, I don't know. So we're going to have to start watching and it's on us. You know, a lot of us we can go shoot those beavers that are damming up Pillar Bay at the cost of maybe getting arrested.

We have to start doing these things. The cohos and humpies appeared normal. The guys did good on them. We have less boats fishing for Kake because a lot of the guys sold their IFQs. It wasn't really worth -- especially not having a Cold Storage. We're seeing a lot of plastic waste and wood coming from Japan from that Fukushima earthquake and it's on all the islands that we can see; Baranof, Admiralty, Kuiu and Kupreanof. It would be nice to see some type of cleanup maybe that would give some employment to the guys, but I don't know.

And the wolves. Trapping the wolves is important, I know, because they got 18 off Kupreanof last year and I think they got about the same amount -- we have a guy that come up from Mike Douville's part of the country that come up and he was showing the guys how to do it, you know. It's been effective. It's really effective because the deer are popping up. It's possible we're not reporting what we get.

Thank you.

CHAIRMAN BANGS: Thank you, Ken.

Don.

MR. HERNANDEZ: Thank you. First of all I want to thank Albert Howard for bringing that Green Creek Mine situation to our attention. I think that should be pretty worrisome to all of us. We have mines proposed in other places here in Southeast. I know there's one probably going to go in on Prince of Wales Island. Of course, we've spent a lot of time trying to get the Canadians to work with us mine tailing issues and then come to find out we may have some real problems with our own mining regulations right here in Southeast, which is kind of disturbing. I think we need to pay close attention to this. So thank you, Albert, for bringing that to our attention.

Also it's been another warm winter in the southern end of Southeast. There isn't much snow pack again. Last year we were fortunate we had a fairly wet summer at the time the fish were coming in to spawn. We are hoping for another wet summer this year as well, I'm afraid. As Ken mentioned, I did notice last year we had some very late sockeye runs coming through my district, so that's kind of a change there.

The people who are doing the monitoring may want to start paying attention to that. Some of your traditional periods for monitoring streams may have to be adjusted to catch these later runs if it becomes a trend.

I also want to take some time in my report to criticize the Forest Service. We've been a bit disappointed on how this TLMP, Tongass Land Management Plan revision has been going in regards to subsistence users. I think the Forest Service has done a poor job of representing subsistence users in this process. Timber industry representatives seem to have more influence in the process. I know in the Tongass Advisory Committee it's our feeling that a lot of the representatives that are supposed to represent other uses also had ties to the timber industry. I don't think subsistence was as well represented.

And then more recently in this same process we were very disappointed that NEPA rules require subsistence hearings be held in communities. I come from a remote community. It's hard to get to especially in the wintertime when these hearings were

and it's also very hard for us to get out in the wintertime. People don't travel very much. We have one of the highest rates of subsistence harvest, you know, in Southeast, yet there was no attempt made to come and take our testimony in these hearings that NEPA requires.

There was other hearings in other places that maybe they expected us to attend, but we also didn't even get notified until essentially the day the hearings were happening. So something better has to be done there all the way around through the whole process. I hope some of my other community members put in testimony. I did submit written testimony. I'll leave that for the record and just criticize the process.

Thank you very much.

CHAIRMAN BANGS: Thank you, Donald.

Cathy.

MS. NEEDHAM: Thank you, Mr. Chair. Two things that I wanted to talk about have been covered pretty good across the table. Just a couple additional comments to them. One, of course, is climate change, and I'm glad Don brought up the thought about monitoring small streams a little bit later as fish run timings might be changing due to impacts from warming waters and having fish hold offshore and not coming to the streams to spawn right away.

Along that same note, besides just the monitoring, which gives us information, it seems like we could be thinking a little bit ahead of how is that going to impact subsistence users and regulations of when people harvest. An example might be the Klawock River. I don't have enough of the science to actually back up a real trend, but it seems that the subsistence users for sockeye in the Klawock River harvest -- their harvest opening is earlier in the year and they're starting to see more fish after the subsistence season closes. That's when sockeye are coming in.

Whether or not that's directly related to climate change or not, I have no idea, but it's something we should be thinking about in terms of what kinds of regulation changes should we be thinking about

now to address the changes in run timing that might be happening.

With respect to transboundary river issue, many of you know that the Central Council Tlingit and Haida Indian Tribes of Alaska has a grant from the Bureau of Indian Affairs to do water quality monitoring to establish baseline information on the Stikine River, the Unuk River and the Taku River. I think it would be great, given how we've been trying to stay involved in this issue over the last couple years, I think it would be great if we invited Jennifer Hanlon from their Department of Natural Resources, who is the lead PI on that project, to come and present to this Council just an overview of what they are doing with their monitoring and what needs they may have or if they see a way for our Council to further assure that a good amount of baseline data is collected under that.

Finally I wanted to touch on this meeting in general. We're in day four of being together and it doesn't seem like there's a process in place to provide any type of evaluation of how this week has gone, so I thought well why not just throw it into my Council comments. I want to say we've had kind of a unique experience to sit together with nine other Councils from across the state and I felt like probably the most valuable piece of that day and a half was when we did the 10-minute Council reports that they gave.

I really learned a lot about issues and I kind of had wished that the joint meeting had been able to focus more on learning more from each other. Ten minutes isn't a lot of time obviously to cover all of the issues that are in each region. It's just enough time to kind of breeze over it. But I felt that was the most helpful piece of it, so I wanted to put that on the record because I do think it was valuable.

And then in the breakout sessions, I attended a -- I think every breakout session that I went to I learned some new things but I would like to state that I think that the Title VIII talk that I went to that Ken Lord did was amazing. I've been on this Council for almost seven years now and ANILCA Title VIII is our governing piece and it's a complex -- it's simple, but it's complex, just like Ken said.

I've been to a number of different talks through the last few years about ANILCA Title

VIII, but he really brought home a lot of great points about the Act itself and how it pertains to us in the business that we do and a lot of things clicked in his presentation. So I wanted to say something about how valuable this meeting has been or at least point out the valuable parts of this meeting because I think it was a worthwhile exercise for all of us to go through.

Thank you, Mr. Chair.

CHAIRMAN BANGS: Thank you, Cathy.

We'll go to John.

MR. YEAGER: Thank you, Mr. Chair. Another mild winter in Wrangell again. The Stikine opened up fairly early and has remained open. We're hoping for some eulachon to show up here maybe on these next tides around the 19th or so. That's what we're hearing around town from our elders there.

The transboundary mining issue continues to be very familiar in Wrangell and multiple organizations are keeping that on their radar and submitting letters and trying to keep other organizations appraised of that, that they are still concerned about the potential for that on the Stikine.

Thank you.

CHAIRMAN BANGS: Thank you, John.

Steve.

MR. REIFENSTUHL: Thank you, Mr. Chair. Thank you for pulling me out of first because I actually had a 30-minute speech. I thought I was supposed to report on what I did this summer for vacation.

(Laughter)

MR. REIFENSTUHL: So I'll spare you from that. I just looked at the numbers for the chinook harvest in the winter fishery. We're at about 48,000 fish, so it's going to close early and most of that happens right off Sitka. The fish were smaller than usual, about a 10.5, 11 pound average, suggesting there's a lot of ocean fish in that catch, but high abundance. It hasn't closed this early as far as I

know. I don't know that it's ever closed this early. So that's some good news off Sitka.

It certainly has been a warm winter, good for the deer. The deer have been plentiful for the last four years. With this kind of winter, I'm sure it's going to be very good for the coming summer harvest. Like Mr. Wright was saying, there's a lot of snow up high. I spend a lot of time in the mountains. There's actually average snowfall up at 4,000 feet. So Baranof Island will probably do fairly well for the streams that need the runoff in July and August.

Mr. Kitka kind of covered the sea otter issue. I mean that's just an ongoing difficult situation. It just harvested all the shellfish and abalone and the kelp beds are just choking the waterways and that's an unfortunate situation.

I don't know if I'm allowed to make comments to some of the things that were said here, but I would suggest a Board of Fish proposal to address the sockeye and the sport take of that. It may not pass, but it might get that issue aired before the State and try to modify that especially for non-residents.

In Kake, NSRAA is waiting for the State to put that property out for auction and we have passed a resolution on our board that if we get that property for the hatchery in Kake, we will be spending about $2.5 million to make that program effective. But first the State has to get it out for auction. It's been going on for over two years where that property has not been available.

Thank you.

CHAIRMAN BANGS: Thank you, Steve. Well, the one thing about going last is everything has already been covered, so I don't have anything to add except I wanted to let Steve know that this Council has submitted two different proposals for annual bag limits for non-residents on all the species of salmon and sockeye was one of the most critical. We had testimony from lodge owners and guides that convinced the Board that they needed to have at least three bag limits or more. Anyway, that was one of the things. I think you're right. We should keep after it and keep putting in proposals to see if at one point we might be able to succeed.

I did want to touch on -- the agencies allowed for a ceremonial deer hunt out of season and I really appreciate that. I think Justin had something to do with it. I'm not sure, but I thought I saw his name on a document. I think that shows that they're willing to work with us and I think that's important that we're able to do that for ceremonial purposes.

I'd also like to thank Cathy for helping me wordsmith my 10 minutes. Sometimes it's good to have someone else reflect on a speech like that and I appreciated it, Cathy. I'm glad Ken brought up the brown bear thing. We've been trying to herd them across the narrows to Kupreanof for quite a while. I'll tell the guys it's working.

(Laughter)

MR. JACKSON: Mr. Chairman. I would like to make a comment on the hatchery thing. I hope we can do something. It's going to be kind of tough for us to accept and it's hard for the guys in Kake because a lot of them are moving away or trying to move away to different jobs and it's hard for them because there's a lot of people from Kake now that are having -- I know I probably shouldn't say this, but they're having sockeye flown down from different places so they could work on it, on planes. You know, they're paying for the freight and paying the people to get it, but just friends.

I do want to thank Fish and Game and the Forest Service for helping at our Culture Camps because they do permit two deer and a moose, antlered, to be given. They put names on permits and they designate it for the Culture Camp. So I do want to thank them for that.

Thank you, Mr. Chairman.

CHAIRMAN BANGS: Thank you, Ken. I just had one other thing. We're having trouble with snow in our area. I don't think Wrangell has any different. The snowfall wasn't staying around and even at altitudes, so we're going to be in a hurting situation unless it's a rainy summer like it was last year. So we're not seeing much snow at altitude, so that's worrisome for us. Like Frank was saying, the early bloom of all the berries, it's already happening and it's really unusual, so that could change a lot of

things. If that's a sign, like early run timing for herring, for spawn and fish and all that, everybody is kind of worried about what the future holds for this climate change.

Other than that, I think what I'd like to do now is see if there's anyone online listening in on the telephone.

MR. OWEN: Hello there.

CHAIRMAN BANGS: Hello. Can you state your name.

MR. OWEN: Hi. This is Wayne Owen with the United States Forest Service. I'm in the Juneau Regional Officer where I'm the Director of Wildlife, Fisheries, Watershed and Subsistence Programs.

CHAIRMAN BANGS: Thank you, Wayne.

MR. OWEN: It's nice to hear you all talking today.

CHAIRMAN BANGS: Thank you. Is there anyone else online.

(No comments)

CHAIRMAN BANGS: Okay. With that, I'd like to take a 10-minute break here and then we'll come back and start in on public testimony.

(Off record)

(On record)

CHAIRMAN BANGS: Please take your seats. I'd like to call Mr. Harold Robbins to come up and address the Council, please.

MR. LARSON: Mr. Chair. Mr. Robbins provided me with a document, a written public testimony, and that should be in front of you on the table.

Thank you.

MR. H. ROBBINS: Thank you. I really appreciate this opportunity to address the Council

concerning the concerns of our subsistence use of our commercial fish camps at Dry Bay.

CHAIRMAN BANGS: Could you state your name for the record, please, Harold.

MR. H. ROBBINS: Harold Robbins. We've been a long time commercial fish -- we've commercial fished for a long time in the Dry Bay area, since '73, before Park Service showed with the Preserve. I'd like to respond to some of the Park Service's comments. They never put it out for public review on the use of the cabins that they're trying to restrict us from using at this point. Up until now I've been able to use the cabins for subsistence during the wintertime outside the commercial fishing times.

All of a sudden now we get notice that we're going to be cited if we use them without the Superintendent's signature. Consequently, it creates a situation where you're afraid to go use the cabin. He won't respond in a timely manner to our request to do that.

Basically that's what I've got presented to you is a letter that we've written to you to support us on our behalf to petition whoever we need to to bring pressure to bear on the Park Service to allow us, as commercial fishermen, and any other local rural residents of the community of Yakutat to use the cabins down there that have commercial fish camps. So that's the basis of it.

CHAIRMAN BANGS: Thank you, Harold. Are there any questions from the Council.

MR. SENSMEIER: Yes. I'm Ray Sensmeier from Yakutat. I understand that you were going to put a proposal to do all year round subsistence.

MR. H. ROBBINS: Well, subsistence season is open year round. It's just to be able to use it as needed throughout the wintertime.

MR. SENSMEIER: I understand as well that you catch a lot of eulachon and sell them.

MR. H. ROBBINS: About 30 or 20 years ago I did catch some eulachon on an experimental thing with the State, but 99 percent of all the eulachon

we've caught over all the years has been given away to all the elders in the Yakutat area.

CHAIRMAN BANGS: Thank you. Don.

MR. SENSMEIER: What do you plan on hunting in the wintertime?

MR. H. ROBBINS: Well, there's wolf and brown bear and all those seasons are open. I mean it's available.

MR. SENSMEIER: Yeah. But traditionally we don't bother them when the bears are -- in the wintertime. We've heard about this proposal that you were going to submit. I've been 12 years on the Yakutat Tribal Council and although we haven't had it as an agenda item, the members of the council are opposed to this as well as the Alaska Native Brotherhood, the oldest Indian organization in the United States, organized in 1912.

CHAIRMAN BANGS: Excuse me, Ray.

MR. SENSMEIER: Oh, I'm sorry.

CHAIRMAN BANGS: Did you have a question for Mr. Robbins?

MR. SENSMEIER: Yeah, I was just wondering what you hunt in the wintertime when we usually leave things alone except for trapping and stuff like that. But hunting bear in the winter is.....

CHAIRMAN BANGS: Thank you, Ray. Donald, did you have a question?

MR. HERNANDEZ: Thank you, Mr. Chairman. Harold, I'm trying to get a little better picture of what goes on down there in Dry Bay. You say you have a permit to use the cabin during commercial fishing. Does subsistence fishing take place at the same time that the commercial fishing is going on? So are you using the cabin for subsistence fishing at the same time you're commercial fishing?

MR. H. ROBBINS: You can, yes. I mean the seasons are short enough that you have periods that you can subsistence fish.

MS. DEATHERAGE: Right. So.....

MR. H. ROBBINS: I mean, of course, outside those normal times to subsistence fish for salmon it's not very practical, but right now the eulachon are in and on down the line. You don't necessarily need to stay overnight for that.

MR. HERNANDEZ: So the superintendent doesn't have a problem with issuing a permit for you to be essentially using the cabin for subsistence fishing during the season down there, correct?

MR. H. ROBBINS: During the commercial season they allow you 30 days prior to the first opening first Sunday in June and the end of season is somewhere around the mid to 15th of October.

MR. HERNANDEZ: Okay. So then by the time the moose season begins are you supposed to vacate the cabin and not use it for subsistence moose hunting then?

MR. H. ROBBINS: The local subsistence moose season starts the 8th of October and runs through the 15th of November.

MR. HERNANDEZ: So are you allowed to use the cabin during that period?

MR. H. ROBBINS: Right. Because it's within the grace period of the commercial season.

MR. HERNANDEZ: Okay. So essentially after the moose season is over is when they want you to not use the cabins anymore?

MR. H. ROBBINS: Right. Which also, you know, for a spring brown bear or during the dead of winter when the wolf pelts are in good condition and all the other species for 5A that are listed in the subsistence regs.

MR. HERNANDEZ: Okay. I think in our Yakutat meeting I think some of the rationale for not allowing the use of the cabins in the wintertime was the Superintendent felt it was in some way unfair to other users, that some people would get to use their cabins. Is that correct? Is that part of the rationale?

MR. H. ROBBINS: That was the excuse he used, was he felt it was an unfair advantage for us to be able to go down and use the cabins, which we've welcomed people from town to come down with us and enjoy the subsistence use. I mean we hardly ever go down by ourselves.

CHAIRMAN BANGS: Thank you, Don. Do you have another follow up?

MR. HERNANDEZ: No, that answers some of my questions. Thank you.

CHAIRMAN BANGS: Mr. Schroeder.

MR. SCHROEDER: Just a quick question and thanks for coming and testifying before us. Could you give me some idea, since I haven't been there, how many people are affected. Is there one cabin down there or are there 10 people who use cabins for different purposes? If you can just fill us in on that a little bit.

MR. H. ROBBINS: The commercial fish cabins that existed in the Dry Bay area were probably in the low twenties prior to ANILCA, so those have all been grandfathered in. The only qualification that limits that is whether you're a qualified Federal subsistence user. Anybody in this room that wanted to move to Yakutat, buy one of those cabins, ought to be able to use it.

MR. SCHROEDER: Just to follow up. At this time, as far as you know, how many qualified subsistence users would have cabins because they're the ones who would be affected by this permit requirement?

MR. H. ROBBINS: There's just four, I think, at this point basically. We have several people, local young fellows that like to hunt and they go down with us.

MR. SCHROEDER: So that would be four different subsistence users. I'm more concerned about the subsistence users than the cabins.

MR. H. ROBBINS: Right.

CHAIRMAN BANGS: Any other questions for Mr. Robbins.

MR. SENSMEIER: Mr. Chairman.

CHAIRMAN BANGS: Yes, Ray.

MR. SENSMEIER: Yeah. The local people don't have a lot of money to fly down there and participate in this. When we go down to Dry Bay, we go out on the ocean in 19-foot skiffs to run down there. With the price of gas at $7 gallon, nobody goes down there and really fishes commercially anymore because you have to have the fish flown out on an airplane and that's even more expensive. So most people fish in the Situk and the Ahrnklin and those are old village sites, shaman sites, graveyard sites are all inundated in that area. I know Barbara Cellarius knows more than anybody because she's worked in that area.

CHAIRMAN BANGS: Thank you, Ray. We're going to get a report under agency reports from Jim Capra. He's going to give us an update on the cabin use. So we'll get some more information here a little bit later.

Does anybody have any questions. Mr. Schroeder.

MR. SCHROEDER: Just a final question. What would you like us to do if we were to do something on this issue?

MR. H. ROBBINS: Well, as we presented in the letter, we would request your support. Whether we have to take it to the Congressional Delegation or just the head of the Park Service or whatever. However far we need to take it up the line. This definitely does affect the subsistence use in Yakutat, the community, because if we don't go down there and subsistence use, where are we going to subsistence fish and hunt? That puts more pressure on the moose back on the road system and all those things. We concentrate the subsistence use more than it should be. It puts more pressure on the local resource within the reach of town.

CHAIRMAN BANGS: Thank you. Mr. Howard and then Mr. Reifenstuhl.

MR. HOWARD: Thank you, Mr. Chairman. I guess I have a question and then a comment. The question being are you recognized as a subsistence user

according to the Federal guidelines and the State guidelines?

MR. H. ROBBINS: Oh, yes. Have been for years.

MR. HOWARD: If we allow this to happen as a board, we're going to set precedence for this to happen everywhere. If we allow the agency to come in and tell this gentleman that he can no longer do something he's always done there, we're telling the agencies it's okay to do this everywhere else. In Don Young's words just recently when he was talking about the subject of subsistence, it's law. It's law, not open for interpretation. Subsistence priority is law. You don't believe me, Google it and Don Young said it. So we need to bring this back to front and center. Whether or not the tribe in Yakutat agrees with this, we have to keep in mind we're going to set precedence for this to happen in everybody's back yard if we allow it to happen in his.

Thank you, Mr. Chairman.

CHAIRMAN BANGS: Thank you, Albert. I just want to remind everyone that this is the time when we ask questions. We'll discuss this later when we address it when we're going through deliberation on this issue if we're going to do an action item. So please restrict your comments to questions to Mr. Robbins so we can move on.

MR. SENSMEIER: Could I ask one more question?

CHAIRMAN BANGS: Sure.

MR. SENSMEIER: When you hunt bear in the wintertime for subsistence, do you eat the bear? What do you do with it?

MR. H. ROBBINS: If it's edible, we do, yes. I mean if they're out and available.

CHAIRMAN BANGS: Any other questions. Mr. Reifenstuhl.

MR. REIFENSTUHL: I'll pass.

CHAIRMAN BANGS: Ms. Phillips.

MS. PHILLIPS: Thank you. Mr. Robbins, so do you have a grandfathered in cabin?

MR. H. ROBBINS: Yes.

MS. PHILLIPS: How long have you had it?

MR. H. ROBBINS We've had that prior to ANILCA. We had a permit with the Forest Service there in '68 or '78, I'm sorry, and we also have a permit with the Forest Service across the Alsek River outside the bounds of the Preserve. On the face of that Forest Service cabin permit for that area, which is about eight miles apart, it's written right on it from the Forest Service that we have subsistence use rights for that specific cabin. This cabin location in question here that they're contesting -- the permits were hooked together prior to ANILCA. When the Park Service took over that area as a Preserve, then that permit went to them. At that time I mean we still had all those rights.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN BANGS: Follow up, Patty.

MS. PHILLIPS: Thank you. Mr. Robbins, you said the 15th of October. Is that when the season closes and then you have 30 days after that to leave?

MR. H. ROBBINS: Generally it closes somewhere around the 15th of October, the commercial fish season, then they allow us 15 days to close up. The 30 days is prior to, which would be around May 1st.

CHAIRMAN BANGS: Do you have another follow-up question, Patty.

MS. PHILLIPS: So what is involved in the 15 days after?

MR. H. ROBBINS: In the middle of October there in Yakutat, half the time you hardly leave the cabin due to the weather. I mean that's when you get some real severe rains and heavy winds. I mean most of the time we do some moose hunting during that time because we like to can that moose meat and leave it right there for our summer use.

CHAIRMAN BANGS: Thank you, Patty.

Mr. Yeager.

MR. YEAGER: Thank you, Mr. Chair. The timeframe that you're giving here and in your letter, is that to prevent you from targeting any certain species of salmon that's coming up the river there or is it for subsistence or commercial or does it matter?

MR. H. ROBBINS: The timeframe that we're allowed to use the cabin is to target starting out on kings and sockeye because that's when the State commercial season opens and runs clear through cohos in the fall.

MR. SENSMEIER: One more question, Mr. Chair. When the bears come out in the spring, you know, a lot of them have cubs with them. Do you just target the males?

MR. H. ROBBINS: I believe the regulation says that you can't shoot females with cubs.

CHAIRMAN BANGS: Thank you. Anyone else with any questions for Mr. Robbins.

MS. PHILLIPS: I do.

CHAIRMAN BANGS: Patty.

MS. PHILLIPS: So the use of this cabin helps you meet your subsistence needs?

MR. H. ROBBINS: Yes, it allows us to meet those needs as needed. Sometimes when the commercial fish season closes earlier, then we can't have time to get a moose later on. We like to wait until usually after the first of November because the weather is cooler and you're starting to get some snow and it gives you more time to sit there and can moose meat and put things away.

CHAIRMAN BANGS: Thank you. One more follow up there, Patty.

MS. PHILLIPS: Thank you. How long has this traditional practice been going on for you?

MR. H. ROBBINS: Well, basically ever

since the word subsistence came out. Prior to that it was personal use. We've hunted moose and fished and so on there and trapped in the wintertime.

CHAIRMAN BANGS: Steve.

MR. REIFENSTUHL: Yes, Mr. Robbins. How many families or people does your subsistence use affect in Yakutat?

MR. H. ROBBINS: Four to six.

MR. REIFENSTUHL: Families or people?

MR. H. ROBBINS: Families. You know, the extended families. I've got step-daughters and their families and on down the line. There's two or three friends of our family that have use of this and we share with. When you start looking at two or three or four moose, that makes quite a pile of meat for the community.

CHAIRMAN BANGS: Follow up, Steve.

MR. REIFENSTUHL: Yes. So other people that are similarly situated with cabins, how many of those would be affected by this? I'm trying to understand how broad this is beyond your circumstance.

MR. H. ROBBINS: Beyond me personally, there's four other cabin owners that are qualified subsistence users.

CHAIRMAN BANGS: Thank you. Any other questions for Mr. Robbins.

MR. SENSMEIER: I don't know of anybody that goes down to hunt moose in Dry Bay. We have areas where we've hunted since time immemorial and it's not at Dry Bay. It's closer to town. And there's berry picking and other subsistence activities that go on as well. Subsistence is not a word in our language. We don't have a word.....

CHAIRMAN BANGS: Excuse me. Do you have a question?

MR. SENSMEIER: What does subsistence mean to you?

MR. H. ROBBINS: Subsistence means to us just like it does to the rest of the people in Yakutat.

MR. SENSMEIER: What does it mean to you?

MR. H. ROBBINS: It's a way of life. It's incorporated with your commercial fishing and spending a lot of time out there. It's not necessarily killing the moose or fish or any of the other stuff. It's time well spent.

CHAIRMAN BANGS: Thank you, Mr. Robbins. Does anyone have any questions. Mr. Wright.

MR. WRIGHT: Thank you, Mr. Chair. So how many people are with you when you go to the cabin to do your subsistence? Do you limit the amount of food you can take to take home?

MR. H. ROBBINS: No, we don't limit the amount of food that they take home. I mean if you shoot a moose, you shoot a moose. Take it home. We get enough. Quite often there will be two or three of the young fellows from town come out with us. I'm not about to pack moose anymore.

CHAIRMAN BANGS: Okay. Thank you.

Follow up, Frank.

MR. WRIGHT: Yeah, thank you, Mr. Chair. So you say you have about two or three young guys to pack. Is that the number of people that you have go with you when you go to the cabin?

MR. H. ROBBINS: A lot of times, yes.

MR. WRIGHT: Thank you.

CHAIRMAN BANGS: Thank you.

MR. SENSMEIER: One more comment.

CHAIRMAN BANGS: Do you have a question for Mr. Robbins? Because we're going to discuss this a little bit later and then we can -- if we're going to have an action, we'll have plenty of time to discuss it. If you have a question for Mr. Robbins, go ahead.

MR. SENSMEIER: Well, as I stated before, if we went down and killed a moose, we would have to fly it back. At that time of the year, the waters are too -- southeast winds, the Fairweather grounds and we don't -- I'm talking about our Native people traditionally -- you know, it's unlikely that -- we can't afford an airplane. We don't have an airplane, but there are others that do. I don't like to delineate, but those are non-Natives that have the money to buy an airplane. I don't know of one local person.....

MS. PHILLIPS: Mr. Chair.

MR. SENSMEIER: .....that owns an airplane.

CHAIRMAN BANGS: Yes, Ms. Phillips.

MS. PHILLIPS: Pardon me. I'm sorry. Point of order, sir.

CHAIRMAN BANGS: Thank you, Patty.

MS. PHILLIPS: Mr. Chair. This is a public comment period and the member of the public is here to speak his opinion and we are to question Mr. Robbins and not give an opinion.

Mr. Chair, may I ask a question, please.

CHAIRMAN BANGS: Yes, Patty.

MS. PHILLIPS: It will be my final question. Mr. Robbins, you said something about a letter. Do we have that letter?

MR. LARSON: Yes.

MS. PHILLIPS: Which letter is it? Thank you.

CHAIRMAN BANGS: Thank you, Patty. Questions, please. That's what we're doing now is asking questions. We're not.....

MR. HOWARD: I figured that out, Mr. Chairman, thank you. If you don't like me, you can go by that name (showing other side of name placard).

(Laughter)

MR. HOWARD: How has this been implemented on you and how does it affect your subsistence lifestyle?

MR. H. ROBBINS: It's been implemented by the letter of threat from the Park Superintendent saying that he felt that we had been illegally using the cabins beyond the allowed time and that if we continued, that he was going to cite us. So, consequently, we refrained from going back down there and spending overnight for anything. That affects a lot of our opportunities.

CHAIRMAN BANGS: Thank you. Ken.

MR. JACKSON: Through the Chair. When did you get this letter?

MR. H. ROBBINS: I think the letter was dated March 1st of 2015 and in it was the annual bill for the permit fee.

CHAIRMAN BANGS: Mr. Schroeder.

MR. SCHROEDER: Thank you for providing the information. I believe at our Yakutat meeting you told us that it would be okay if you went down and put up a tent right next to your cabin, is that correct?

MR. H. ROBBINS: Well, that's what the Park Superintendent told us, you know. I think you'll also see in the written response that the Park Service sent to you that it was possible to build another cabin or something if we got a special permit. I don't understand why we need to impact the land for that.

CHAIRMAN BANGS: Thank you. No other questions.

(No comments)

CHAIRMAN BANGS: Thank you very much. We'll be getting a report here, like I mentioned earlier, from the Park Service, so that will probably shed light on a lot of it from that point of view. We have one more public testimony.

Thank you, Mr. Robbins.

MR. H. ROBBINS: Thank you for your time.

CHAIRMAN BANGS: We have Mr. Pat Robbins from Yakutat. Please state your name into the microphone, please.

MR. P. ROBBINS: My name is Pat Robbins. I'm a subsistence user in the Dry Bay and Yakutat area. I can't help but listen to the comments and the questions that were given to my father. The years of a lifestyle of trying to subsist and live off the land and utilize the resources. I'm now a second generation. Last month I just had my second grandchild. It would be kind of nice to give that to the next following generation without massive restriction from what seems to be the pressure of the National Park Service in Dry Bay.

There was a couple of things as you guys asked questions of my father. I wish it were a little more clear in maybe his response on how we utilize the resource and respect the land. It's not just a hunt. You know, it's a way of lifestyle. It's a way of putting away the fish or the game that you harvest, respecting it and utilizing it throughout the next year, sharing with others, and giving of yourself for others and harvesting.

You know, Ray asked the question to my dad what's the definition of subsistence for you. It's a way of lifestyle and it's respectful of the Native culture of how they respect it and utilize the resource when you live out remotely from the city of Yakutat. I guess I had my fifth birthday there in Dry Bay and I've had many others there in August and the same. You have a different respect for all that that includes that. It's hard to actually put a definition to your question of subsistence and I'd just like the board to understand that. It's not just subsistence, you know. It's a greater meaning that's hard to put words to.

Anyway, there's a few things. You know, as the variable seasons go and as climates change and all these issues of the Alsek River, which comes right into Dry Bay being a transboundary river and all these concerns of all the people in Southeast Alaska. You know, snowfall or rainfall or how that all affects us. I just want you guys to know that Dry Bay and the cabin use there means a lot to me.

I really appreciate Albert's comment about how that affects all of us. It doesn't matter who you are. It's a subsistence user and it does affect us all one way or another. Subsistence use and the lifestyle, you know, it has no borders whether you come from Petersburg, Little Norway or Yakutat, you know. It's what we do. Having one more restriction or what seems like a confinement of use of a previous lifestyle, meaning the use of the cabin, that restriction just seems to narrow up the box.

I'd like the board to consider their support of what we've always done prior to this.

CHAIRMAN BANGS: Thank you, Mr. Robbins. Any questions for Mr. Robbins. Albert, go ahead.

MR. HOWARD: I'm thinking you guys might have part Native genes because you guys look young. He doesn't look like a great-grandfather. You don't look like a grandfather. But I want to ask you the same question I asked your dad. How has this restriction affected your subsistence? Has it caused you to take changes you wouldn't normally take because of weather because you're given a window there. So how has this -- once it was applied to you, how has it affected your ability to get what you needed for your family?

MR. P. ROBBINS: Thank you, Albert, for asking that question. It's kind of a compound answer. The fact is, as Yakutat is the same as all these small communities throughout Southeast Alaska. You know, we struggle with economics, so you've got to do a lot of different things to make it work to put food on the table and keep shoes on your feet.

In doing that -- you know, right now we're allowed 30 days prior to the opening of the Alsek River, which would be the first Sunday in June. So basically it's May 1st you're allowed to be there at that cabin and then it's 15 days after that. It depends on when the season closes. That's variable upon the fish runs of the silvers, which we all know is changing. If it does close the 15th of October, then you've got to be out of that cabin by the 1st of November.

Seasons a lot of times extends on to

the end of the season, which is the -- I believe it's the 15th of November. Moose is the 15th of November, where bear is all year round. What happens is, beings how we're a small community trying to do all these things -- I'm a commercial setnet fisherman. I have a power trawl permit. I have a small sport fish guide camp on the Italio, trying to make ends meet, you know, to exist. Subsistence is an important part of existing there because it's a small community.

When I'm asked to leave by the 1st of November and not use that cabin specifically for subsistence -- I like to catch in, you know, the 11th of November or the 11th of October is the beginning of the winter king opener. I mean that's always a good time to go fishing. Yakutat has a nice little bump there for two, three weeks sometimes. So I'll just barely get into that, you know, first part of November. Then I'm not allowed to use the cabin or I'm restricted to use the cabin for subsistence moose hunting. It just restricts variables in either weather or maybe going when I shouldn't. You know, not allowing me to pick my weather window when to travel, when to go.

I've also built a small boat that travels down the coast with a four-wheeler and I can leap frog with the boat and the four-wheeler down there. I don't need an airplane to get in and out of there and it's a lot more economical. So it allows me to come and go from Dry Bay a little easier. But, you know, all that is variable on the weather. So by limiting my restrictions, you're limiting my chances of opportunity.

CHAIRMAN BANGS: Thank you. Anyone else have a question. Patty.

MS. PHILLIPS: Thank you. Is Glacier Bay National Preserve in Unit 5A?

MR. P. ROBBINS: That is correct.

MS. PHILLIPS: And you're a Federally qualified subsistence user, a resident of Area 5A.

MR. P. ROBBINS: Yes, I am.

MS. PHILLIPS: Would your subsistence needs be met if you couldn't use that cabin?

MR. P. ROBBINS: Not all the time. Sometimes they would be and sometimes they wouldn't be and that's due to weather or conditions like I've explained earlier.

MS. PHILLIPS: Thank you.

CHAIRMAN BANGS: Anyone else.

(No comments)

CHAIRMAN BANGS: Seeing none. Thank you, Mr. Robbins.

MR. P. ROBBINS: Thank you for your time.

CHAIRMAN BANGS: You don't put up lutefisk out there, do you?

(Laughter)

MR. P. ROBBINS: No, but we could make some.

CHAIRMAN BANGS: Thank you.

We have one more public testimony by Mr. Lee Wallace.

MR. WALLACE: Thank you, Mr. Chair. Lee Wallace, president of Organized Village of Saxman. I want to make some non-agenda item comments. First of all, I just want to thank you guys for supporting Saxman. I was sitting in the consultation breakout session this morning and I checked my email and I got an email saying that the direct final rule was published this morning.

So this is for Glenn. When I first seen Glenn on Monday, he pulled me aside, he was chuckling, and he said how many months has it been, Lee. Well, back in November it was 103, so now we're at 111 and it's finally published. Saxman is off the list officially.

(Applause)

MR. WALLACE: Thank you for that applause. We applaud you. SERAC has been behind Saxman

on this issue from the very beginning and we certainly appreciate that. There's others also and I'll mention BIA provided a grant for Saxman to attend a lot of different meetings. Without that grant we wouldn't have been able to attend a lot of those meetings, so I thank BIA for that grant. There's many others too. Sitka Tribe, Harvey's from Sitka Tribe and they certainly supported us with the monetary value to add to our legal fund, our subsistence legal fund.

Some other comments I want to make is -- let me look through here. I wrote some things down because if I don't write them down, I'm going to forget because you get that senior citizen moment that you get if you don't write things down. One thing I suggested to Orville this morning at the consultation session is that during the Secretarial Review period the RAC chairman, his or her designee could sit in at the FSB Board meeting or FSB work session. I've seen Chairman Bangs there at one time and I've seen Chairman -- another senior moment.

MS. PHILLIPS: Adams.

MR. WALLACE: Adams. He was there. Both times with that addition, the RACs presence, they're able to be interactive at the FSB Board level and give input and that's valuable. So that was a big win also with that ability to speak at the FSB Board level.

What I suggested to Orville with that already in place -- then prior to the FSB Board meeting they have what they call a tribal consultation session. One of the last meetings I attended at the FSB meeting we were in a circle with tribal leaders and the FSB Board members and maybe some OSM staff, but at that time I seen the Southeast RAC Chairman outside that circle.

And what I'd like to see this Southeast RAC board is follow through with that recommendation I'm making, is to have your RAC chairman sit in on that tribal consultation. Because all that work we've done all these months in the Southeast Region, you guys were abreast and you knew all the information too and you could be supportive.

So when talking to Orville, he said I've kind of already suggested that to them, but he

said they had a discussion about it, but they took no action. So maybe with some urging from the Southeast RAC maybe that could be a reality. It will be a plus for the process in the whole system.

Other areas that we heard all week long was the climate change and global warming. We all heard it from our brothers and sisters from the Arctic and they're really at the forefront of climate change. You heard about their increased vessels coming through the region and what those vessels are bringing. You heard about the tourists from Germany trampling all over the tundra, you heard about possible greywater being flushed in the area, and other effects that all these increased vessels could bring in. You heard about the North Pacific -- no, that's another item.

Being able to make comment and action on those items, whether it's writing letters to our senators, our congressmen, EPA or other Federal agencies to help address this issue. I just don't want it to be a session where we're just talking about it. I think again any and all involvement, climate change affects everybody in Alaska. Not only Alaska, it affects us worldwide.

Comments on the North Pacific Fishery Management Council. We heard all about the bycatch. I like Albert's viewpoint about, you know, overcatch is my bycatch. I would request maybe this body, Southeast RAC, be an advocate for adding change to the members sitting on the North Pacific Fishery Management Council. It definitely sounds like it's affected the area all over Alaska with the bycatch of chum and chinook salmon. Although the percentage from Southeast was maybe not as large as Western Alaska, but it did still kind of affect us. So we should maybe advocate for seats on that particular council so our voice could be heard more loudly.

That's all my comments. I'm not going to field any questions so we can move along.

Thank you.

CHAIRMAN BANGS: Thank you, Lee. Is there any questions for Lee of the Council. You're not getting away that easy. Frank.

MR. WRIGHT: Are you happy now?

MR. WALLACE: (Laughs)

(Laughter)

CHAIRMAN BANGS: Thank you, Lee. Oh, wait a minute. Mr. Douville has a question.

MR. DOUVILLE: I'm going to break the rules and make a comment instead. Those of us that have been on the RAC for a while are more relieved than you are that you're not on the list anymore.

MR. HOWARD: Mr. Chairman. I have a creative way of making a comment by asking a question. The people walking on the tundra, is that the same place they advertise as pristine Alaska?

MR. WALLACE: Your comments opened another door. Oh, it's Mike's comment. He said, wow, he's more relieved. Maybe he's saying, okay, we're not going to see Lee Wallace here anymore.

(Laughter)

MR. WALLACE: But again, thanks for BIA and their grant. The final piece of the puzzle is nonrural. What makes a community nonrural. That's what got Saxman in this whole issue, is we were put in that list for nonrural. So we're going to still stay engaged until the final process is done and you guys are going to be working on that from today on about what makes a nonrural community look like and the characteristics and all that good stuff. I'm going to hang around for the duration of maybe another year anyway.

CHAIRMAN BANGS: Thank you, Lee. Okay. We've got to get a little bit further here before we break. We've got a little bit more time. Ms. Cellarius isn't going to be here tomorrow. So we're moving on to old business, National Park Service proposal for collection of antlers.

MS. CELLARIUS: Thank you, Mr. Chair. For the record, I'm Barbara Cellarius. I'm the subsistence coordinator for Wrangell/St. Elias National Park and Preserve. What I have to talk to you about next is actually a region-wide proposed regulation change that would affect NPS lands where subsistence is allowed. So in your region that would be Wrangell/St.

Elias National Park and Preserve and then Glacier Bay National Preserve. So both in Unit 5.

Like I said, it's a national regulation. You should have three pieces of material regarding this. I distributed a briefing paper that is one sheet. It has a little arrowhead on the top. In your meeting notebook, I think it's Page 218. There is a copy of the proposed rule. Then the third item isn't from the Park Service. It's from our Subsistence Resource Commission. They took this up at their meeting two weeks ago and cc'd all the Regional Advisory Councils on their letter, so there's a copy of their letter.

CHAIRMAN BANGS: Cathy.

MS. NEEDHAM: You stated Page 218, but can you show us what it looks like because I can't find it in the -- oh, it's a proposed rule.

MS. CELLARIUS: It's a Federal Register notice with lots of small type. So I just want to summarize the proposed rule and hit some of the high points about what's in the actual Federal Register notice. The National Park Service is soliciting public comments through April 12th on a proposed rule. It was published on, I believe, January 13th and out for a 90-day public comment. The proposed rule would amend portions of the National Park Service regulations for Alaska, so this is specific to Alaska.

There are three components to this. I think it's important to recognize that this is not like a package that has to go lock step together. You can comment on any of the three pieces. You can comment on any components of the different pieces. I heard earlier that there was some concern. It was kind of like you had to vote the whole thing up or down. That is totally untrue. Looking for comments on anything or everything that you want to comment on.

This is a proposal, so it's not set in stone. We are going out looking for public comment. Then, when we get comment from the public, we'll think about where to go in terms of a final regulation. In the briefing paper, there's some information about how to submit public comment if you want to do so as an individual. If the RAC wants to do so, I think Robert will help make sure the comments get in in the way that

they need to.

So the proposed rule is regarding three topics. The first one would allow qualified subsistence users to collect and use nonedible fish and wildlife parts and plant materials to create handicrafts for use, barter and sale. I'm going to just tell you the three topics and then I'll go into a little more detail about each of the three topics. So this is just my list of the topics.
The second piece is to clarify that collecting live wildlife is generally prohibited. The third piece would limit the types of bait that may be used to take bear for subsistence purposes.

The big part of this is about subsistence collections. This proposed change responds to requests from subsistence users or Subsistence Resource Commissions, some of the Regional Advisory Councils, to authorize the customary and traditional practice of producing handicrafts and then exchanging them, from plant materials and the nonedible parts of fish and wildlife.

So currently there is a national prohibition on picking up say horns and antlers if you found horns and antlers out in the park, you couldn't pick them up, take them home, make handicrafts with them. So this would allow that usage. Currently you can harvest plants for subsistence uses, but you can't make handicrafts for sale. So this proposed rule would allow those things to be able to happen.

In terms of the actual regulatory language, there's definitions of animal parts, there's a definition for handicraft articles. We talked a lot about handicrafts here within the RACs in the context of bear claws, I believe. It's the same definition that is in the Federal subsistence regulations for handicrafts, so the definition would be consistent.

Currently what we would be allowing the sale of handicrafts under what's called customary trade, so there's a modification to the definition of customary trade. In terms of the eligibility, subsistence users would have to have a Federal Subsistence Board customary and traditional use determination for the species and area that they're picking up the handicrafts. So if you had a C&T for goat in that area to hunt, you could pick up goat

horns. Maybe that's not a good -- up where I'm from we have sheep, so if you have C&T for sheep, you could pick up sheep horns that you found on the landscape.

There is a requirement that eligible users have a written authorization from the Superintendent to collect these materials for use in handicrafts. That written authorization could take a number of forms. It doesn't have to be an individual permit. It could be an authorization that was through a particular community or for a range of local subsistence users eligible to harvest resources in a park.

The sale of raw, unworked material would be prohibited. There's some other provisions that the Superintendent would have the authority to identify areas that are open and to set conditions and limits to protect resources and values. So that's the first piece of the proposed rule and really the biggest one. This is something that Subsistence Resource Commissions have been working on probably for the last decade to try to get authorized.

Do we want to see if there's any questions on that or should I move on to the other two subjects?

CHAIRMAN BANGS: Is there any questions. Patty.

MS. PHILLIPS: Thank you. So if I had a comment about collection of plant materials for like a culture class, could I say I support collection of plant materials or nonedible animal parts for culture class? I mean would that be a comment that could be submitted? Can I give an example. Like so we're doing a fur sewing class in my community because very few of us know how to fur sew, but we have somebody who is a master fur sewer and she's showing us in the community how to do that and she's providing the materials. So that's kind of what I was thinking, is that maybe one person could gather to provide for a class like that. Would that be a comment that would be appropriate?

MS. CELLARIUS: This is actually a comment that's come up in some of the other meetings that I've been in where the person who's collecting the materials might not be the person who is making the handicraft. So I think if that's a comment that you'd

like to make, I would encourage you to make it.

MS. PHILLIPS: Thank you.

CHAIRMAN BANGS: Thank you, Patty. Anyone else have a question.

Robert.

MR. SCHROEDER: Thank you, Mr. Chair. There's a couple of things I'd like to comment on. One is that, just as an observation, the idea of having a Superintendent be responsible for giving a written authorization is a pretty high bar and that's asking basically the head of the Park to say that it's okay for people to bring some grass back to weave baskets and otherwise they could be in real trouble. That seems like a rather peculiar requirement.

I'd also note that the Southeast Regional Advisory Council has said that we're moving away from doing these extremely specific C&T determinations. So, in the future, we may have fewer very specific C&T determinations, which is what is called for under this and that we're moving to something where all rural residents of Southeast Alaska may be recognized to have some use. I think that's our intention. So I guess I don't really have a question there. Excuse me, I snuck in a comment, Mr. Chair.

(Laughter)

CHAIRMAN BANGS: Point of order. Albert.

MR. HOWARD: Thank you, Mr. Chair. You seen me whispering to him, so I tricked him into asking those or making that comment. Where did the language for this come from? Was affected tribes consulted and what are their thoughts? I guess the reason I'm asking is I'm reading the one part here that says it allows you to pick antlers up off the ground.

If you follow me for a second, my son and I shoot deer with antlers and we have a habit of taking the antlers home even though I try to impress upon him we can't eat those. So if a Park Ranger interprets this when he comes across somebody with antler from a deer they just shot, he's going to interpret it as you can't do that. So were the tribes

in the area consulted?

MS. CELLARIUS: Thank you for the question. I will try to get all the pieces of it, but if I miss one if you can remind me. Were the tribes consulted. So we've been working on this for eight or ten years and as part of that we did an environmental assessment. So there was tribal consultation on that environmental assessment and I've also, for Wrangell/St. Elias, I've been reaching out to the tribes in our communities to make sure that they're aware of the draft rule and the opportunity to comment again. So we've had sort of an ongoing conversation with tribes over this period on the proposal.

In terms of the antlers of an animal that you've harvested, that's not what we're talking about. Under ANILCA you can take those home and you can do what you like with them. They go along with the animal. What we're talking about is antlers that have been shed by an animal or the result of natural mortality or a hunter who didn't take them home. So it's picking up the items that essentially aren't coming with an animal that you just harvested.

CHAIRMAN BANGS: Follow up, Albert.

MR. HOWARD: Mr. Chairman. The reason I asked that is I've dealt with Fish and Game that seems to interpret number 2 differently than the way you're explaining it. Also, has there been conversation on simplifying this process to where you don't have to fill out three or four applications, you just -- is it possible to come into an office and show you here's what I picked up in Wrangell/St. Elias instead of having to -- because, you know, when I pick something up, I'm actually doing something and just come across it.

MS. CELLARIUS: The written authorization can be accomplished in many ways, so one possibility is an individual permit, but there also could be an area-wide authorization for local communities or an annual authorization that's documented in a Park compendia. So we're not necessarily talking about a requirement for an individual authorization. It needs to be an authorization that's written down somewhere, but it doesn't have to be specific to an individual.

CHAIRMAN BANGS: Thank you. Any more questions on this specific subject. Patty.

MS. PHILLIPS: Thank you, Mr. Chair. On the collection of live wildlife, and I appreciate that it's been eight to ten years in developing this, the overall proposed rule, but do the tribes want to be able to collect eggs? And that would probably be a different process.

MS. CELLARIUS: That was the next topic I was going to address. I had only addressed the subsistence collections of horns and antlers and other nonedible animal parts for handicrafts. So perhaps I should move on to the collection of life wildlife.

This proposal is a clarification that collecting life wildlife is not generally authorized in NPS units in Alaska. There are some exceptions to that. Sometimes we have researchers who are interested in collecting specimens. There's some special regulations that are being worked on and I think you've heard about these actually before from Jim Capra about a special regulation for gull egg collection at Glacier Bay. So there are some exceptions to this prohibition.

Where it came from was the State of Alaska issues permits for falconry, for the collection of falcon eggs. There's some confusion about what the NPS regulations are, so this is to clarify that that collection can't occur on NPS lands. It's really designed to -- there's some confusion that has come with the ADF&G permits, the State of Alaska permits, and we just want to clarify what the Park Service regulations are.

CHAIRMAN BANGS: Frank.

MR. WRIGHT: Are there any other exemptions from different Parks about collecting eggs? I know the Hoonah Indian Association has applied for collecting gull eggs in Glacier Bay.

MS. CELLARIUS: There's a very specific exemption related to the gull egg collection in Glacier Bay. It's very specifically noted that this would not affect that collection.

CHAIRMAN BANGS: Follow up, Frank.

MR. WRIGHT: What I was asking was is there any other tribal governments that are applying for the same, you know, to be exempt besides just Glacier Bay?

MS. CELLARIUS: Not that I'm aware of.

CHAIRMAN BANGS: Mr. Schroeder.

MR. SCHROEDER: Through the Chair. Barbara, thanks much for presenting this. I think it's pretty hard to get through the Federal Register notice. I sort of see from my point of view that a real sticking point here in the Federal Register notice is requiring -- eligible persons would be required to have a written authorization from the Superintendent. You said that, well, maybe it really doesn't have to be that way.

If the Council comments on this rule, that might be something that we'd suggest is stricken from rule and some other mechanism is put in where individual subsistence users who want to do some activity, there could be a whole bunch of activities that really aren't very controversial that that be covered by a blanket authorization rather than a permit.

This seems like it's pretty steep, you know, thinking about what people actually do. Somebody's out and this is the time to do it. Do they have to go back home and then find the Superintendent and then they can't either, one, do it the next day because it's their brother doing it, so he better go -- you get what I'm saying there.

So I'm wondering if -- so the question part of this is do you think that's like really hard and firm that Park Service would go to the wall on that or could there be a general authorization with specific authorization for those things that Park Service may find a bit more intrusive, such as gathering of spruce roots or other things?

Thank you. Long-winded.

MR. CELLARIUS: So I believe you're talking about the collection of horns and antlers and not the collection of live wildlife with your question.

MR. SCHROEDER: Yes.

MR. CELLARIUS: Because that's where there's a provision for a written authorization from the Superintendent. A written authorization does not have to be an individual permit. It can be a blanket authorization that residents of Yakutat can collect the items authorized under this regulation. It could be that broad.

I will add that this topic was discussed in the environmental assessment on this topic. There were a number of options, some without a permit, some with a permit, some with a written authorization, which is what we've come to in this proposed rule. So this has been discussed a lot. A blanket authorization is one of the options in here. If you don't like the language that's in there, this is your opportunity to comment.

CHAIRMAN BANGS: Robert, we'll have a chance to discuss this after she's done if the Council wants to, but if you have a question.

MR. SCHROEDER: Just a clarification that the permit authorization does say to collect plant materials or nonedible animal parts.

CHAIRMAN BANGS: Okay. Is there any other questions referring to the collection of live wildlife.

(No comments)

CHAIRMAN BANGS: I guess we'll go on to the next.

MS. CELLARIUS: Okay. So the third topic that's addressed in the proposed rule is the use of bait for taking bears under Federal subsistence regulations. It would limit the types of bait that may be used to take black and brown bears under Federal subsistence regulations to the parts of legally taken Native fish and wildlife that are not required to be salvaged or the remains of Native fish or wildlife that died of natural causes.

The intent of this limitation is to prohibit the use of food items such as dog food, grease, bread, popcorn that are sometimes used for bait

and we're doing this to be consistent with NPS regulations that prohibit feeding wildlife and the NPS legal and policy framework that calls for managing wildlife for natural processes. It would also address NPS efforts to avoid habituating wildlife to unnatural food sources such as human and commercial pet foods.

CHAIRMAN BANGS: Thank you. Are there any questions.

(No comments)

CHAIRMAN BANGS: Seeing none. Thank you, Barbara. I'd like to find out if the Council -- this particular rule isn't going to affect very many of us that live in the lower part of Southeast, but it could be very important to the people that live near Yakutat. So I'm wondering what the Council's wish is. To address this, do you want to talk about it, discuss it or do you want to write comments or should we just do individual comments that affect the people that are interested in it?

MR. SENSMEIER: Mr. Chair. I would like an opportunity to discuss this with our local Yakutat Tlingit Tribe and could we then later submit to whoever we need to submit our concerns if there are any concerns. I would not like to sit here and try to speak for the tribe without first discussing it.

CHAIRMAN BANGS: That would be up to the tribe to make their comments. I don't think we could take action because the comment period would be over by the next time we meet, but I would suggest you get your tribe to submit comments.

MR. SENSMEIER: Thank you.

CHAIRMAN BANGS: Anyone else. Bob.

MR. SCHROEDER: Mr. Chair. I don't have really strong feelings on this. We could take a Council action. The only thing in this quick study that I notice is that the proposed rule does have eligible persons would be required to have a written authorization from the Superintendent to collect plant materials or nonedible animal parts. Just in general that doesn't sit well with me to put subsistence users through the wringer to do something that may be pretty simple like gathering grass for weaving. That's just

silly. But I don't know if we have to comment on things that are just silly.

CHAIRMAN BANGS: Thank you.

Patty.

MS. PHILLIPS: Well, I agree that we should take a position on this. I mean it's been eight to ten years to bring it to us. I know it deals with the Yakutat area, but we're here to represent the region, of which Yakutat is in it.

CHAIRMAN BANGS: So would you be interested tonight or in the morning drawing up just a little draft comment that the RAC could get behind and support? Would that be something you'd like to do? Should we have Robert draw up a little letter or comments from the RAC saying that we support this or don't support it? What do you think, Patty?

MS. PHILLIPS: Yes, sir.

CHAIRMAN BANGS: Yes, sir, what?

(Laughter)

MS. PHILLIPS: I can write up a letter if the Council gives their comments and I can take notes, but my question was about the collection of plant materials or nonedible animal parts for other than the person who gathers it. Barbara was saying -- said it in a way than I better said it, something about one person harvests it and someone else utilizes it.

CHAIRMAN BANGS: Thank you, Patty.

Barbara.

MS. CELLARIUS: Thank you, Mr. Chair. I mentioned at the beginning of my presentation that the Wrangell/St. Elias Subsistence Resource Commission had written a letter and I gave you a copy of that letter. They had a comment that addressed that specific topic that you raised. So there's an example of a comment that someone else has made. It's the last bullet on the first page. Sometimes unworked horns and antlers are exchanged before they are made into a handicraft. Just as an example if that's the kind of thing you're looking for.

CHAIRMAN BANGS: Patty.

MS. PHILLIPS: I have another question. So what about guts? I don't see guts on your list. What if you come across a dead animal and the guts are hanging out and you'd like to use them?

MS. CELLARIUS: So you're interested in using this for a handicraft?

(Laughter)

MS. PHILLIPS: I heard somebody, an artist, say that they use the guts.

MS. CELLARIUS: So I believe that the language in the rule would cover that.

MS. PHILLIPS: Okay.

CHAIRMAN BANGS: Thank you. Any other discussion.

Albert.

MR. HOWARD: Thank you, Mr. Chairman. I think I've been sitting by Robert too long. I tend to agree with him when you have to go to the Superintendent to have a permit to do this. An interpretation of this, the way I read it, is somebody is breaking a law if they don't have a permit on them that says they can do this. I'm giving you an example because it's happened to me many times in Southeast where a State Trooper interprets the law different and then I have to remind them what the law really says and what it intended.

You mentioned -- so maybe our recommendation can be they can either go to the local tribe of Yakutat or some other organization and give them the permit, which allows everyone -- I'm not sure how to word that, but I guess if you appointed her to do that, that might be better.

CHAIRMAN BANGS: Well, I would like to have you help her.

MS. PHILLIPS: You're supposed to say, yes, sir.

(Laughter)

CHAIRMAN BANGS: That would be helpful if you could help Patty with the wording and get your ideas and anyone else that has issues with certain parts of this that maybe they could offer comments and then we could bring that document back to the Council tomorrow and we could read through it and support it or not support it. I think that would be a real good idea.

Anybody else. Don.

MR. HERNANDEZ: Thank you, Mr. Chairman. Just a comment. We also have a letter from the Resource Commission. I mean we might want to look through that tonight and we might want to choose to just endorse that if they cover some of these topics. That might be another idea to check until tomorrow.

Thank you.

CHAIRMAN BANGS: Thank you, Don.

MR. SENSMEIER: Mr. Chairman.

CHAIRMAN BANGS: Ray.

MR. SENSMEIER: Going back to the subject of seagull eggs, I know for years we were not allowed to do that. Now we're allowed to pick up seagull eggs and tern eggs. Do we need to get a permit to do that as well?

CHAIRMAN BANGS: I would have to ask Barbara for clarification on that.

MR. SENSMEIER: I thought you were ignoring me.

(Laughter)

MS. CELLARIUS: So you're asking about whether you need a permit to collect seagull eggs.

MR. SENSMEIER: Yeah. For a long time we were allowed to pick Arctic tern eggs as well.

MS. CELLARIUS: So currently there is the authorization for the collection of migratory bird

eggs under the Alaska Migratory Bird Co-Management Council regulations and I don't have the booklet with me, but I don't recall that there is a permit required for that. But it wouldn't be a Park Service regulation. It's the Alaska Migratory Bird Co-Management Council regulations.

MR. SENSMEIER: So we don't have to get a permit for that?

MS. CELLARIUS: No, you don't.

MR. SENSMEIER: Thank you.

CHAIRMAN BANGS: Thank you, Ray. Thank you, Barbara. Any other comments or discussion.

Harvey.

MR. KITKA: Thank you, Mr. Chair. The only comment I have is why do we need a permit to pick up discarded antler horns and things? The animal discarded it. It's already not part of anything anymore, just part of the landscape, and eventually it will be gone. Why do we need a permit for that?

CHAIRMAN BANGS: Thank you, Harvey. I think that Patty and Albert will come up with a compilation of our comments into a statement or document that will reflect the comments we heard.

Albert.

MR. HOWARD: Mr. Chair. I'd like to yield my committee chairmanship to Donald Hernandez.

(Laughter)

MR. HOWARD: I'm just kidding. I'll add him to the committee.

CHAIRMAN BANGS: Thank you. Steve.

MR. REIFENSTUHL: Thank you, Mr. Chair. So I see that Harvey's concern is addressed in the Wrangell/St. Elias letter. I think the answer to the question you would hear from the ecologist is that it's part of the natural landscape and it's part of the ecosystem and it's utilized by the animals as nutrients and that's probably what they would say.

MR. SENSMEIER: Mr. Chair. I just have a question as to who was opposed to the collection of discarded antlers or other parts?

MS. CELLARIUS: Through the Chair. There was a national National Park Service regulation that prohibits this. The subsistence users came to us and said this is a customary and traditional activity, we'd like to do it. So the Park Service is attempting with this proposed rule to respond to that request to allow it.

MR. SENSMEIER: Okay. Yeah, I know a lot of people that utilize those for the making of handles for knives. Personally, I didn't see anything wrong with it.

CHAIRMAN BANGS: Thank you, Ray.

Albert.

MR. HOWARD: Real quick, while she's still sitting there.

(Laughter)

MS. CELLARIUS: I'll just sit here until you're finished with this topic. That might be simpler.

CHAIRMAN BANGS: Thank you.

MR. HOWARD: It could be like in the city office. My office is upstairs and accounting waits until I get to the stairs and halfway up, then she calls me back. A follow up on his. I'm trying to figure out -- you said it's a national National Park Service rule, but does the national National Park Service rule apply in Alaska when subsistence priority and everything that that implies separates us from the national rules?

MS. CELLARIUS: The national rules apply if there's not a specific provision in the Alaska specific regulations. So what this will do is add a provision in the Alaska specific regulations that essentially allows something the national rules wouldn't.

CHAIRMAN BANGS: Follow up, Albert.

MR. HOWARD: Mr. Chairman. Now it's almost like we're adding another part on to the subsistence rule that exists by doing this. We're adding another piece of red tape, I suppose, that was never there in ANILCA or anything else. Now we're setting precedents in a whole different way where agencies can come in and change the rest of it little by little and this is one of them. It seems to me eight years have been spent -- I'm not going to say for nothing, but I'm going to have to be opposed to this whole thing now that I'm thinking about it this way. We're changing a law that's already in place, a little piece of it. You're taking away the authority of that law when you start requiring a permit.

MS. CELLARIUS: Through the Chair. I don't believe that -- the intent is to authorize subsistence users to be able to do something that they are currently prohibited from doing. If there is a piece of how that would be implemented that the Council has a concern about, I would encourage you to express that concern in your comment letter. But this did come from subsistence users and the idea is to allow something that's currently prohibited.

CHAIRMAN BANGS: I think it's reflective of how different it is in the Lower 48 and the National Park System where there's many, many more people. This is typical of the Federal government. They lay out a blanket law and then it covers our Parks as well. So I applaud the Park Service for trying to work with subsistence users. I think we'll come up with a good document of comments to submit.

Is there any other comments or questions for Barbara.

(No comments)

CHAIRMAN BANGS: Thank you.

MS. CELLARIUS: Thank you, Mr. Chair.

CHAIRMAN BANGS: So you just received a handout that has to do with the Stikine subsistence sockeye fishery. Robert is going to give us an update on the Stikine.

MR. LARSON: Thank you, Mr. Chair. Real quick. There, of course, is a subsistence fishery

on the Stikine Transboundary River. I think the briefing that I put together should bring us up to speed. Real quick, last year's fishery was successful. It was the most sockeyes we've ever taken.

I think the important message that I'd like to convey is that the authorization for having the fishery is part of the Annex IV of the Pacific Salmon Treaty. That treaty is currently being renegotiated. The new treaty will be in effect for the 2019 season. The Pacific Salmon Commission will have their positions pretty well finalized by 2017. That's the goal for finalization in 2018.

I would like to tell you what the U.S. position is from the Pacific Salmon Treaty, mostly the Transboundary Panel, but that's part of the negotiations and we are not part of that. I have not been informed what it is. It's a confidential negotiating strategy. So I can't tell you what our position is regarding the subsistence fishery on the Stikine River.

CHAIRMAN BANGS: Thank you, Mr. Larson. Any questions. Bob.

MR. SCHROEDER: Just one question, Robert. Can you explain the guideline harvest level versus the performance? Because our guideline harvest level is 600 sockeye and then our average harvest has been 1,617.

MR. LARSON: Mr. Chair. Yes. The guideline harvest level was put in place at the inception of this fishery. It was recognized that in order to have an allowance for a subsistence fishery, there needed to be a number. It was unclear whether or not we were going to be successful at providing an in-season harvest estimate, but the other manager, the State of Alaska, needed to have a number that they could subtract from the total allowable catch so they could process either the sport fishery or the commercial fishery. Hence, we ended up with a guideline harvest level. It's generally for accounting.

As it turned out, we were very successful in devising a mechanism for developing in-season harvest estimates. I provide both the Canadians and the State managers with weekly catch estimates from

the Stikine River subsistence fishery and they're able to use that in lieu of a guideline harvest.

The Subsistence Board recommended to the Pacific Salmon Commission that the guideline harvest be removed from treaty language. It was actually adopted that the guideline harvest would be removed from Federal regulations as well contingent upon approval of the Pacific Salmon Commission.

CHAIRMAN BANGS: John and then Don.

MR. YEAGER: Thank you, Mr. Chair. For the 2016 season, will there be any net tending or rules published or written on the permit or will that take place this year or is that still out in the future?

MR. LARSON: Mr. Chair. The Subsistence Board adopted regulations aimed at net tending during their last session for fisheries. They adopted regulations that required nets to be tended twice each day. That was consistent with the recommendation of the Council that was developed at our meeting in Wrangell. That regulatory change is not required because it's a condition of the fishery and it's not subject to approval by the Pacific Salmon Commission. It can be done independently of the Commission. So that is a change in Federal regulations that's in effect last year and in effect this year as well.

CHAIRMAN BANGS: Don.

MR. HERNANDEZ: Thank you, Mr. Chairman. I was going to ask about the net tending, but I also had a question about the guideline harvest. It seems like we had also made some kind of a request about the subsistence fishery being a directed fishery. Is that part of the guideline harvest discussion or is that a separate issue?

MR. LARSON: Mr. Chair. The subsistence fishery is a directed fishery. That means different things for different species. So there are no restrictions regarding conduct of a directed fishery for species like pinks or chums. For coho salmon, a directed fishery will allow an escapement into the river that would allow a 5,000-piece harvest by Canadians. That's the conduct of the U.S. fishery.

The directed fishery for sockeyes is part of the total allowable harvest by U.S. fishermen and there's no other caveats. We have an allowable harvest, I think, in here someplace. It's a fairly good amount. It's like 70 or 80,000 fish. Anyway, it's a goodly amount whatever it is, but we are on par or part of the total allocation of that species were part of the U.S. catch.

For king salmon, we are part of the total catch; however, a directed fishery is not allowed until there is removals from the forecasted return for things like test fisheries, for average sport harvest, for average incidental harvest in the commercial trawl and gillnet fisheries, plus the Canadian test fisheries, plus the Canadian food fisheries. Anyway, there's about 7,100 fish that get removed from the total allowable harvest prior to allowing a directed fishery for chinook salmon. So it's a little more complicated to have a subsistence fishery for chinook salmon than it is for those other species.

CHAIRMAN BANGS: Follow up, Don.

MR. HERNANDEZ: So did we ask to have the chinook fishery removed from -- the subsistence chinook fishery removed from that directed fishery list?

MR. LARSON: Mr. Chair. The Council wrote a letter to the Transboundary Panel not this year, but I believe it was two years ago that said that that was -- and at the time the total U.S. allocation was less than -- it's called the base level harvest number. So the base level harvest of the United States is about 3,400 fish, I think. So the difference between the total U.S. allocation minus the 3,400 was -- this is complicated.

It gets down to the mid point of the escapement. If it falls below the mid point of the escapement forecast range, then we have to close our fishery. However, the test fisheries and the sport fisheries and the harvest of other species that incidentally harvest chinook salmon, those are all allowed because they're in a different category.

So the letter that the Council sent two years ago requested that the subsistence fishery be allowed when there is -- the associated fisheries are

harvesting king salmon as well.

CHAIRMAN BANGS: Don.

MR. HERNANDEZ: Quick follow up. So there's been a number of years now where there's been -- I believe I'm correct in this. There's been no directed fisheries allowed on chinook because of the harvest limits were not being met. Did the subsistence fishery get included in that closure to directed fisheries?

MR. LARSON: Mr. Chair. I think if we look in the second paragraph where it talks about subsistence fishery, in-season management, you'll notice that in 2013 and 2014 the subsistence fishery for chinook salmon was closed pre-season and opened prior to the end of the season. There was a very small number, like two or three fish caught, in each of those seasons. That was because, although there was an allowable catch, there wasn't a component large enough to have a directed fishery.

In 2015, there was a directed fishery allocation available; however, it was not large enough to key a directed commercial fishery. So the subsistence fishery was allowed to move forward and be prosecuted as normal, but the total allowable catch, the baseline plus the leftovers above mid point of the escapement, allowed a directed harvest. It was large enough to have a subsistence fishery. It was not large enough to have a gillnet fishery.

CHAIRMAN BANGS: Thank you, Mr. Larson. Anyone else have a question for Robert.

Ken.

MR. JACKSON: Mr. Larson, through the Chair. Just for my information, how many fish are you allowed per day and is there an annual limit per person for the subsistence fishermen from the Stikine?

MR. LARSON: Mr. Chair. Yes, there is a total that is allowed per family of five chinooks, 40 sockeyes and I think there's 30 cohos.

MR. JACKSON: Thank you, Mr. Larson.

CHAIRMAN BANGS: Any other questions.

(No comments)

CHAIRMAN BANGS: Thank you, Robert. Okay, it's getting close to 5:00 o'clock. We've gone through a pretty good portion of the agenda. I'd like to recess until 8:30 in the morning.

Cathy.

MS. NEEDHAM: Mr. Chair. Do we have a time certain thing today that we needed to do before Ms. Cellarius left that we moved on the agenda item?

CHAIRMAN BANGS: I think that was making sure that we got to Barbara Cellarius. She has another one?

MR. LARSON: The SRC appointment.

MS. CELLARIUS: I'm sorry. I forgot something.

(Laughter)

MS. CELLARIUS: It's very important. Thank you, Cathy. So the Wrangell/St. Elias Subsistence Resource Commission is a Federal advisory committee that advises the Park about subsistence and there are nine members of the SRC and I've talked to you about this before. I think I mentioned this at the meeting you did joint with Southcentral or the Yakutat meeting.

Three of the members are appointed by Regional Advisory Councils, including one by this Advisory Council. The criteria for eligibility for this appointment are fairly narrow. The other two appointing sources are the Governor and the Secretary have broader eligibility. This particular appointment must be a member of this Council or of a local AC and also engage in subsistence uses in the Park.

So, in terms of RAC members, Raymond Sensmeier would be an eligible candidate. We haven't had much luck identifying someone from the AC. I have talked to Ray and he has indicated to me that he is interested. So I don't know quite how you want to go about this, but I am looking for action from the Council hopefully at this meeting to appoint someone to the Wrangell/St. Elias SRC.

CHAIRMAN BANGS: Thank you, Barbara.

Steve.

MR. REIFENSTUHL: I would like to move that the Council recommend Ray Sensmeier for the Advisory.

CHAIRMAN BANGS: Do we have a second.

MR. YEAGER: Second.

CHAIRMAN BANGS: We have a motion to appoint Ray Sensmeier and it's been seconded to the Wrangell/St. Elias Resource Commission. Any comments.

MR. REIFENSTUHL: I'd just speak to the motion. He's the only one qualified, they've had difficulty getting someone and Ray is willing to do it, so I think that's admirable and I think that's the best reason for doing it.

Thank you, Ray.

CHAIRMAN BANGS: Robert.

MR. SCHROEDER: I've had the good fortune to work with Ray Sensmeier for quite a long time on a variety of subsistence issues. He is a subsistence user and he's steadfast in representing subsistence issues for his community, enjoys good relations with the tribe and with numerous other management agencies. So I think we're real lucky to have Ray on the Council and able to do this job and he's stepping into the shoes of our previous representative on the Council, on the SRC, Bert Adams and possibly before that John Vale.

So that's it.

CHAIRMAN BANGS: Thank you, Robert.

Any other comments.

(No comments)

MR. KITKA: Question.

CHAIRMAN BANGS: The question has been called. All those in favor of appointing Ray to the

Wrangell/St. Elias Commission say aye.

IN UNISON: Aye.

CHAIRMAN BANGS: Opposed.

(No opposing votes)

CHAIRMAN BANGS: Motion carries. Thank you, Ray.

MR. SENSMEIER: Thank you so very much. I appreciate it.

CHAIRMAN BANGS: Thank you, Barbara.

MS. CELLARIUS: That was it, Mr. Chair. Thank you.

MR. SENSMEIER: Thank you for bringing that up, Barbara. I thought you forgot me.

CHAIRMAN BANGS: I've got one more thing that I'd like to mention that Robert just brought up. He mentioned that it might be appropriate for the Council to submit a letter about the subsistence fishery and I'll let Robert explain what he's thinking.

MR. LARSON: Yes, Mr. Chair. Because of the timing of the negotiations, if the Council wanted to remind the Transboundary Panel and the Pacific Salmon Commission of their previous comments and their position regarding the conduct of the Stikine River subsistence fishery and their support for that fishery, then this would be the time to do it. I would recommend writing a letter that reiterates the Council's position.

CHAIRMAN BANGS: How does the Council feel? That would be a good appropriate thing to do? We could have Robert write up a letter tonight over dinner and give it to us tomorrow.

(Council nods affirmatively)

CHAIRMAN BANGS: Okay. I will recess until 8:30 if that's good with everybody. Okay.

(Off record)

1 (PROCEEDINGS TO BE CONTINUED)

C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 02 through 76 contain a full, true and correct Transcript of the SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically on the 10th day of March at Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 1st day of April 2016.

_____
Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/18