

1 SOUTHEAST FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME II

7
8 Egan Convention Center
9 Anchorage, Alaska
10 March 11, 2016
11 8:30 a.m.

12
13
14
15 COUNCIL MEMBERS PRESENT:

- 16
17 Michael Bangs, Chair
18 Michael Douville
19 Albert Howard
20 Donald Hernandez
21 Kenneth Jackson
22 Harvey Kitka
23 Cathy Needham
24 Patricia Phillips
25 Steve Reifenstuhl
26 Robert Schroeder
27 Raymond Sensmeier
28 Frank Wright
29 John Yeager

30
31
32 REGIONAL COUNCIL COORDINATOR - ROBERT LARSON

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41 Recorded and transcribed by:
42
43 Computer Matrix Court Reporters, LLC
44 135 Christensen Drive, Suite 2
45 Anchorage, AK 99501
46 907-243-0668/sahile@gci.net

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P R O C E E D I N G S

(Anchorage, Alaska - 3/11/2016)

(On record)

CHAIRMAN BANGS: I'd like to call the meeting to order. Take your seats, please. To start off this morning Ray has asked to give an invocation, so we're going to let Ray give that.

MR. SENSMEIER: Before the prayer I'm going to introduce myself in the traditional manner (in Tlingit). My Indian name is Gee-nak'. I am of the Raven moiety. I am of the Clan of the Humpback Salmon and the Copper River people. I am the grandchild of the Brown Bear Clan. My father was Cherokee from Sand Springs, Oklahoma and I come from the house of the Half Moon people. Now I'll give the prayer.

(Invocation)

MR. SENSMEIER: That's the prayer. Now I would -- this is my first RAC meeting or I guess second day of the first RAC meeting. I'd like to apologize for my words if anyone was offended yesterday. I'm not aware of the proper protocol, but I've been made aware and I'll conduct myself in a good way. I did not realize that yesterday was not for comments. So I apologize for that. And I especially apologize to Mr. Robbins and his son. I'm sorry.

Thank you.

CHAIRMAN BANGS: Thank you, Ray. This morning we're going to start with the designated hunter program review. Terry Suminski.

MR. SUMINSKI: Good morning, Mr. Chairman. Council members. My name is Terry Suminski. I work for the Forest Service. This agenda item is at your request from your last meeting. You wanted to get some information on the designated hunter program. There's two handouts. One that's entitled Federal Subsistence Designated Hunting Program and then a table I just put on your desk this morning. The table looks like this, just a single piece of paper. It looks like everyone found it.

First up, I'd like to thank Justin

1 Koller and Rob Cross for helping me work through all
2 these years of designated hunter data that's in our
3 system. So I appreciate that. I think everybody is
4 familiar with the designated hunter program. It
5 basically allows people to hunt for others that are
6 Federally qualified.

7
8 In 2003, the Board established the
9 statewide designated hunter system for deer, caribou
10 and moose. In 2012, the option to take mountain goats
11 for others in Units 1 through 5 was added to the
12 Federal subsistence regulations. The relevant Federal
13 regulations include if you are a Federally qualified
14 subsistence user or recipient, you may designate
15 another Federally qualified subsistence user designated
16 hunter to take deer, moose and caribou and goats in
17 Units 1 through 5 and also muskox in Unit 22 if you're
18 qualified on your behalf.

19
20 Designated hunters may hunt for any
21 number of recipients, but have no more than two harvest
22 limits in possession at any time except where specified
23 under unit-specific provisions. Any designated hunter
24 taking wildlife on behalf of another Federally
25 qualified resident shall deliver the wildlife promptly
26 to that Federally qualified resident. A permit is
27 required and that permit is obtained by the hunter.

28
29 I'll go through these tables pretty
30 quickly. The first table is just a comparison to the
31 State proxy program. I think we've seen this in other
32 analyses. I don't think I'll go through it all, but if
33 you have questions later, I can certainly talk about
34 it.

35
36 Table 2 shows the number of deer
37 harvested by designated hunters by the residence of the
38 hunter. There's a lot of information there and you
39 might want to look at your communities just to get a
40 feel for the amount of designated hunting activity.
41 Table 3 is a similar table, but it's for moose and
42 goats. You'll see there's extremely less of those
43 animals taken by designated hunters.

44
45 Page 4, Table 4, this one is kind of
46 interesting. It's the location of harvest compared to
47 where the hunter lives. If you look at the shaded
48 boxes, that's the unit that the hunter lives in. For
49 example, Coffman Cove. Coffman Cove is actually in
50 Unit 2, so the shaded boxes, the number of animals that

1 were taken in that hunter's own hunting unit.

2

3 Table 5, this is the total deer
4 harvested in all Southeast Alaska. No matter whether
5 you hunt under Federal rules or State rules, all the
6 harvest reporting is consolidated by the Alaska
7 Department of Fish and Game. So that's the total deer
8 harvest by unit for Southeast Alaska.

9

10 Table 6, you might have a hard time
11 believing this, but I made a mistake on this one.

12

13 (Laughter)

14

15 MR. SUMINSKI: So after I sent this out
16 it was pointed out that I was kind of comparing apples
17 to oranges a little bit. So that's where that other
18 table comes in that I handed out. Just to explain
19 these numbers. The total deer harvest by unit, those
20 are State numbers. Those are adjusted and expanded for
21 people that didn't report. The numbers I used for the
22 Federal Subsistence Program were reported numbers. So
23 you're not comparing the same thing.

24

25 So what I did is I went back and
26 calculated a reporting rate for the Federal program.
27 For all those years from 2003 to 2014 it was
28 approximately 85 percent, which is really excellent
29 reporting. So it's a real simple expansion. I just
30 added 15 percent to the Federal harvest numbers and
31 then you can get a better comparison. It's not
32 perfect, of course, but it's pretty close.

33

34 If you'll notice with the table, it
35 didn't change the percentage of harvest by Federal
36 hunters too much. For Unit 3 it changed a couple
37 percent and Unit 5A it changed 1 percent, but the
38 others are pretty much the same. I mainly just did
39 that comparison just to put it into perspective in the
40 overall deer harvest. How many of these deer are taken
41 by Federally qualified designated hunters.

42

43 Once I started looking into that I
44 asked Rob to try to dig a little deeper into the data
45 and pull out just a few more things. One of the things
46 we pulled out of there is there were 22 individuals
47 that harvested more than 10 deer in a year for other
48 people. If you exclude those high harvesters that took
49 more than 10 deer, the average designated hunting
50 permit that was actually used harvested about 2.7 deer

1 that they gave to someone else. The most common
2 harvest reported on a permit was one deer.

3
4 Then just a little about the permits.
5 Sixty-three percent of the permits that we issued in
6 Units 1 through 5 were actually used to harvest an
7 animal. There's one other -- just backing up a little
8 bit. Looking at all those numbers is fine, but I tried
9 to boil it down to some observations. There's some
10 what I thought were kind of interesting statistics.
11 Eighty-three percent of the deer harvested by
12 designated hunters were harvested in the same unit they
13 lived. Hunters in Ketchikan, Petersburg and Saxman,
14 ranged the farthest to find deer.

15
16 What's kind of neat about this is you
17 look at all these numbers and then you look at these
18 summary statistics and it kind of makes sense. You can
19 kind of figure out why they're that way. The highest
20 percentage of deer harvested under the designated
21 hunter provision was in Unit 3 by residents of
22 Wrangell. So that's where that -- I think they're at
23 12 percent of the total deer harvest in that unit were
24 taken by designated hunters. If you look at the other
25 units, the highest was 3 percent.

26
27 Designated hunters in Unit 4 harvested
28 the most deer for others, but because of the high
29 population, high harvest in Unit 4 it was still only 2
30 percent. I shouldn't say only because that's a very
31 important use.

32
33 This last statement I put in here for
34 John. The most contentious issues with designated
35 hunter system are in Yakutat and Wrangell for moose and
36 Wrangell for deer. That's why I did this, because of
37 some issues that were generated from Wrangell,
38 especially during the moose hunt.

39
40 I think that covers it all. Hopefully
41 that's enough to start some conversation if you have
42 any questions.

43
44 Thank you.

45
46 CHAIRMAN BANGS: Thank you, Terry.
47 Does anybody have any questions for Terry.

48
49 Robert.
50

1 MR. SCHROEDER: Yeah, Terry, thanks so
2 much for putting this stuff together. This does seem
3 like it's a pretty successful program. I'm wondering
4 about a couple things. The overall harvest of deer for
5 others is about 200 per year. That's if you divide the
6 total number of deer, roughly around 2,800 deer over
7 the 14-year period. And really somebody in a community
8 could be hunting either under the State proxy system or
9 our system. Do you have any feel for that? Because I
10 know there are a whole lot more deer taken for others.

11
12 Second, what do you have a feel for
13 compliance? Are people participating in a permit
14 program or just kind of doing what they always did and
15 kind of forgetting about whether we have a designated
16 hunter or whether there's a proxy permit? Thanks.

17
18 MR. SUMINSKI: Through the Chair, Mr.
19 Schroeder. I did not pull out the information for a
20 proxy, but if that's something you're interested in, I
21 can certainly get that for the next meeting.

22
23 The other question, yeah, you can tell
24 there's some anomalies in here and I think Ken, Mr.
25 Jackson, touched on those yesterday. There's some
26 communities that are less likely to get a permit than
27 others. You've got to remember that these are just
28 reported numbers. Then you also have to think about in
29 Unit 4, for example, the harvest limit is six and a lot
30 of people just use their own limit to share deer with
31 others and there's probably a fair bit of that. This
32 definitely doesn't show all the shared use of deer.

33
34 Thank you.

35
36 CHAIRMAN BANGS: Thank you, Terry. Do
37 you know what the highest number for one designated
38 hunter is?

39
40 MR. SUMINSKI: I think there was a few
41 instances where people would take 30 deer in a year as
42 a designated hunter.

43
44 CHAIRMAN BANGS: Okay, thank you. Don.

45
46 MR. HERNANDEZ: Thank you, Mr.
47 Chairman. Terry, who gets the designated hunter
48 permits in Ketchikan where it's not a rural community,
49 not qualified for subsistence?

50

1 MR. SUMINSKI: There's a couple
2 possibilities there. Through the Chair, Mr. Hernandez.
3 There are some addresses in Ketchikan that are rural
4 when you get out far enough out the road system. The
5 other kind of a shortcoming of the database is that if
6 a person changes communities, their harvest data goes
7 with them.

8
9 So what can happen is a person may live
10 in a rural community and then harvest in that rural
11 community, but then, when they move to Ketchikan, their
12 new address is Ketchikan even though that harvest was
13 actually done when they lived in Kake or someplace. So
14 that's not real common, but it is in there. Like any
15 database it isn't perfect. But there are places out on
16 the ends of roads that are Ketchikan addresses.

17
18 CHAIRMAN BANGS: Thank you.

19
20 Ray.

21
22 MR. SENSMEIER: Do these numbers
23 reflect ceremonial hunts as well?

24
25 MR. SUMINSKI: Through the Chair, Mr.
26 Sensmeier. The designated hunter numbers do not
27 reflect that, but the State overall harvest numbers
28 should reflect that. Because all our designated
29 hunting is tracking is just the number of deer that are
30 taken for others. But all the deer taken no matter how
31 they're taken are tracked in the ADF&G database, so we
32 just have one place with total harvest.

33
34 CHAIRMAN BANGS: Thank you, Terry.
35 Anyone else have a question.

36
37 (No comments)

38
39 CHAIRMAN BANGS: Seeing none. Thank you
40 very much, Terry. It's helpful information. Next we
41 have Board policy for nonrural determinations from OSM.

42
43 MR. KRON: Mr. Chair. Members of the
44 Southeast Council. This is very simple and hopefully
45 you've got this in your materials somewhere, but it's
46 basically just a table that summarizes what was
47 discussed at the last Board meeting. Again, we just
48 wanted to let you know what the process is. As part of
49 this, all the Councils will be given an update and a
50 chance to review the draft policy that people have come

1 up with at the fall meeting. So, again, very simple,
2 but I wanted to make sure you're aware you'll have
3 something this fall.

4
5 Thank you, Mr. Chair.

6
7 CHAIRMAN BANGS: Thank you. Any
8 questions.

9
10 Patty.

11
12 MS. PHILLIPS: Thank you, Mr. Chair.
13 Where is it in our packet?

14
15 CHAIRMAN BANGS: It was an added agenda
16 item. Any questions.

17
18 (No comments)

19
20 CHAIRMAN BANGS: Seeing none. Thank
21 you.

22
23 MR. KRON: Thank you, Mr. Chair.

24
25 CHAIRMAN BANGS: We're going to have
26 Mr. Larson touch on the letter about the Stikine. We
27 got a copy this morning. I don't know if everyone has
28 had a chance to read it. If not, we could wait on it.
29 It's a draft. We asked him to write a letter talking
30 about the subsistence fishery on the Stikine. We felt
31 it important that we send a correspondence.

32
33 Mr. Larson.

34
35 MR. LARSON: Thank you, Mr. Chair. As
36 directed, I stayed up late last night and wrote a
37 letter. I think it incorporates the past actions of
38 the Council and it's timely in that it references where
39 we are in the negotiations process. Our previous
40 letters were directed at the Chair or the Co-Chair of
41 the Transboundary Panel. To be sure that the right
42 people are hearing your concerns, I've added to the
43 Board members Michael Clark, who is the treaty
44 representative for the Department of State and the
45 Federal Fisheries Commissioner and the Tribal Fisheries
46 Commissioner on the Pacific Salmon Commission, so
47 you'll see those in the cc list as well. So that's
48 different than our previous. There will be two
49 enclosures. One is the letter from the Board to the
50 Pacific Salmon Commission. The other is the letter to

1 the Pacific Salmon Commission from the Council.

2

3 Thank you.

4

5 CHAIRMAN BANGS: Thank you, Mr. Larson.

6 I think it's real important that we have our voice
7 heard at any level we can. We've been struggling with
8 having a subsistence voice heard on the Treaty Panel,
9 so I think this letter is real important that we reach
10 out to other commissioners and people that hopefully
11 will listen and make a point of including our voice in
12 the whole process. How does the Council feel about the
13 letter.

14

15 Any questions.

16

17 (No comments)

18

19 CHAIRMAN BANGS: So entertain a motion

20 to forward this on if everybody agrees with the letter.

21 Robert.

22

23 MR. SCHROEDER: I agree with the
24 letter. Just doing a quick read. We may have some
25 minor edits for you, Bob, but I don't see anything in
26 the substance, so I'd move to adopt this letter and
27 send it on.

28

29 MR. REIFENSTUHL: Second.

30

31 CHAIRMAN BANGS: It's been moved and
32 seconded to approve this letter and have it moved on,
33 maybe some wordsmithing, but the basis of it would be
34 here. All those in favor.

35

36 IN UNISON: Aye.

37

38 CHAIRMAN BANGS: Opposed.

39

40 (No opposing votes)

41

42 CHAIRMAN BANGS: Motion carries. Thank
43 you. Next we have Terry Suminski. Call for Federal
44 fish and shell fish regulatory proposals.

45

46 MR. SUMINSKI: Mr. Chairman. Council
47 members. Terry Suminski with the Forest Service.
48 Pretty short. It's just to let you know that the call
49 for accepting fisheries regulatory proposals is due
50 April 1st. Robert, did you want to go into the

1 suggested one at this point?

2

3 CHAIRMAN BANGS: Thank you, Terry. The
4 one that we felt was most important was modifying the
5 prohibition of use of nets in streams flowing across or
6 adjacent to the road systems within the city limits of
7 Petersburg, Wrangell and Sitka. Any questions or
8 comments.

9

10 MR. LARSON: We'll distribute it.
11 Thank you, Mr. Chair. This is one of those cases where
12 we have included on our fisheries permit ever since the
13 inception of our permitting system a provision that
14 matches the State's regulation. If we have essentially
15 this proposal enacted by the Board, it does two things.
16 It aligns Federal and State regulations and it allows
17 us to free up some space on our permit.

18

19 Thank you.

20

21 CHAIRMAN BANGS: Thank you, Mr. Larson.
22 Give everyone a chance to look at it a minute and then
23 we can have some discussion on it if the Council
24 desires. Terry, do you have any comments about your
25 feelings about this proposal, the importance of it?

26

27 MR. SUMINSKI: Mr. Chairman. I don't
28 have much to add other than what Robert said except in
29 Sitka it really wouldn't change anything. It's already
30 -- all the streams on the road system are within the
31 city limits of Sitka. Robert may know more about the
32 Petersburg situation with the change in the term of
33 city limits to something else. I think that's why the
34 State regulation got away from using the term city
35 limits.

36

37 Other than that.

38

39 Thank you.

40

41 CHAIRMAN BANGS: Thank you, Terry.

42

43 Robert.

44

45 MR. LARSON: Thank you, Mr. Chair.
46 There's been a fairly extensive time when the city and
47 borough of Sitka was one entity. Both the Wrangell and
48 Petersburg communities have formed boroughs in the last
49 few years. The land designation referencing the old
50 city limits is much less indistinct and we have a

1 regulation, of course, that says the city limits, but
2 the city limits are really a different kind of boundary
3 now than what they were, but the conservation issue
4 remains the same. To account for that in years
5 previous to this, we've always included this in our
6 permit, so there's no practical difference in what we
7 do. The difference is in how we accomplish the same
8 end.

9

10 CHAIRMAN BANGS: Thank you, Mr. Larson.
11 Any discussion of the Council.

12

13 (No comments)

14

15 CHAIRMAN BANGS: I think it would help
16 clarify and cut down on confusion for people because
17 they have formed boroughs and there's a lot of changes
18 going on, so I think it would help to clarify things.
19 It's almost a housekeeping thing. What's the wish of
20 the Council.

21

22 Patty.

23

24 MS. PHILLIPS: Thank you, Mr. Chairman.
25 Move to submit a regulation modifying the prohibition
26 on the use of nets in streams flowing across or
27 adjacent to the road system within the city limits of
28 Petersburg, Wrangell and Sitka. Should I read the
29 modification, Mr. Chair?

30

31 CHAIRMAN BANGS: Please, Patty.

32

33 MS. PHILLIPS: The modification would
34 read no permits for the use of nets will be issued for
35 the salmon streams flowing across or adjacent to the
36 road systems of Petersburg, Wrangell and Sitka.

37

38 CHAIRMAN BANGS: Thank you. Do we have
39 a second.

40

41 MR. JACKSON: Second.

42

43 CHAIRMAN BANGS: It's been moved and
44 seconded to adopt the change in the regulation about
45 adjacent to the cities of Petersburg, Wrangell and
46 Sitka. Any questions.

47

48 (No comments)

49

50 MR. HERNANDEZ: Question.

1 CHAIRMAN BANGS: The question has been
2 called. All those in favor of adopting the
3 modification to the regulation say aye.
4
5 IN UNISON: Aye.
6
7 CHAIRMAN BANGS: Opposed.
8
9 (No opposing votes)
10
11 CHAIRMAN BANGS: Motion passes. Okay.
12 Are there any other fisheries-related regulations that
13 the Council feels is important that we should address
14 and maybe draft up a letter or proposal?
15
16 (No comments)
17
18 CHAIRMAN BANGS: Okay. I would like to
19 -- Robert just reminded me we should put on the record
20 that all Council members are present and to check to
21 see if there's anybody online. Anybody on the
22 teleconference line.
23
24 MR. OWEN: Good morning. This is Wayne
25 Owen here calling from Juneau. I'm on for maybe the
26 next 15, 20 minutes.
27
28 CHAIRMAN BANGS: Thank you, Wayne.
29
30 MR. OWEN: Thank you.
31
32 CHAIRMAN BANGS: Have a good morning.
33
34 MR. OWEN: Thank you.
35
36 CHAIRMAN BANGS: Okay. Moving on the
37 agenda here. What's next. Cathy and Steve have a
38 little presentation. Would you guys like to move up
39 there.
40
41 MR. REIFENSTUHL: Go up there?
42
43 CHAIRMAN BANGS: That would be great.
44 This is the little work session we did the other day
45 with FRMP.
46
47 MR. REIFENSTUHL: Do I need to give my
48 name or just go ahead?
49
50 CHAIRMAN BANGS: Go ahead.

1 MR. REIFENSTUHL: Thank you. On March
2 8, 2016 a workgroup of the Southeast Alaska Subsistence
3 Regional Advisory Council met at the Egan Center,
4 Anchorage, Alaska to formulate the Draft Priority
5 Information Needs for management of subsistence
6 fisheries in 2018-2021 in Southeast Alaska and Yakutat.
7 The Priority Information Needs will be finalized at the
8 fall 2016 RAC meeting.

9
10 Identification of the priority
11 information needs is a key role for the Southeast RAC
12 in the Fisheries Resource Monitoring Program. The
13 purpose of the Resource Monitoring Program is to
14 provide information needed for management of Federal
15 subsistence fisheries. Since 2000 the program has
16 produced substantial information on subsistence
17 resources and uses. It has also infused funding and
18 capacity into many communities. The Monitoring Program
19 is coordinated by the Office of Subsistence Management.
20 Projects in Southeast Alaska and Yakutat are funded by
21 the USDA Forest Service.

22
23 A strategic plan was developed for the
24 Southeast Alaska Region in 2006 and has been reviewed
25 nearly annually in the development of the priority
26 information needs. Prior to this meeting, Forest
27 Service subsistence staff produced materials to assist
28 the workgroup in making their recommendation. One page
29 information sheets for the top 19 fisheries assessment
30 needs were produced and those systems were rated and
31 ranked by staff to start discussion by the workgroup.
32 Attached are the Subsistence Fisheries Resource
33 Summaries and the Staff Ranking of Priority Information
34 Needs).

35
36 Staff ranked each system from 1-5 using
37 the following three criteria: One, conservation
38 concern. What degree, if any, of conservation concern
39 is there on this system? Are recent trends in
40 production less than previously documented? Does the
41 subsistence fishery take a high proportion of the
42 return? The evaluation. What is the degree of
43 conservation concern? The highest is 5 and the lowest
44 is 1.

45
46 Point two, subsistence management
47 concern. These were evaluated also. How much concern
48 is raised by users of this system? Any recent
49 regulatory action/restrictions? Could the information
50 be utilized by State fish managers? Again, the highest

1 concern was 5, the lowest 1.

2

3 Three, community importance. There's
4 four points here. How much use does the system receive
5 relative to others in the area? What is the magnitude
6 of the harvest? Is there a customary traditional
7 component of the information need? Finally, is there
8 an issue with meeting subsistence needs from the
9 system. Again, the highest importance was 5 and the
10 lowest 1.

11

12 MS. NEEDHAM: The workgroup reviewed
13 the materials provided by staff and considered the
14 three criteria the staff used to rank the systems. In
15 addition, the workgroup considered whether there was
16 increased harvest pressure on the resource by non-
17 Federally qualified users. The workgroup determined
18 that the list of 19 systems rated by the staff should
19 be included in the priority information needs with the
20 addition of Virginia Lake and Alecks Creek. The
21 workgroup also discussed the potential traditional
22 ecological knowledge information needs and recommended
23 a study of how each community distributes harvest
24 between the sockeye systems available to them.

25

26 Therefore, the recommendation from the
27 workgroup to the Southeast Alaska Council for the
28 Southeast Alaska Region, which includes Yakutat, the
29 priority information needs include four items. Number
30 one, reliable estimates of sockeye salmon escapement
31 and/or in-season estimates of harvest at the following
32 systems: Kanalku, Klawock, Hetta, Falls, Sarkar, Kook,
33 Neva, Karta, Hatchery, Eek, Kah Sheets, Klag, Gut,
34 Kutlaku, Salmon Bay, Sitkoh, Hoktaheen, Alecks Creek
35 and Virginia Lake.

36

37 The second priority information need is
38 escapement indexes for eulachon at the Unuk River and
39 the Yakutat Forelands. A third information need is a
40 traditional ecological knowledge study of how each
41 community distributes harvest between the sockeye
42 systems available to them. The fourth is included with
43 the population assessment for Kah Sheets and Alecks
44 Creek to also include a harvest survey to include both
45 subsistence and sport fisheries. With that, that
46 concludes the product from the workgroup with its
47 recommendation to the Council.

48

49 Before I turn it back over I just want
50 to thank the staff for the time that they put into

1 developing and going through and providing the one-page
2 information sheets that they gave us on each of these
3 systems so that we could learn a little more about them
4 in a consistent way as well as coming up with valuable
5 ranking criteria so that we understood how different
6 systems can be ranked across. It was a lot of work for
7 them to do ahead of time for us that saved us a lot of
8 time in the long run, so I'd like to make sure that
9 they're properly thanked for that.

10

11 CHAIRMAN BANGS: Thank you, Cathy and
12 Steve. I appreciate the work of the workgroup as well.
13 Are there any questions you have for the workgroup or
14 discussion.

15

16 Patty.

17

18 MS. PHILLIPS: Thank you, Mr. Chair.
19 Where is Alecks Creek? I don't remember talking about
20 that.

21

22 CHAIRMAN BANGS: Mr. Jackson.

23

24 MR. JACKSON: Patty, through the Chair.
25 It's in Tebenkof Bay on Kuiu Island. It's a little
26 further, but then I see a lot more people going down
27 there from Kake and there's a lot of sports fishermen
28 that use it also. It's inside a place called Gap Point
29 in Tebenkof Bay.

30

31 Thank you.

32

33 CHAIRMAN BANGS: Follow up, Patty.

34

35 MS. PHILLIPS: Thank you, Mr. Chair.
36 Thank you, Mr. Jackson. Number one, conservation
37 concern, the third question says does the subsistence
38 fishery take a high proportion of the return. I'm
39 wondering about streams that previously had high
40 harvest but no longer have high harvest. Would that be
41 considered in this propriety ranking? I mean because
42 maybe it's not a high proportion of harvest anymore
43 because it is a conservation concern.

44

45 CHAIRMAN BANGS: Cathy.

46

47 MS. NEEDHAM: I think that would be a
48 question for staff. I do not think that in terms of
49 the ranking that we received as a workgroup that that
50 particular piece was included in it, but I think at

1 this point that doesn't mean that we can't include it
2 as a bullet item in that list in our recommendation of
3 what goes into the priority information needs call for
4 proposals.

5
6 CHAIRMAN BANGS: Ray.

7
8 MR. SENSMEIER: Thank you, Mr.
9 Chairman. How will this ranking system affect the take
10 of subsistence fish? I don't understand the ranking
11 system.

12
13 CHAIRMAN BANGS: Cathy.

14
15 MS. NEEDHAM: My understanding, the
16 ranking system -- the staff actually took the list of
17 all the streams that had reported subsistence harvest
18 for sockeye salmon and then they created criteria in
19 order to look at and determine which of the systems had
20 a higher need for information about those systems.
21 That's what the ranking actually draws out. So based
22 on those criteria, that put Kanalku as the system
23 throughout Southeast that has sockeye harvest out of it
24 as one of the systems that we need the information at
25 in order to better manage what's going on in that
26 system. So that's what the ranking pertains to.

27
28 CHAIRMAN BANGS: Thank you, Cathy.
29 Ray, we'll get together with you after the meeting if
30 you're interested and we can explain it to you a little
31 better.

32
33 MR. SENSMEIER: Thank you, Mr. Chair.

34
35 CHAIRMAN BANGS: She did a good job to
36 show you some of the work that had been done.

37
38 Steve, did you have something to say?

39
40 MR. REIFENSTUHL: Well, I did, but I
41 think you covered it. I was going to answer the
42 question that Ray asked, but we'll do it later.

43
44 CHAIRMAN BANGS: Okay. Thank you. Any
45 other questions or comments.

46
47 Harvey.

48
49 MR. KITKA: Thank you, Mr. Chair.
50 Under the conservation concerns I notice that there's

1 no reference to the commercial fishing industry or the
2 sport, which in some cases, especially around Kake,
3 where the sport fishermen are taking a high percentage
4 and actually more than the subsistence taker.

5
6 Thank you.

7
8 CHAIRMAN BANGS: Cathy.

9
10 MS. NEEDHAM: Thank you. I think one
11 thing that would be helpful is -- this information is
12 going to be what is used for the call for proposals for
13 the Fisheries Resource Monitoring Program, so if you
14 want that information to come from the whole Council,
15 because it's not on what the workgroup produced, then
16 we need to probably make that decision to direct staff
17 that they add both Patty and Harvey's comments to
18 what's used under number one, conservation concern.

19
20 CHAIRMAN BANGS: Thank you, Cathy.

21
22 Steve.

23
24 MR. REIFENSTUHL: Yes, everything that
25 brings up why it's a conservation concern, to your
26 point of sport fishing or commercial fishing, is not
27 listed here, but it would be one of the parts of why it
28 may be a conservation concern. So rather than listing
29 every potential element, it's one of the pieces of it,
30 but that would come out in the full proposal. If
31 there's particular reasons or thought to be reasons or
32 perhaps there's unknowns, then those would be defined
33 as something to learn from the study.

34
35 CHAIRMAN BANGS: Thank you, Steve. Any
36 other questions or discussion.

37
38 Ray.

39
40 MR. SENSMEIER: As this gentleman
41 beside me said, in Yakutat we have one day of
42 subsistence fishing and then depending on what the Fish
43 and Game decides, the commercial opening can be from
44 two days or maybe longer. The eulachon no longer
45 return like they used to. We used to go to the Situk
46 to do that. As this gentleman indicated, the sports
47 fishermen are allowed to fish 24/7 and take a high
48 degree of the salmon out of Yakutat. That is a concern
49 as well.

50

1 Thank you.

2

3 CHAIRMAN BANGS: Patty.

4

5 MS. PHILLIPS: Thank you, Chairman
6 Bangs. On the recommendation from the workgroup to the
7 Southeast Alaska Council there is the list of the
8 following systems. Is this just a list and not a
9 priority ranking?

10

11 CHAIRMAN BANGS: Cathy.

12

13 MS. NEEDHAM: Correct. I believe this
14 is a list of all of the systems that have had harvest
15 for sockeye salmon reported as well as a couple of
16 systems that were listed by the workgroup after the
17 original list was produced.

18

19 CHAIRMAN BANGS: Thank you, Cathy. I
20 would hope that they could all be funded, but we all
21 know that probably only a handful will have an
22 opportunity to get funded. These are systems that
23 we've shown we're concerned about. It would be a
24 miracle if we got them all, but I guess we'll wait and
25 see.

26

27 Steve.

28

29 MR. REIFENSTUHL: I guess I don't have
30 all the proposals, the one-pages in front of me, but I
31 recall that Kanalku was at the top based on the ranking
32 criteria. So I think this are in order of how that
33 ranking came out.

34

35 CHAIRMAN BANGS: Patty.

36

37 MS. PHILLIPS: Mr. Chair. I don't
38 agree with the way the ranking is. That was presented
39 to us by staff. That's why I was asking is this a
40 priority ranking list or just a list.

41

42 CHAIRMAN BANGS: Cathy.

43

44 MS. NEEDHAM: I think it's probably
45 both. They went through the exercise of ranking it to
46 present the information to us based on how it would
47 fall out. There's nothing to say that there's going to
48 be proponents that put in a proposal for funding for
49 these systems. So it also serves as a list of systems
50 that were eligible of receiving a proposal for the FRMP

1 program. So I think it serves both purposes to an
2 extent. But if an entity doesn't put in a proposal for
3 Kanalku, then you don't get funded if you don't put a
4 proposal in.

5
6 CHAIRMAN BANGS: Ken, then Patty.

7
8 MR. JACKSON: Chairman Bangs. Yeah, I
9 would like to thank the staff for doing the amount of
10 work that they did on the report they gave us and made
11 it so much easier to see how it affected the people in
12 the areas and for Cathy and Steve for the extra help
13 they did.

14
15 There might be one other thing that we
16 could possibly watch. I did talk with some seiners
17 after the season had closed for sockeye and they said
18 they were still getting sockeye, this was in Frederick
19 Sound, after the season had closed for subsistence and
20 they were still getting an amount of sockeye in their
21 seines. I don't know how that's taken into
22 consideration.

23
24 Thank you.

25
26 CHAIRMAN BANGS: Thank you, Ken.

27
28 Patty.

29
30 MS. PHILLIPS: Thank you, Chairman
31 Bangs. So I'm going to mention that I think Klawock
32 should be moved down the list then because there's been
33 regulatory action that has closed above the bridge at
34 Klawock and the POWHA counts fish later in the season
35 already, so it could be moved lower down in the
36 ranking.

37
38 Thank you.

39
40 CHAIRMAN BANGS: Thank you, Patty. I
41 would agree. I think we talked -- Mr. Douville had
42 mentioned that we've already taken a lot of steps to
43 help that system out, so maybe that would be something
44 we would consider. I don't know. How does the Council
45 feel?

46
47 Mr. Larson.

48
49 MR. LARSON: Mr. Chair. Before we get
50 too far down this road. The workgroup was specific and

1 not prioritized the list. The list with the 19-page
2 summaries, we, as staff, went through a prioritization
3 as a helpful guide so you could understand how these
4 particular systems fit into our overall harvest
5 scenario for sockeyes in Southeast Alaska. The will of
6 the workgroup, and I hope I can summarize this
7 succinctly so we don't go sideways, was to provide the
8 list to the Fish and Wildlife Service and says we would
9 appreciate projects on this suite of systems, but we
10 did not, as a workgroup, prioritize that list.

11

12 MS. PHILLIPS: That's what I asked.

13

14 CHAIRMAN BANGS: Anyone else. Mr.
15 Douville.

16

17 MR. DOUVILLE: Thank you, Chairman. So
18 the only thing we did basically was just add to the
19 list because we can't do anything else. We just took
20 the list and looked at it and say, okay, here's two
21 more. That's about all we can do anyway.

22

23 CHAIRMAN BANGS: That's correct. I
24 think Mr. Suminski was going to mention something to
25 that effect. Is that right, Terry?

26

27 MR. SUMINSKI: Basically what Robert
28 just said.

29

30 CHAIRMAN BANGS: Okay. Thanks. Any
31 other questions or comments.

32

33 (No comments)

34

35 CHAIRMAN BANGS: I think it will all
36 come out in the wash exactly what you were saying with
37 the removal of that. We talked about it at the meeting
38 that we were all together. Albert.

39

40 MR. HOWARD: Thank you, Mr. Chairman.
41 Just a quick question. How are we going to decide who
42 gets the funding once they tell us how much funding
43 we're getting?

44

45 CHAIRMAN BANGS: Mr. Suminski.

46

47 MR. SUMINSKI: Mr. Chairman. Terry
48 Suminski with the Forest Service. Through the Chair,
49 Mr. Howard. There's a couple steps before it gets to
50 the funding point. This is the beginning of the

1 process. First we identify where we'd like to see
2 information. There will be a call that goes out to
3 investigators in November. Whatever proposals we
4 receive from those investigators will be rated and
5 ranked by the Technical Review Committee. The step
6 after that will be, once it's approved by the Board,
7 the draft monitoring plan is approved by the Board,
8 then it goes to the agencies to fund those projects.
9

10 So there's quite a few steps yet
11 before we get to funding, but the funding will
12 generally be based on the rankings by the Technical
13 Review Committee. There will be some discretion with
14 the agencies. It might not be exactly the way they're
15 listed by the TRC, but it should be pretty close.
16

17 I hope that helps.
18

19 Thank you.
20

21 CHAIRMAN BANGS: Thank you, Terry.
22

23 Cathy.
24

25 MS. NEEDHAM: Thank you, Mr. Chair.
26 Terry, can you remind us what we're trying to do now is
27 set the priority information needs for our region and
28 that doesn't necessarily have to be done this meeting.
29 It could be done in the fall, is that correct?
30

31 MR. SUMINSKI: Through the Chair, Ms.
32 Needham. That's correct. I think it was in your
33 report, but it's a good reminder that this is a draft
34 and we're trying to get this to you early. You'll have
35 another chance at your next meeting to finalize this
36 before it goes into the call in November. So you have
37 all summer to think about this and hopefully improve
38 it. We can talk about it again next fall in Petersburg
39 maybe. Okay, thanks.
40

41 CHAIRMAN BANGS: Thank you, Terry. But
42 the Council still needs to accept this report as a
43 draft so that it can go forward, is that correct?
44

45 MR. SUMINSKI: Yes, Mr. Chairman. I
46 think a motion would be appropriate to accept the work
47 of the workgroup and adopt it as the Council's.
48

49 Thank you.
50

1 CHAIRMAN BANGS: Any other discussion
2 or questions.
3
4 (No comments)
5
6 CHAIRMAN BANGS: I'd entertain a motion
7 to accept the document that the workgroup put forward.
8
9 MR. HOWARD: Mr. Chairman. I move to
10 accept the working group's document and put it forward.
11
12 MR. JACKSON: Second.
13
14 CHAIRMAN BANGS: It's been moved and
15 seconded to move forward with the report that the
16 priority information needs workgroup put forth in front
17 of the Council. All those in favor.
18
19 IN UNISON: Aye.
20
21 CHAIRMAN BANGS: Opposed.
22
23 (No opposing votes)
24
25 CHAIRMAN BANGS: Motion carries. Thank
26 you, Terry. Mr. Larson.
27
28 MR. LARSON: Thank you, Mr. Chair. I
29 just wanted to touch base here. The effect of that
30 motion would be for me to change the title from the
31 working group report to the Council's recommendation
32 and it will provide some guidance to OSM and it will be
33 a basis for the decisions that you're going to make in
34 the fall.
35
36 Thank you.
37
38 CHAIRMAN BANGS: Thank you, Mr. Larson.
39
40 Patty.
41
42 MS. PHILLIPS: Thank you, Chairman
43 Bangs. So the comment I made about conservation
44 concern and that Cathy followed up with a question
45 about adding extra bullets, is that not in the motion
46 then or is that part of the document now or not? I
47 just want some clarification.
48
49 CHAIRMAN BANGS: I would hope that this
50 draft would accommodate that in the final. Would staff

1 accommodate that, Terry?

2

3 MR. SUMINSKI: Mr. Chairman. Terry
4 Suminski. I know one of the criteria that Patty
5 brought up is included in the report. Is there another
6 one that you would like to include? If you give us
7 direction, we can certainly add that to your report.

8

9 CHAIRMAN BANGS: Cathy.

10

11 MS. NEEDHAM: I recorded the two -- I
12 picked up on two additional criteria that they wanted
13 and that one was brought up by Patty and then one was
14 brought up by Harvey about looking at the commercial
15 harvest and I wrote it down, so I'll just give you my
16 paper for that.

17

18 CHAIRMAN BANGS: Mr. Larson.

19

20 MR. LARSON: Mr. Chair. That's not
21 perfectly adequate. The Council needs to know exactly
22 what they voted on. It's my understanding that they
23 voted on the Council members' report without
24 amendments, changes, additions. If there is an
25 expectation from the Council or will of the Council
26 that the report is altered in some way, then we need to
27 revisit that and make it clear on the record.

28

29 I would like to remind the Council that
30 this is just the first step in the process. For
31 instance, the why is regarding the effects of other
32 fisheries on these stocks and things and output of the
33 studies. It's not a presupposed reason why you would
34 include or not include a system. So regarding what the
35 Council's work is at that point and the scope of their
36 work, it's fairly limited.

37

38 If the Council would like to change the
39 workgroup's report and make it their own, then there's
40 another step. Right now the workgroup's report has
41 been accepted by the Council. It's the Council's work,
42 the Council's ownership of that. If the Council would
43 like to change that to move forward, then there's a
44 process for doing that.

45

46 CHAIRMAN BANGS: Patty.

47

48 MS. PHILLIPS: Thank you. That being
49 said, so it says staff ranked each system using 1 to 5
50 using the following three criteria. So under number

1 one, conservation concern. Would you take into
2 consideration a stream that doesn't have a high harvest
3 anymore because it's a stream of concern? Would that
4 be taken into consideration under what we have before
5 us?

6
7 MR. SUMINSKI: Through the Chair, Ms.
8 Phillips. That was included by staff when we went
9 through our ranking exercise. Those type of
10 questions were considered. Farther down in your report
11 it talks about some other considerations that the
12 workgroup considered when they were considering what
13 systems would be on or off the list. If you did want
14 to amend your report, that would be the place because
15 that's talking about what the subcommittee did, not the
16 -- sorry, the workgroup did, not what staff did. If
17 that makes sense.

18
19 MS. PHILLIPS: I'm having a hard time
20 this morning.

21
22 CHAIRMAN BANGS: Yeah, it's very
23 confusing to muddle through this. I understand, Patty.
24 Yes, Mr. Larson.

25
26 MR. LARSON: Okay. I apologize for
27 whispering in Frank's ear. We do need to revisit where
28 we are. The workgroup met. They had some information
29 in front of them. They wrote a report, provided the
30 Council with a list of streams and some additional
31 items that they felt was appropriate as a basis of
32 information need. There was a motion to accept. The
33 Council unanimously accepted the workgroup's report.
34 Thank you very much.

35
36 That report belongs to the Council. If
37 the Council would like to change that report prior to
38 it being forwarded to the Office of Subsistence
39 Management as an interim -- right now it's an interim
40 position to help guide OSM in how they would structure
41 their report for this fall, then this is the
42 opportunity.

43
44 You could amend that because now it
45 belongs to you.

46
47 CHAIRMAN BANGS: Mr. Douville.

48
49 MR. DOUVILLE: So then the question is
50 did it include those two concerns I think that were

1 voiced and the addition of these two or three creeks,
2 whatever they are. I wrote down two. As it stands
3 now, does it include those?

4
5 CHAIRMAN BANGS: I don't believe it
6 does. I think we can go back and revisit that or can
7 we -- I'm not sure if we can just vote on adding those
8 to the document.

9
10 MR. LARSON: Mr. Chair. You own the
11 document that was provided by the workgroup, so it's
12 yours to do with what you wish at this point.

13
14 CHAIRMAN BANGS: Steve.

15
16 MR. REIFENSTUHL: You asked two
17 questions. One, the streams are there, Alecks and
18 Virginia. If you were asking about those, were added
19 to the list. They are there. The comments about
20 whether commercial fishing would be looked at, I
21 answered that and I guess Mr. Larson also answered that
22 that's an output and is not precluded from the criteria
23 that was used to evaluate these. So I think that that
24 concern doesn't need to -- I don't believe we need to
25 modify this report from the working group to capture
26 your concern about that.

27
28 CHAIRMAN BANGS: Patty.

29
30 MS. PHILLIPS: Thank you. So what
31 about the comment about the conservation concern about
32 a stream doesn't have a high proportion of harvest
33 anymore because it is a stream of concern. So is that
34 addressed in this? I haven't had an answer yet.

35
36 I want to say this. Thank you, Mr.
37 Jackson, for your praise of the process that this has
38 gone through, the work that staff did, the work of the
39 working group. Thank you, Cathy and Steve, for
40 bringing a report to us. I mean that's a lot of work
41 to bring it to this point and I in no way want to
42 diminish that valuable work that has gone into it.

43
44 My concern is a single point and I'm
45 still waiting for an answer, but I'm willing to keep
46 going, accepting the document as it is right now.

47
48 Thank you.

49
50 CHAIRMAN BANGS: Okay. Cathy.

1 MS. NEEDHAM: Thank you, Mr. Chair. I
2 think, Patty, to answer your question, that point was
3 not taken into consideration when they ranked it. It
4 was not, but that doesn't mean we can't add it as a
5 point that we would like them to use. When they
6 actually get proposals, to use it as a ranking
7 criteria. We would need to add that point. We'd need
8 to decide to add that point to this document for staff
9 to have.

10

11 Is that correct, Terry?

12

13 MR. SUMINSKI: Through the Chair, Ms.
14 Needham. Not quite. The criteria used to rank the
15 projects are totally different. At this point all
16 you're doing is a pretty simple job. It's in or out.
17 Is the project on the list or off the list. The
18 ranking criteria are totally different when you go to
19 rank projects because then you're looking at
20 information that you don't have at this point.
21 Hopefully we don't get going sideways on that one
22 either. All this document is saying that the
23 subcommittee considered those kind of ideas when they
24 determined whether the system was on the list or off
25 the list. Those criteria really won't be used any
26 farther than that to be honest with you.

27

28 Thank you.

29

30 CHAIRMAN BANGS: Thank you. It was
31 just pointed out to me underneath community importance
32 -- I'm not sure if this would answer your question, but
33 it says is there an issue with meeting subsistence
34 needs from this system. So it kind of -- I guess it
35 makes sense that it covers it in the document.

36

37 Steve.

38

39 MR. REIFENSTUHL: Thank you. You got
40 it.

41

42 CHAIRMAN BANGS: So is everybody clear
43 on what's happened? We've moved this document forward
44 as a draft and it will be reviewed. So we're moving
45 forward.

46

47 What's I'd like to do is take a short
48 break, but what we're going to do is we're going to
49 approve the annual report. So if you haven't looked at
50 it, please look at it. We'll take a 10-minute break

1 and then come back and go through the annual report
2 procedure and move on.

3

4 Thank you.

5

6 (Off record)

7

8 (On record)

9

10 CHAIRMAN BANGS: Okay. I'll call the
11 meeting back to order. We're going to move to our
12 annual report. It's in the draft form in your Council
13 book on SE-16 is the page. It's in the back. It
14 covers several topics. Fisheries Resource Monitoring
15 Program, Transboundary Mining, Petition for
16 Extraterritorial Jurisdiction, Use of Cabins on Park
17 Service Land, Customary and Traditional Use, Terminal
18 Area Escapement, and Salmon and Halibut Interception.

19

20 Hopefully everybody had a chance to
21 look it over. I'll give you just a minute and then
22 we'll see if there's any additions we want to put or
23 explanations. So take a quick minute here and then
24 we'll move to adopt it if Council wishes.

25

26 (Pause)

27

28 CHAIRMAN BANGS: I noticed one thing
29 we've had in almost every annual report was continued
30 concerns about sea otters. I noticed in our all-
31 Council meeting I had a couple of residents, Council
32 members from Kodiak who are requesting any information
33 we can give them for help because they're losing their
34 stocks of shellfish as well and their population over
35 there is growing out of control. So it might behoove
36 us to add that to our annual report as a continued
37 concern. Hopefully the Federal Board may be able to
38 keep at it, keep poking at Congress to help us.

39

40 There's been a couple different ideas
41 presented as far as a bill in Congress to change the
42 requirement for how much Native blood you have to have.
43 There's been some talk in different elements of Native
44 meetings and I've heard some on the way up here.
45 They're talking about reducing it. As Mr. Douville
46 mentioned -- in fact, would you like to speak to that,
47 Mike.

48

49 MR. DOUVILLE: Not really, but I will.

50

1 (Laughter)

2

3 MR. DOUVILLE: The quarter blood
4 quantum is not going to work down the road and we feel
5 that the descendants of these people, although it only
6 takes a couple generations to become unqualified, that
7 we are looking at other ways to handle this. One of
8 them would be if you belong to the tribe, which is a
9 government in it's own. So things like that may be
10 proposed. Nothing is happening right now. It's being
11 looked at though and that's one of the avenues if you
12 were adopted or belong to a tribe, then your blood
13 quantum would not matter. It's kind of in its early
14 development.

15

16 CHAIRMAN BANGS: Thank you, Mike. With
17 that in mind and some of the other concerns that have
18 come out of other tribal meetings, maybe it would be
19 appropriate for us to add that to our -- just the fact
20 of the continued concern of sea otters so it doesn't
21 fall off the chart if the Council would go for that.

22

23 Mr. Jackson.

24

25 MR. JACKSON: Chairman. I agree with
26 what Mike just said. We have a lot of families that
27 have non-Natives as the head of the household and
28 they're not allowed to do any hunting or handling of
29 sea otters. I think the blood quantum thing should go
30 away. Eventually there will be nobody that's going to
31 be really a full-blood. I mean we can try hard, but
32 there's some communities that are going to lose right
33 away. I agree with him.

34

35 Thank you, Mr. Bangs.

36

37 CHAIRMAN BANGS: Any other discussion.
38 Cathy.

39

40 MS. NEEDHAM: Sorry, I don't have any
41 other discussion on sea otters, but I have some changes
42 for the annual report.

43

44 CHAIRMAN BANGS: Go ahead.

45

46 MS. NEEDHAM: In our Council minutes we
47 had changed a couple pieces of language on items that
48 went into the annual report and I just want to make
49 sure that those changes transfer over to the annual
50 report as well. The first was under the Fisheries

1 Resource Monitoring Program. I didn't like the
2 language that it should be maintained, so the current
3 levels of funding should be maintained, so we had
4 changed that to should be maintained at least at
5 current levels. So we added the at least piece to
6 that.

7

8 The second one was under customary and
9 traditional use. We have the sentence in there the
10 Council has decided not to submit a proposal to change
11 the current customary and traditional use. The changes
12 that we did in the minutes said the Council has decided
13 not to submit a proposal at this time to change the
14 current customary and traditional use.

15

16 CHAIRMAN BANGS: Thank you, Cathy.
17 Discussion.

18

19 Patty.

20

21 MS. PHILLIPS: Thank you, Mr. Chair.
22 Under the C&T the RAC has asked for C&T use
23 designation, a list of C&T use designations and
24 previous correspondence regarding customary and
25 traditional use. I think that request is still there
26 and we haven't received that list yet.

27

28 Thank you.

29

30 CHAIRMAN BANGS: So what would you like
31 to do, Patty? Would you just like to emphasize a
32 request for information?

33

34 MS. PHILLIPS: Yes.

35

36 CHAIRMAN BANGS: Okay. Anything else.
37 Any discussion. Ray.

38

39 MR. SENSMEIER: Thank you, Mr.
40 Chairman. I should have asked this question earlier,
41 but I was wondering is there any effort to monitor the
42 amount of fish that the sports fishermen take. I know
43 subsistence fishermen and commercial fishermen are
44 monitored quite closely.

45

46 CHAIRMAN BANGS: Thank you, Ray. I
47 think that is very complicated when you enter into the
48 State and Federal dual management and the way the
49 accountability for sport fishermen is carried out. I
50 just don't know how to explain it, but it would be very

1 difficult, I think, for us to get that information, but
2 it is a concern. I don't know if that would be
3 something we'd want to put in the annual report or not.

4

5 Albert.

6

7 MR. HOWARD: Thank you, Mr. Chairman.
8 I think something to think about when you're asking
9 that type of question is I know I work as a sport
10 fishing guide and every day I have to log -- every day
11 I have to log every fish I catch, every fish I release,
12 so it's well documented within the state. I think the
13 only thing that isn't documented, Mr. Chairman, is say
14 my son has a sport fishing license and he goes fishing.
15 So I think that's the only thing that isn't documented
16 concerning sport fishing.

17

18 Thank you, Mr. Chairman.

19

20 CHAIRMAN BANGS: Thank you for
21 clarifying that, Albert. That's, I think, the problem,
22 is there's no mechanism in place on the State side for
23 accountability. I know lodges are supposed to keep
24 track, but when you look at what Mr. Jackson said about
25 reporting, a lot of people, for whatever reason,
26 residents or non-residents, they just don't report, so
27 there's this big void in information. It is a concern.
28 It's just I don't know if the Federal Board has any way
29 of conveying that as something they could do.

30

31 Steve.

32

33 MR. REIFENSTUHL: Well, again, I think
34 that we should look at the regulations and propose
35 Board of Fish action on this. I heard what you said
36 yesterday, that this has been tried before, but I think
37 we need to delve into the regulations more. Work with
38 some of the sport fish biologists at Fish and Game and
39 I think we can probably come up with language at least
40 that would bring this to the forefront at the Board of
41 Fish. We might get some traction.

42

43 CHAIRMAN BANGS: I totally agree with
44 that, Steve. By the way, do you know when the next
45 cycle is for Southeast regulations on finfish?

46

47 MR. REIFENSTUHL: 2018. So the
48 proposals would be due in 2017.

49

50 CHAIRMAN BANGS: So this is something

1 we should think about and generate a proposal if the
2 Council would like and then we could submit it to the
3 next cycle of the Board of Fish meeting on Southeast
4 finfish. I think you're right. We shouldn't let it
5 go. John

6

7 MR. YEAGER: Thank you, Mr. Chair. For
8 the topic for the annual report, is the Council still
9 interested in pushing the issue of our concern about a
10 seat on the North Pacific Fisheries Management Council?

11

12 CHAIRMAN BANGS: What's the wish of the
13 Council. That's something we could put in our annual
14 report. That's appropriate.

15

16 Don, then Cathy.

17

18 MR. HERNANDEZ: Thank you, Mr.
19 Chairman. Item number seven, I think we kind of
20 addressed that topic and the Council was interested in
21 remaining aware of the magnitude of these removals,
22 particularly in the longline and trawl fisheries in the
23 Gulf of Alaska and efforts to reduce the level of
24 bycatch. Is that what you were referring to, John, or
25 something more?

26

27 MR. YEAGER: I think that in past
28 Council meetings we have asked to have a RAC member put
29 on the -- or a seat made available on the North Pacific
30 Fisheries Management Council as a subsistence
31 representative. I think it might have been even in
32 past annual reports and I don't see that and I'm
33 wondering if the Council wants to keep pushing that
34 forward to the Board or not.

35

36 CHAIRMAN BANGS: Maybe that's something
37 we could add to that item just to continue it. Just
38 add that statement in there. Go ahead, Cathy, and then
39 I'm going to get it over to Robert.

40

41 MS. NEEDHAM: Thank you. I was just
42 going to mention that that particular item is also in
43 the all-Council letter specifically as well. So if
44 it's not something we want to put into our annual
45 report at this time -- I mean it might not hurt to put
46 it in both places, but it is also in that all-Council
47 letter.

48

49 CHAIRMAN BANGS: Thank you, Cathy.

50

1 Mr. Larson.

2

3 MR. LARSON: Yes, Mr. Chair. This
4 issue has been part of our previous annual reports.
5 It's been responded to by the Board. My advice would
6 be to allow the Board to digest that comment that
7 you've included. I assume that you're going to approve
8 this joint letter to the Board that has that concept
9 embedded in it. You can add it to your annual report,
10 but I don't know that it would really be additional
11 value over what is going to be put into the joint
12 Council report. So the concept is there and it's going
13 to be presented in a different way.

14

15 CHAIRMAN BANGS: Thank you, Mr. Larson.
16 What's the wish of the Council.

17

18 Patty.

19

20 MS. PHILLIPS: Is that joint letter of
21 the 10 RACs going to the Secretary?

22

23 CHAIRMAN BANGS: I'm not sure on that.
24 I think it's going to the Federal Board for sure.
25 Cathy.

26

27 MS. NEEDHAM: Yeah, the letter that we
28 drafted is directed specifically to the Federal
29 Subsistence Board and the actual item that we talked
30 about was a request to the Federal Subsistence Board to
31 actually pursue getting a subsistence seat on the North
32 Pacific Fisheries Management Council.

33

34 CHAIRMAN BANGS: Yes, Patty, follow up.

35

36 MS. PHILLIPS: Thank you, Chairman
37 Bangs. That being said, then it should be in our
38 annual report if it's important to us because the
39 annual report is going to the Secretary of Interior and
40 Agriculture.

41

42 CHAIRMAN BANGS: Thank you, Patty. I
43 would agree that it wouldn't hurt. We don't even know
44 if this letter, the all-Council letter, has been
45 signed. I haven't read it and I don't really know if
46 all the other Councils are going to sign off on it or
47 whatever. So at least our Council can reiterate that
48 through our annual report by just adding it to the
49 number seven in the correct language, however the
50 Council wishes.

1 Mr. Larson.

2

3 MR. LARSON: Mr. Chair. There's been
4 some effort put into crafting the words on this subject
5 in the joint Council letter. I would suggest that we
6 pattern our annual report item very closely aligned
7 with that. Then we don't have to spend some time
8 saying exactly the same thing. There's been some
9 thought put into how exactly the Board is going to move
10 this item forward and it would be the same process as
11 the Council would suggest. So if we could pattern our
12 two items fairly parallel with those two, that would be
13 good.

14

15 CHAIRMAN BANGS: Thank you, Mr. Larson.
16 Donald.

17

18 MR. HERNANDEZ: Thank you, Mr.
19 Chairman. New topic. Is this an opportunity to add
20 something, a new topic to the annual report?

21

22 CHAIRMAN BANGS: Yes.

23

24 MR. HERNANDEZ: Thank you, Mr.
25 Chairman. Mr. Wallace from Saxman, he made a
26 suggestion that we might want to add that we would
27 request that the Chairs be able to attend the tribal
28 consultation sessions prior to the Board meetings. Is
29 that something the Council might like to add to the
30 annual report?

31

32 CHAIRMAN BANGS: Any discussion.
33 Cathy.

34

35 MS. NEEDHAM: I just have a question.
36 Is that something we can add if we didn't discuss it?
37 I mean because we're in the spring now, so the annual
38 report was for this past year, correct? For
39 deliberations that we had last year. I don't know how
40 that works.

41

42 CHAIRMAN BANGS: Mr. Larson.

43

44 MR. LARSON: Mr. Chair. Thank you. At
45 your last Council meeting you provided me a list of
46 possible topics to include in your annual report. I
47 took that list, I generated an annual report draft. At
48 this meeting it's your responsibility to finalize that
49 letter by either adding or subtracting topics.

50

1 CHAIRMAN BANGS: Albert.

2

3 MR. HOWARD: Thank you, Mr. Chair. I'm
4 looking at SE-17, Fisheries Resource Monitoring
5 program. I'm looking at the should be maintained at
6 current levels. Can we change that to should be
7 maintained at needed current levels as determined by
8 the Southeast RAC.

9

10 CHAIRMAN BANGS: I'm not sure if you
11 were here when we went over that, but what we came up
12 with, Cathy brought it up, at least at current levels
13 or more. That was the way she worded it, at least at
14 current levels, but we were requesting more funding.
15 Does that answer your question?

16

17 MR. HOWARD: Yes, Mr. Chairman. I'm
18 kind of a day late and dollar short on that one, but it
19 just came to me as this wording. So I think when you
20 show the need that this body is trying to demonstrate
21 when asking for funding to make sure all our projects
22 get funding, I think this language might help in that.
23 So it's just a simple adding a few more words to that,
24 Mr. Chairman.

25

26 CHAIRMAN BANGS: Thank you, Albert.
27 That's a very good point and I think we're headed that
28 way with the wording. I'd like to go back to what Mr.
29 Hernandez said.

30

31 Donald.

32

33 MR. HERNANDEZ: Thank you, Mr.
34 Chairman. So I guess we need to know, is it the wish
35 of the Council to add that item to the annual report
36 about Chairs of the RACs attending the tribal
37 consultations prior to Federal Subsistence Board
38 meetings?

39

40 CHAIRMAN BANGS: From my perspective, I
41 think the Chairs are already invited to go. I wasn't
42 sure. It was the first time they had done it at the
43 last meeting I was at. I wasn't comfortable and I
44 didn't know if it was appropriate for me to be a part
45 of that, but it is there and the Council Chairs are
46 invited. I don't know if it's something we need to put
47 on the annual report, but it could be. It's up to the
48 Council.

49

50 MR. HERNANDEZ: Thank you, Mr.

1 Chairman. Well, if that's already a part of the
2 program, then I guess we probably don't need to add it.
3 But it was mentioned earlier, so I thought I would ask.

4

5 CHAIRMAN BANGS: Thank you, Donald.

6

7 Mr. Larson.

8

9 MR. LARSON: Thank you, Mr. Chair.

10 There is one topic that I left purposely open-ended and
11 it was concerning item number four. Before we finalize
12 item four, which is the use of cabins on Park Service
13 land, I was anticipating that I would get the will of
14 the Council whether or not that item should remain or
15 be more specific. It was somewhat nebulous at the last
16 Council meeting. It was put in here as a reminder that
17 the Council would be receiving information, some public
18 testimony, a report from the Dry Bay Park Service
19 rangers, but it seems it is premature to finalize the
20 letter without having a further discussion about that
21 particular item. That was my intent when I drafted it
22 up.

23

24 CHAIRMAN BANGS: It's just on the wrong
25 place in the agenda. That's what it comes down to.
26 Robert.

27

28 MR. SCHROEDER: A possible new item. I
29 was really flabbergasted that Chairman Towarak made a
30 suggestion that agency heads delegate their
31 responsibility on the Federal Subsistence Board to
32 subsistence users. He specifically said that he'd
33 really like to up the Board composition of subsistence
34 users and that he thought that that was a possible way
35 to go. At this time, of course, an agency head
36 frequently will delegate that responsibility to
37 somebody else in the agency because they may not be
38 able to attend or for some other purpose and that works
39 out fine. I would like a little bit of discussion if
40 the Council would like to support that idea. If so,
41 that should be an annual report item.

42

43 Thank you.

44

45 CHAIRMAN BANGS: Thank you. Any
46 discussion on that subject.

47

48 (No comments)

49

50 CHAIRMAN BANGS: I was pretty surprised

1 as well, but he did mention that it might be to his
2 demise. I think it was a very -- moving forward with
3 having two subsistence users on the Federal Board was a
4 very good move forward. I don't know how the Council
5 feels about moving forward with more. It would be
6 great, but I don't know if that's something -- does the
7 Council want to put that on the annual report? Albert.

8

9 MR. HOWARD: Mr. Chairman. Can we make
10 reference to his statement in our annual report that
11 we're supporting that statement, Mr. Chair, without any
12 demise to us?

13

14 (Laughter)

15

16 CHAIRMAN BANGS: I really can't say. I
17 don't exactly know what you're referring to. But if
18 you have a statement that you don't feel comfortable
19 being in the annual report.

20

21 MR. HOWARD: I'm referring to what
22 Robert was talking about as far as Mr. Towarak's
23 comments of adding more seats to the Board, subsistence
24 seats. Can we support that comment?

25

26 CHAIRMAN BANGS: We can support it, but
27 what we're looking for is things that we're adding to
28 our annual report. If you feel that that is somebody
29 that we could -- that we feel comfortable in adding
30 that to our report, then somebody could propose that
31 and we can discuss it. Cathy.

32

33 MS. NEEDHAM: Mr. Chair. I don't feel
34 comfortable putting it in the annual report if we
35 haven't had the information presented to us and that we
36 had a discussion revolved around it necessarily. Also
37 it was something that was brought up at this meeting,
38 which is in 2016 and, again, we're working on our 2015
39 annual report.

40

41 CHAIRMAN BANGS: Thank you, Cathy.
42 That makes sense to me. But it is something that may
43 be appropriate for our next annual report if things
44 haven't changed.

45

46 Patty.

47

48 MS. PHILLIPS: Mr. Chair. Might it be
49 appropriate to bring this annual report up near the end
50 of the meeting since we haven't had the agenda item

1 cabins on Park Service lands under discussion yet?

2

3 CHAIRMAN BANGS: Yes, Patty. I just
4 asked Mr. Larson if it would be appropriate to table
5 this annual report until after Mr. Capra's
6 presentation. So if it's the will of the Council, it
7 will give us time to think about these different issues
8 that we just spoke about and we could table this. I'd
9 need a motion to table it until before the end of the
10 meeting we'll have to revisit it and finalize it.

11

12 MR. REIFENSTUHL: Motion to table.

13

14 MR. YEAGER: Second.

15

16 CHAIRMAN BANGS: There's a motion to
17 table approval of the annual report and seconded. All
18 those in favor say aye.

19

20 IN UNISON: Aye.

21

22 CHAIRMAN BANGS: Opposed.

23

24 (No opposing comments)

25

26 CHAIRMAN BANGS: Motion carries. Thank
27 you, Steve. So what we'll do is we'll just revisit
28 this before -- it has to be finalized before the end of
29 the meeting, but I think it's appropriate that we get
30 that presentation from the Park Service.

31

32 The next thing on the agenda just
33 before Mr. Capra's presentation is the all-Council
34 letter. I'm not sure if that has been distributed. I
35 haven't seen it if it's been finalized.

36

37 Mr. Larson.

38

39 MR. LARSON: Thank you, Mr. Chair.
40 There was copies of the letter distributed previously.
41 I was trying to make more copies during the break. As
42 it turns out, our printer has decided not to work. I
43 would need just a few more minutes. I'm setting up an
44 alternate printer and a way to have some documents that
45 we can all look at. There is an alternate solution.
46 We could put a document up on the projection screen.
47 That would be okay as well, but I do have a way of
48 printing.

49

50 CHAIRMAN BANGS: Why don't we just go

1 to Mr. Capra's presentation and we'll come back to this
2 item when we have copies available. Mr. Capra.

3

4 MR. CAPRA: Yes, Chairman Bangs.
5 Members of the Council. At your meeting in Yakutat you
6 asked me to provide you with information on the history
7 of the Dry Bay area and the permits for the cabins down
8 there in Dry Bay. There's five pages in your meeting
9 notebook. Based on some questions I had during the
10 week in between sessions, I have some information to
11 add to that. The information in your handbook is a
12 brief summary, the history and the regulations that
13 affect our management of the fishing cabins in Dry Bay.

14

15 A couple of things. A general history
16 of Dry Bay and I'll run through this in a quick summary
17 and add those points if that's okay with the Council.
18 The Dry Bay area and the Yakutat Forelands in general
19 have been settled since the ice retreated off there,
20 depending on where you're talking about, between 700
21 and 2,000 years ago. In Dry Bay in particular, it was
22 an important traditional harvest area. There were up
23 to 16 clan houses at one time in the area in different
24 periods.

25

26 About 1900 commercial fishing started
27 there. There was even a cannery from 1906 to 1918 and
28 a fish packing station until 1937 or '38. Commercial
29 fishing has long been an industry down there on the
30 Alsek and the East Alsek Rivers. With World War II, as
31 happened in a lot of places across the state, all the
32 resident people down there were moved out and they were
33 moved to the town of Yakutat.

34

35 After the war, people came back to
36 their seasonal fish camps, but we had no more residents
37 out there. The residents we had out there stayed in
38 town after the war. There were some people who did go
39 out there in the winter and stuff, but at least by the
40 time 1973 rolled around and commercial fishing in the
41 Dry Bay area on the Alsek and the East Alsek started to
42 ramp up again. Not that it ever stopped, but there was
43 a big increase in those years. We had no real
44 permanent residents down there.

45

46 When ANILCA passed, the Forest Service
47 had been permitting commercial fishing camps down
48 there. On the lands that became Park Service on the
49 east side of the Alsek River, the Park Service took
50 those permits, any existing permit and gave those

1 people a cabin permit. After 1973, when a fish plant
2 was developed again in Dry Bay, we began a shift.
3 Well, it started before that, but there was a shift
4 from ship-born fish transport to air transport. At the
5 current time, it is all air transport, so everything
6 comes in and out by airplane in Dry Bay.

7
8 In the mid '90s, the East Alsek River
9 fishery crashed for sockeye and even our seasonal
10 population went from -- 20 years ago we had a seasonal
11 population in the summer of close to 200 people, up to
12 45 camps, including tent camps and the cabins that are
13 down there. Now we're at about 40 during the summer
14 and 14 to 18 permits rather than the 95 we had in the
15 heyday.

16
17 As far as the use of the cabins and the
18 Park Service, I'll get into the actual regulations, but
19 the Park Service has no concerns with qualified
20 subsistence users using their commercial fish camps for
21 subsistence use during the fishing season. I just
22 wanted to make that clear. In our Code of Federal
23 Regulations 36 CFR we identified -- and I didn't
24 include Title 2 for the Park Service or Title 8 for
25 subsistence in here. I'm sure all of you are familiar
26 with it.

27
28 In Title 2, it identified the Dry Bay
29 area and two others as commercial fishing is going to
30 continue in these areas and the support activities,
31 including cabins, trails, airstrips are going to be
32 allowed. Specifically in the CFR it guarantees the
33 exercise of valid commercial fishing with applicable
34 State permits. This includes the cabins.

35
36 It does put a caveat in there that the
37 uses won't expand past the 1979 levels. That's a
38 preservation. The Park Service is primarily a
39 preservation and conservation agency. So the uses
40 wouldn't expand and the land base affected wouldn't
41 expand beyond that level.

42
43 The fishery down there is limited
44 entry. There are 173 permits or 172 and only those
45 fishermen who have those permits can have even a tent
46 camp down there in Dry Bay under permit for commercial
47 fishing. We don't have any other kind of cabins except
48 for the commercial lodges that were introduced and the
49 two administrative sites, one for Fish and Game, one
50 for the Park Service, and one public use cabin.

1 We had public meetings as soon as the
2 State and the Federal systems started trying to work
3 out all these details of ANILCA and how the regulation
4 actually reads is there can be no significant increase
5 after -- significant being determined by local
6 meetings. Significant over a period of years and
7 meetings was determined 25 percent, so we had 15 cabins
8 down there, we lotteried off four more to the
9 fishermen, so there's a total of 19 now and those are
10 available to anybody with a fishing permit regardless
11 of residence. You could put into those lotteries if
12 you had a fishing permit.

13

14 Under management of commercial fishing
15 cabins -- I'm sorry, subsistence cabins, the Park
16 Service has a different set of regulations. Of course,
17 only qualified users can use them. In Yakutat, that
18 means in general, it's not for all, we have very few
19 species where our C&T is all rural residents. It's
20 generally Yakutat or some subset of or Unit 5A or some
21 subset of 5A that our C&Ts are set on.

22

23 The Park Service, in being a
24 preservation agency, their management of subsistence
25 cabins is to not have individual subsistence cabins.
26 If there's going to be a structure out there and
27 there's a determined need for it, then it will be open
28 to all comers. We do have some individual subsistence
29 cabins, but any new structures, new permits, new uses
30 are in the Code here. It says they will be shared use
31 and not permitted to one person.

32

33 I think that covers the points I wanted
34 to highlight there and add to with the history. If I
35 can add to any understanding or information for the
36 Council, do you have any questions?

37

38 VICE-CHAIR NEEDHAM: Thank you, Jim.
39 Are there any questions for Mr. Capra.

40

41 Don.

42

43 MR. HERNANDEZ: Thank you, Jim. How
44 many subsistence cabin permits are there presently
45 issued?

46

47 MR. CAPRA: There are currently no
48 subsistence cabins in the Preserve. We had one
49 application for one. Although I assisted in writing
50 it, it was determined after a region-wide review that

1 we already were meeting the needs for subsistence
2 access for that user's needs and for other Yakutat
3 residents. He was applying for an individual
4 subsistence cabin and that one did not pass. I believe
5 in the early '80s there was one other subsistence cabin
6 request formally made. It turned out that the person
7 was not a qualified user and at that time he didn't
8 understand the rules under ANILCA.

9

10 VICE-CHAIR NEEDHAM: Albert.

11

12 MR. HOWARD: Thank you, Madame Chair.
13 I have a question and possibly a follow-up question.
14 What is the agency's interpretation of Title VIII of
15 ANILCA?

16

17 MR. CAPRA: I don't think we're
18 interpreting it. I think that we're providing for
19 subsistence access and subsistence users' needs as well
20 as we can.

21

22 MR. HOWARD: Through the Chair. I'm
23 sitting here -- I always do this when I look back at
24 ANILCA and picture my elders sitting at the table
25 forming this document. The reason I asked that is I
26 know Ted Stevens threw out the Native-only preference
27 in this deal and made it so it's Native, non-Native.
28 I'm having a hard time -- you know, this is law.
29 Possibly you can call Don Young's office and see what
30 his thoughts are on this law.

31

32 The other thing that comes to mind is
33 the bridge to nowhere. This is something that was
34 needed in Alaska, but outside forces decided we didn't
35 need it. Now they're totally ignoring Title VIII of
36 ANILCA and coming up with laws like this. I totally
37 don't agree with this because I've seen this type of
38 thing time and time again where rights were ignored and
39 new rights were enforced upon us.

40

41 I think we need to find a solution to
42 this. To me, the State says you can't have subsistence
43 priority according to the Constitution, but you're a
44 Federal agency. The Federal government says
45 subsistence has priority.

46

47 VICE-CHAIR NEEDHAM: Albert, did you
48 have a specific question?

49

50 MR. HOWARD: Is this something you're

1 being told to enforce based on this?

2

3

4 MR. CAPRA: Madame Chairman, Mr.
5 Howard. These are the Park Service regulations and we
6 do enforce them. We went through quite a bit of
7 rulemaking early on to come to these. I can go into
8 more detail in Yakutat on the specific case there. We
9 do have requests to use the cabins for subsistence use
10 every year for, you know, and during the fishing
11 season.

12

13 To clarify another -- I heard several
14 dates thrown out earlier. The cabins can be used from
15 May 1st until October 31st. In addition to that,
16 there's also a guarantee if the fisheries change or the
17 dates change, there's a guarantee of at least two weeks
18 before and two weeks after the season. The May 1st to
19 October 31st are benchmark ones.

20

21 If the season goes late or there's a
22 possibility we could some day go back to a directed
23 king fishery in the Alsek, it would open earlier than
24 May 15 -- well, June 1st. We wanted to guarantee at
25 least two weeks that people would be able to be in
26 camp, getting gear ready or putting it away. Our moose
27 season in Yakutat for subsistence users goes from
28 October 8th until November 15th. We've approved
29 requests to use the cabins after October 31st for every
30 qualified user that has requested it.

31

32 Where our Superintendent balked was
33 with requests that were rather broad. Say, for
34 example, covering all six months that the cabins were
35 not open for occupation for commercial fishing and
36 there was, in the Superintendent's opinion, too wide or
37 too broad a list of activities that were going to be
38 used. When those requests were narrowed down, so far
39 we've approved them for subsistence or construction or
40 other needed reasons down there in the cabins that
41 support commercial fishing.

42

43 VICE-CHAIR NEEDHAM: Mr. Douville.

44

45 MR. DOUVILLE: Thank you, Cathy. Okay.
46 You said you maintained the use levels or you adopted
47 the 1979 levels for the use of these cabins. Is what
48 is being asked for beyond the level that was there in
49 1979? Do you know what I mean? I'm assuming that they
50 were able to use them for commercial fishing and some
51 subsistence. There's some confusion in my head as to

1 what's going on here. If you maintain the level of
2 permitting that they had in '79 today, what is
3 different? You know, I don't understand what the
4 difference is and what the problem would be then. Were
5 they able to use them in a wider timeframe in '79 than
6 they are today?

7

8 MR. CAPRA: Madame Chair, Mr. Douville.
9 The use levels are for the commercial fishing part of
10 it. We use that to set an upper limit to the number of
11 cabins. We have also used that for people who wanted
12 to open new fisheries down there or expand the uses of
13 that. You know, turn it into -- use it for other
14 things, whether that be recreation. Subsistence would
15 be an additional use. Commercial use is a lodge or
16 sport fishing, would be an additional use. We've used
17 it in decisions like that. It specifically addresses
18 the commercial fishing activities.

19

20 Subsistence -- in 1979, there were no
21 subsistence cabins, but in looking at the old permits
22 that the Forest Service had, that most of these evolved
23 from, I have not been able to find any subsistence use
24 approved. It may be inferred or something from some of
25 those people or on some of those permits that were
26 local residents. Most certainly people did their
27 subsistence gathering, hunting, fishing when they were
28 in fish camp, but the season dates are not any more
29 restrictive than they were in '79.

30

31 VICE-CHAIR NEEDHAM: Bob and then Don.

32

33 MR. SCHROEDER: Thank you. Through the
34 Chair, Jim. We've heard testimony in this meeting and
35 we also heard testimony in our Yakutat meeting about
36 how the permit requirements for cabins has changed over
37 time. You touched on some of that and you said when
38 the ANILCA addition was added, that Park Service just
39 moved over the permits that existed at that time.

40

41 Could you fill us in on what permit
42 changes have taken place since Park Service got
43 involved, presumably in 1980 or '81, recognizing the
44 background is that existing uses of these lands were
45 provided for in ANILCA as you read.

46

47 The second question is, are these
48 changes Park-wide or is this something ginned up only
49 for the Glacier Bay addition? I'm just guessing now,
50 but there are a lot of ANILCA additions to Parks around

1 the state or quite a few new Parks. My guess is that
2 there are quite a few other cabins around that have
3 been fishing cabins or private cabins and I'm wondering
4 whether they're covered by this change in rules.

5

6 Thank you.

7

8 MR. CAPRA: Madame Chair, Mr.
9 Schroeder. Surprisingly there are not many Park
10 Service areas with fishing cabins. There were three
11 identified where the commercial fishing would continue
12 and all the support activity, the cabins, trails, et
13 cetera. I've actually visited the other two. One is
14 Cape Krusenstern and there are no commercial fish camp
15 permits out there anymore. There were some in the
16 beginning, but that land is a checkerboard of private
17 and Park Service land within the National Preserve and
18 all the fish camps have now moved on to inholdings.
19 The folks concerned just felt that was easier. As I
20 understand it, the inholdings are the traditional fish
21 camps and there was not ever much demand to put camps
22 on Park Service land. I don't know the numbers there,
23 but I know there aren't any more as of 2014.

24

25 The other areas, the Malaspina
26 Forelands, across the bay from Yakutat and Wrangell-St.
27 Elias National Park and Preserve, there are three
28 existing commercial fish camps over there. They have
29 been used during the season for subsistence. We don't
30 have -- I'll say except for one poaching case, we don't
31 have any use that we know of outside of the commercial
32 fishing season by subsistence users. The use inside
33 the commercial fishing season we don't have an issue
34 with.

35

36 MR. SCHROEDER: Just a follow up. Are
37 the camps in Malaspina Forelands subject to the same
38 permit requirement, which would mean that -- and then
39 would you please go through the sequence of permit
40 changes that was my main question.

41

42 MR. CAPRA: Madame Chair, Mr.
43 Schroeder. The Wrangell-St. Elias Preserve cabins are
44 -- I'm not as familiar with their permit conditions,
45 but I know they're modeled pretty much the same. They
46 are subject to the same restrictions as far as any use
47 outside the season or use for other purposes outside of
48 support of commercial fishing is restricted. As I
49 said, what people do to gather their subsistence stuff,
50 we consider that part of what they're doing during

1 their fishing season. That's not an issue. Openings
2 are two, three days a week and people have the rest of
3 the week to do what they need to do.

4
5 As far as permit changes, when the Park
6 Service adopted these permits, we basically took the
7 Forest Service permits and put a new header on them or
8 put them on a Park Service form, I don't know. We went
9 through with ANILCA on a statewide basis with the State
10 and all the agencies a definition process of defining
11 what is a fish camp. So we did come up with
12 construction standards on what a new fish camp can be,
13 how many square feet and a process to get to those
14 square feet for storage, sleeping, just general living
15 quarters. So those building standards were added.

16
17 We go through a constant -- well, I
18 won't say constant, but I don't think they've been
19 absolutely the same for two years in a row, but it's
20 mostly been the construction standards for the most
21 part. Recently we added 120 square feet for wood
22 storage because with the price of fuel people went from
23 oil stoves to wood stoves in the majority of the fish
24 camps.

25
26 In changes for the use, we've tried to
27 fine tune what our regulations say we should be doing
28 as far as restricting it to just support of commercial
29 fishing. There have been changes with that. The last
30 big ones were a series of meetings we had in 1996. I
31 think five or six meetings during that whole summer.
32 We basically revamped our permits so that the
33 stipulations for each permit, one, have a reference to
34 what the Park Service's intent is and then a section
35 below on how we're going to accomplish that.

36
37 And there may have been something in
38 there I'm not remembering since then that has changed,
39 but the only change I can think of in that part of it
40 outside of the building standards is the requirement to
41 notify the superintendent in writing 30 days before any
42 unauthorized use. That would be use outside the season
43 or bringing in people who aren't involved in the
44 fishery to stay in the camp and we have an allowance in
45 the permits to bring in mechanics, craftsmen,
46 construction people if you're building a cabin, but the
47 Superintendent wanted to be notified in writing 30 days
48 in advance of that. Previously it did not say in
49 writing and it may not have said 30 days at some point.
50

1 MR. SCHROEDER: Just a follow up
2 because this still isn't very clear to me. Because
3 I've heard testimony that there was some time period
4 where people could just use their cabins as they wished
5 for subsistence uses and then now they can't. It
6 sounds like there was some point in time when that was
7 clearly okay and now that's confined to the commercial
8 fishing season. Am I missing something here, Jim?
9

10 MR. CAPRA: I can't speak to how it was
11 enforced when the Forest Service was managing the
12 permits. Those permits said they were for commercial
13 fishing or supported commercial fishing and the seasons
14 were limited, but I can't speak to how they enforced
15 that and how people exercised their -- how they used
16 the cabins.
17

18 VICE-CHAIR NEEDHAM: Don and then Mr.
19 Howard.
20

21 MR. HERNANDEZ: Thank you, Madame
22 Chair. Jim, can you talk a little bit about maybe the
23 recreational use there as well. You mentioned there
24 were lodges. Also I was wondering how the permits work
25 for recreational lodges, what they're allowed to do
26 and then are there recreational cabins and do they have
27 the same kind of restrictions as commercial fishing and
28 subsistence activities?
29

30 MR. CAPRA: We have three commercial
31 lodges. One is primarily a big game hunting guide.
32 The other two are sport fishing with some waterfowl
33 hunting. The hunting guide would be a qualified local
34 user. They're managed under a completely different
35 system where they have to go through a competitive bid
36 process every 10 years to get the contract to operate.
37 Again, the Park Service inherited these three
38 operations from the Forest Service. We haven't
39 introduced any new ones into the mix.
40

41 If there was a qualified local
42 subsistence user at one of the lodges, they would be
43 able to pursue their subsistence activities. I know
44 our one hunting guide has in the past. The Park
45 Service is pretty persistent on this through all the
46 cabin regs. We don't have any recreational cabins. In
47 all the permit renewals, it's a condition in any of the
48 cabins that they have to be non-recreational in nature.
49 These are for cabins permitted to individuals, whether
50 it be an existing cabin that had kind of a nebulous use

1 when we inherited it or a commercial fishing cabin or
2 subsistence camp.

3

4 We do have recreational cabins. We
5 have one in Dry Bay and one across the bay in
6 Malaspina. Wrangell-St. Elias has a dozen or more of
7 them. The one in Glacier Bay National Preserve we
8 inherited from the Forest Service again and we manage
9 it just like one of the Forest Service rec cabins.
10 It's 25 bucks a day. I guess the only exception is
11 during the Yakutat resident only moose season. We
12 block that out and it's open to any Yakutat residents
13 free of charge for moose hunting.

14

15 VICE-CHAIR NEEDHAM: Follow up.

16

17 MR. HERNANDEZ: Yeah. I also asked are
18 there restrictions on those permits as far as what time
19 of year they're allowed to be occupied?

20

21 MR. CAPRA: For the commercial lodges,
22 no, there are not. For everything involved with
23 commercial fishing, there is. That would be the
24 commercial fish camps. The fish plant is also under a
25 similar permit.

26

27 VICE-CHAIR NEEDHAM: Albert and then
28 Ray.

29

30 MR. HOWARD: Thank you, Madame Chair.
31 I'm wondering how your agency applies ANILCA to this
32 process when you're out there telling them they can't
33 stay there past a certain date.

34

35 MR. CAPRA: Madame Chair, Mr. Howard.
36 We manage it according to ANILCA under Section 205. It
37 says that we won't expand the uses past '79 levels.
38 When we took over these permits, in this case on Forest
39 Service land, they were already restricted in some
40 ways. I can tell you the old Forest Service permits,
41 although this was never enforced, they had to fish a
42 certain number of openings to keep their permit. We
43 got rid of that because of the kind of migratory nature
44 of the Yakutat fishery where people go from river to
45 river during the season chasing the fish
46 concentrations.

47

48 VICE-CHAIR NEEDHAM: Did you have a
49 follow up.

50

1 MR. HOWARD: Is there a process for
2 them to extend say into November instead of to the end
3 of November? I'm trying to get my head around this
4 through questions when I also have comments about it,
5 but is there a way they can extend this? You quoted
6 205 just now, but there's more to ANILCA than just what
7 you're quoting. When I hear comments like what you
8 just said about 205, that also brings me back to the
9 intent of 205.

10

11 When they're sitting in Dry Bay, you
12 also talked about the history of Dry Bay and I
13 appreciate that. My clan comes from Dry Bay. I'm
14 having a hard time getting my head around this to
15 understand why these gentlemen spent the money to build
16 a cabin there, I'm sure they're protected under our
17 Constitution, the State and Federal, for doing that,
18 and now they're being told how to use their own
19 property.

20

21 So is there a process they can go
22 through to get an extension on how long they can be
23 there and their activities? There's a process to
24 everything.

25

26 MR. CAPRA: Madame Chair, Mr. Howard.
27 Yes, in the case of subsistence, that would be a use
28 that's not authorized under the commercial fish camp
29 permit or for the case of construction. We've had good
30 weather the last two winters. People have asked, you
31 know, can I go down and cut some logs so I can do
32 construction work in the summer. The permit allows for
33 that as long as they notify the Superintendent 30 days
34 in advance and say, hey, I want to do this. Because of
35 our moose season overlap, that's fairly common for
36 subsistence. I will note we've had requests for sport
37 hunting also and we've turned those down flat.

38

39 VICE-CHAIR NEEDHAM: Thank you. Is it
40 a follow-up question?

41

42 MR. HOWARD: Yes. So we, as a board,
43 we can put in as part of our report asking that
44 subsistence and customary and traditional use be
45 recognized as part of this and part of what you have to
46 do as a ranger so we can get the language changed in
47 that to get this as part of -- I guess what I'm getting
48 at, Madame Chair, is can we ask that the language be
49 inserted to allow subsistence uses at these cabins
50 considering the customary and traditional use of those

1 cabins?

2

3 MR. CAPRA: I'm not sure I can speak to
4 what, Madame Chairman, what the Council can put in
5 their report, but, yes, my feeling would be you can put
6 that in the report or in a letter to the Superintendent
7 or the Secretaries.

8

9 VICE-CHAIR NEEDHAM: Thank you for
10 that, Mr. Capra. I do believe that after the question
11 period we can decide as a Council how we want to take
12 action next and maybe those options will become
13 apparent to us or our coordinator of what course of
14 action we could take.

15

16 Mr. Sensmeier, did you have a question.

17

18 MR. SENSMEIER: Thank you, Madame
19 Chair. Mr. Capra, earlier you alluded to the fact that
20 the Forelands area had been occupied for 800 to 1,000
21 years and over that time many people have lived and
22 died in that area, Dry Bay, the Alsek, Akwe and other
23 rivers. So there's shaman graves, there's the graves
24 of the people who lived and died there and they have
25 been identified as sacred sites, which we have always
26 considered sacred sites by the people of Yakutat and
27 others. I was wondering if any consideration or
28 respect was paid to those sacred sites when, you know,
29 allowing permits there or other things.

30

31 MR. CAPRA: Madame Chair, Mr.
32 Sensmeier. Yes, and it's part of any permit that we
33 issue. In a recent case, we moved a fish camp or built
34 a new one, permitted a new one on a new site where an
35 old one had been wiped out by a storm surge. There was
36 an archeological review of the area before that was
37 done. In that case we used an old one because we had
38 done that site before. In the case of just the
39 important features down there, another example would be
40 we did a full Park soil survey last year and the soil
41 scientist identified a site on Bear Island. We
42 consulted with the tribe and just basically told them,
43 no, find another transect.

44

45 MR. SENSMEIER: Thank you, Mr. Capra.

46

47 VICE-CHAIR NEEDHAM: Mr. Douville.

48

49 MR. DOUVILLE: Okay. So what I'm
50 getting out of this is you can use these existing

1 cabins that are commercial fish cabins for subsistence
2 during the commercial fishing season. Once that window
3 of opportunity is gone, they cannot use those for
4 subsistence. However, they could go there and build
5 another cabin alongside it or somewhere and use that
6 for the 30-day window that's allowed by the Park
7 Service. Is that what we have here?

8

9 MR. CAPRA: No, I don't believe so.
10 One, we pre-approve all new construction down there, so
11 they couldn't build a new cabin, but construction --
12 there are -- I wish I could come up with some of the
13 additional reasons, but construction is the one that
14 comes up most often. People need to go down and cut
15 timbers when the weather is good. Every year we have
16 qualified subsistence users who we approve to stay
17 because our moose season overlaps the end of the permit
18 season.

19

20 As far as I can recall, we've never
21 turned down a request to use the cabin after the permit
22 season for the local users in moose season. That was
23 something that was -- since our moose season was moved
24 to such a late date, that's something that has been
25 typically done out of fish camps. The seasons don't
26 align perfectly, so it seemed reasonable to permit
27 that. We do require a request and notification to use
28 it outside what the permit says.

29

30 VICE-CHAIR NEEDHAM: Did you have a
31 follow up?

32

33 MR. DOUVILLE: Yes. So this would
34 accommodate the moose season, but beyond the moose
35 season is something else then. Because these gentlemen
36 here were alluding to something like that and that's
37 what I was getting from them.

38

39 MR. CAPRA: Madame Chair, Mr. Douville.
40 What we have done with other requests is -- the
41 Superintendent has gotten a broad list of other uses
42 basically covering that period when the fish camp
43 permit is closed from November 1st until the end of
44 April. Some of those requests have just, in his
45 determination, been too broad to justify a use not
46 authorized on the permit.

47

48 He has delegated in some cases for
49 people who have asked myself or the Yakutat District
50 Ranger to, after people notify for certain uses and the

1 Superintendent approves those uses in at least a
2 general nature when they need to go down and cut
3 timbers for a few days or they're going down to collect
4 eulachon, they can come, rather than have to try to
5 find our Park Superintendent, come to the Yakutat
6 District Ranger or myself.

7

8 After the Superintendent has, I would
9 guess in theory, agreed that these are reasonable uses
10 outside of the commercial fishing use, notify us on the
11 date of the trip because you can't predict weather 30
12 days in advance. You know, you don't know when you're
13 going to get the weather to fly, when you're going to
14 get the weather to work on the beach.

15

16 VICE-CHAIR NEEDHAM: Steve and then
17 Ken.

18

19 MR. REIFENSTUHL: Yes. Mr. Sensmeier
20 raised a point about the comment you made of historical
21 use 800 to 1,000 years. I'm wondering if we could have
22 that reference from your notes, your testimony. I mean
23 you referenced that, so that comes from data or
24 archeological records or something of that nature.

25

26 MR. CAPRA: Madame Chair, Mr.
27 Reifenstuhl. Any mistakes in that are mine, but the
28 data comes from de Laguna's work Under Mount Saint
29 Elias on the Yakutat Tlingit Tribe in the settlement of
30 the area.

31

32 VICE-CHAIR NEEDHAM: Ken.

33

34 MR. JACKSON: Through the Chair.
35 That's basically what I was going to ask. I know
36 you've referred to before the war in 1942 that many
37 people were moved to Yakutat. Was there any record for
38 service or Park Service that had any plots or cabins
39 that were there? And another question is are you still
40 allotting people to go in and make claims for those
41 cabins?

42

43 Thank you.

44

45 MR. CAPRA: We have found some of the
46 old clan houses and the site of the old cannery. I'm
47 not aware of before the war how those were permitted.
48 There is one allotment on the Forest Service side to an
49 individual and then there is another Sealaska Heritage
50 allotment that covers several of the old clan house

1 sites and the cannery. Pre-World War II, I don't know
2 that there was any permitting there. I have seen
3 permits dated back to the late '50s. I can't say that
4 I've researched any further back than that. Pre-World
5 War II, the '37 date is due to an earthquake that
6 actually separated the East River from the Alsek and
7 created its own river. The area that's now Park
8 Service was primarily one big gravel bar between those
9 mouths of the rivers, so there was much less settlement
10 over there than there was over on the west or Forest
11 Service side of the river. At least until you get to
12 the Dome River to the east.

13

14 VICE-CHAIR NEEDHAM: Albert.

15

16 MR. HOWARD: Thank you, Madame Chair.
17 Question. What is your interpretation of customary and
18 traditional use in ANILCA?

19

20 MR. CAPRA: Madame Chair, Mr. Howard.
21 In my work, my interpretation is what it says in the
22 reg book if you're asking who can use that area. I
23 can't say that I interpret it. If we have a regulation
24 that delineates C&T for a certain species in a certain
25 area, then that's what we follow and that's usually
26 based on the RAC's recommendations and what the Board
27 does for that. If you're asking for my personal
28 interpretation, that's a different question.

29

30 MR. HOWARD: Madame Chair. That
31 language was put in ANILCA because at some point my
32 grandfather thought that we should be allowed to do
33 what we've always done. We meaning myself as a full-
34 blooded Tlingit. We meaning -- when that was changed
35 to subsistence for all rural residents, that means the
36 gentleman's customary and traditional use of his cabin
37 should have been honored according to ANILCA.

38

39 VICE-CHAIR NEEDHAM: Patty.

40

41 MS. PHILLIPS: Thank you, Madame Chair.
42 Mr. Capra, so what level of public use does the public
43 cabin get during the Yakutat only moose season?

44

45 MR. CAPRA: I would say an average of
46 one group a year flies out and uses the cabin. We've
47 had two groups in there at one time. Last year and in
48 2014 I don't believe it was used by anybody from
49 Yakutat. We started that idea of providing for anybody
50 else who wanted to have a cabin over there head during

1 the moose season in about 1998, I think, is when we
2 started blocking that out.

3

4 VICE-CHAIR NEEDHAM: Follow up.

5

6 MS. PHILLIPS: Thank you, Madame Chair.
7 The Fish and Game cabin and the National Park Service
8 cabin, are those open to the public?

9

10 MR. CAPRA: Madame Chair, Ms. Phillips.
11 No, those are administrative sites. Currently the
12 employees while they're there aren't allowed to hunt
13 big game.

14

15 VICE-CHAIR NEEDHAM: Follow up.

16

17 MS. PHILLIPS: Thank you. I'm going to
18 go in a different direction now, Madame Chair. Thank
19 you for bringing together these regulations in this
20 format. I appreciate that. Are these regulations from
21 ANILCA or are they regulations that can be changed?

22

23 MR. CAPRA: These are regulations that
24 can be changed. They recently were. We went through a
25 whole renumbering and hopefully simplifying of the CFR
26 Part 13 for the Park Service of the 36 CFR. So you may
27 have different numbers if you're looking at an old
28 copy. We're still working out some of the proposed
29 rule that Barbara talked about earlier as an addition
30 to this and part of this whole trying to simplify the
31 36 or the Part 13 anyway. These were under a different
32 numbering system I think in last year's version, so, as
33 I said, they may not match the numbers. The CFR can be
34 changed. You know, an example is what Barbara talked
35 about earlier. That's a proposed rule through the
36 Federal Register.

37

38 VICE-CHAIR NEEDHAM: John.

39

40 MR. YEAGER: Thank you, Madame Chair.
41 Jim, you may have already went through this, but could
42 you explain again what is the reason for no use from
43 November 1 to April 30th. What's the primary basis for
44 that?

45

46 MR. CAPRA: Madame Chair, Mr. Yeager.
47 The primary reason is that we go back to Section 205
48 and the uses for these commercial fish camps wouldn't
49 expand. That includes the number of fish camps. It
50 also includes the timing that people were in the fish

1 camps. This was the permit season before and it also
2 -- well, the way we have it written now with at least
3 two weeks on either end -- reasonably accommodates
4 anybody who is in there for commercial fishing.

5
6 VICE-CHAIR NEEDHAM: Are there any
7 other questions for Mr. Capra. Albert.

8
9 MR. HOWARD: Every question from a
10 board member spurs another question. I own an old wood
11 boat, so when you start working on an old wood boat,
12 you might as well build a new one.

13
14 (Laughter)

15
16 MR. HOWARD: You made reference to the
17 fact that when this was getting put together, you said
18 that the State and the agency sat down together and
19 when they decided what size the cabins were and how
20 many to have, they decided and they interpreted ANILCA
21 and that's the problem I'm starting to see across the
22 state is the interpretation of ANILCA.

23
24 So I think for future reference, Madame
25 Chair, I'd like to see someone who might live in the
26 village and interpret these laws and help the agencies
27 and the State interpret them so we don't have to spend
28 this amount of time trying to figure out why that
29 family paid so much to put a cabin out there and now
30 they can't even use it as they wish.

31
32 Thank you, Madame Chair.

33
34 VICE-CHAIR NEEDHAM: Are there any
35 questions for Mr. Capra.

36
37 (No comments)

38
39 VICE-CHAIR NEEDHAM: Jim, I want to
40 thank you for staying there and answering a battery of
41 questions and putting the presentation material
42 together for us ahead of time. We appreciate the time
43 that you put into this matter that we're trying to wade
44 through. So thank you.

45
46 MR. CAPRA: Thank you, Madame Chair.

47
48 VICE-CHAIR NEEDHAM: At this time does
49 the Council wish to discuss any potential action items
50 on the Dry Bay cabin use. Mr. Bangs.

1 CHAIRMAN BANGS: Thank you, Madame
2 Chair. I'd like to make a suggestion, if I may, that
3 we use lunch time to digest what we've heard. There's
4 a couple other letters that we need to read and
5 whatnot, so I would suggest maybe that we go ahead with
6 -- there's two more reports and I don't know if we can
7 get through both of them, but lunch time would give us
8 a chance to digest some of this stuff and then come
9 back and we'll cover the annual report and that as
10 well.

11
12 VICE-CHAIR NEEDHAM: Okay. I'm seeing
13 lots of head nodding. So we can move on with the next
14 agenda item. On my agenda I have the wolf petition.

15
16 MR. REEVES: Thank you, Madame Chair.
17 For the record, Jeff Reeves, Forest Service. Yesterday
18 at the end of the day you were distributed two separate
19 handouts. Both have a Forest Service logo in the top
20 left corner. The first one we'll just quickly look at
21 is the one dated February 3rd, 2016. It's the 2015-
22 2016 Unit 2 wolf hunting and trapping synopsis.

23
24 As you recall on the last day in the
25 fall meeting in Yakutat, myself and Terry Suminski and
26 Ryan Scott were at the table and giving you basically a
27 rundown on the wolf season to that point and the
28 determination of the quota. If I recall, I think Ryan
29 was actually answering a number of questions about the
30 petition process up to that point.

31
32 Real quickly, after that meeting, this
33 synopsis here was initially a document for leadership
34 within the agency, the Forest Service, and it felt like
35 there was some real good information in here that this
36 Council would probably enjoy seeing. What it does is
37 just kind of breaks down different parts of the
38 different seasons, when they started and different
39 harvests of the seven wolves that were taken up until
40 that point. It just gives you a quick little rundown
41 on where some of those wolves were harvested from. The
42 final couple pieces there is the methods and means used
43 to take those wolves and then a couple little bits just
44 related to the State's wolf population study.

45
46 The other document is more related to
47 the actual topic here. Robert had asked me to just kind
48 of go ahead and put together kind of a chronology of
49 the whole listing petition process related to Unit 2
50 wolves. This one kind of breaks down initially. In

1 1993 was a petition. There was one submitted by the
2 Biodiversity Legal Foundation and they were just asking
3 that the Southeast wolves be listed as an endangered
4 species.

5
6 What wound up happening is the Fish and
7 Wildlife Service denied that petition request about
8 four years later when the Forest Service had modified
9 the Tongass Land Management Plan to accommodate for
10 wolf management. There was a big gap until, of course,
11 we all know that in 2011 when Greenpeace and the Center
12 for Biological Diversity resubmitted a petition. Not
13 only were they asking for listing, but they were
14 wanting especially the Unit 2 population be identified
15 as a distinct population segment.

16
17 The next couple of bullet items there
18 are just kind of relative to a few little actions that
19 occurred. It took about three years for Fish and
20 Wildlife Service to publish the initial 90-day finding
21 to begin the 12-month status review. I couldn't find
22 the details about the court and how the court hearings
23 basically moved the process up, but we all know that
24 like during last year was the 12-month review period
25 following a special action request that was submitted
26 to the Federal Subsistence Board to shut down the
27 Federal hunting and trapping season.

28
29 When the Board opposed that, the
30 petitions actually then in late September had requested
31 an emergency listing that they thought the seasons that
32 the Federal Board did not shut down was going to be
33 catastrophic to the wolf populations in Unit 2. Within
34 two weeks the Fish and Wildlife Service denied that.
35 They just said that they couldn't do that and that was
36 actually up to the Secretary of Interior's discretion.
37 It was not a petitionable action.

38
39 Finally, on January 6th, the Fish and
40 Wildlife Service actually announced their finding and
41 they felt that listing was not warranted. I've
42 included a website on here that's very informational
43 and helpful. In fact, some of the stuff that I pulled
44 off here actually came out of that website. In there
45 is a little bit of Q&A stuff and it kind of listed the
46 rationales as to why the Fish and Wildlife Service
47 didn't find merit in the listing, so that's kind of
48 explained here.

49
50 There's probably someone within the

1 agency, I couldn't find a particular name, but what I
2 can try to do is if you guys do have some tough
3 questions, I can try to find the right source for you
4 through Fish and Wildlife Service to help answer that.
5 Like I said, this is just purely informational.

6

7 With that, I'll leave it. Thank you.

8

9 VICE-CHAIR NEEDHAM: Are there any
10 questions for Mr. Reeves. Don.

11

12 MR. HERNANDEZ: Thank you, Madame
13 Chair. The decision on the petition is what it is. I
14 guess we don't have much say over that. I think the
15 U.S. Fish and Wildlife Service did indicate that they
16 do have concerns with wolf management on Prince of
17 Wales in particular still regardless of the fact that
18 they didn't consider Prince of Wales wolves were a
19 distinct species in need of protection. I think for
20 the Council in general we should continue to be
21 informed and understand kind of what's happening on
22 Prince of Wales.

23

24 I was looking at the hunting and
25 trapping season synopsis that you gave us. It says
26 that there were only seven wolves taken, which is
27 pretty good because it kept within the management goal
28 of nine wolves. Accomplishing that in a trapping
29 season I think is -- you have to give somebody credit.
30 I don't know if we give it to the trappers or the
31 managers or what. I guess I would like to get an idea.
32 Seven wolves were taken, three wolves were taken by
33 firearm and four taken by snare.

34

35 So when I look at that I immediately
36 think, okay, four wolves were trapped in essentially a
37 month-long season. That either indicates a very poor
38 take per unit of effort or maybe there wasn't much
39 effort. If there was a lot of effort and only four
40 wolves were taken, that would be kind of a red flag to
41 me, but I guess we need to know how much effort there
42 was in order to interpret what we're seeing there.

43

44 MR. REEVES: Madame Chair, Mr.
45 Hernandez. Yes, the amount of effort was way down. In
46 my communications with the assistant area management
47 biologist for the State and also as well as
48 communications with Mr. Douville there that a lot of
49 the known trappers really did not put any effort out
50 there. It was really spread out because it was a real

1 small base of people that were actually out there.

2

3 VICE-CHAIR NEEDHAM: Follow up.

4

5 MR. HERNANDEZ: I might also ask about
6 take by firearm. I assume that's a reporting
7 requirement in all years that you indicate whether you
8 take them by hunting or by trapping. Three wolves
9 taken by firearm, how does that compare to maybe other
10 years?

11

12 MR. REEVES: Madame Chair, Mr.
13 Hernandez. Through the sealing process, all the wolves
14 have to be sealed and one of the questions that is
15 asked is method of take. So that is identified. I
16 have to apologize, I don't have all the historical
17 information in front of me, but the good majority of
18 them during most years are trapped or snared. What I
19 recall from some of the data, glancing through it, I
20 think the firearm take can vary.

21

22 But what you need to understand though
23 too is that trapping regulations do allow the use of a
24 firearm. I can tell you that we had one wolf that was
25 taken from the start of the Federal hunting season,
26 obviously which was by firearm, but all the rest of
27 them though could have actually been taken by trappers
28 in the act of trapping.

29

30 VICE-CHAIR NEEDHAM: One more question.

31

32 MR. HERNANDEZ: One more quick
33 question. The other thing that kind of stood out to me
34 was that the majority of the wolves were taken from one
35 fairly small area. Is there any concern of impacts to
36 a particular wolf pack involved in that? I know that's
37 another area of concern with Fish and Wildlife managers
38 as to what the makeup of packs are and how those can be
39 disrupted and have consequences. Any comments on five
40 of the seven taken in very small area?

41

42 MR. REEVES: Madame Chair, Mr.
43 Hernandez. That was kind of -- in one sense I would
44 say managers were kind of shocked, wow, but at the same
45 time we were able to find out that the reason that area
46 kind of got targeted was actually the one individual
47 that took the number of wolves from there had been in
48 the area prior to the start of the season actually --
49 if I recall, he said he went down duck hunting and he
50 saw a pretty amazing size pack of wolves. In fact, he

a few out of there.

3

4

The other couple were taken in proximity to the area, so we don't really know if they're all from the particular same pack. Yeah, like I said, it was kind of, wow, you know, but when we were actually able to communicate with that individual and he showed me the video, it was quite amazing. The one area at least seemed to have a really large pack in there.

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VICE-CHAIR NEEDHAM: Are there any other questions for Mr. Reeves. Mr. Douville.

MR. DOUVILLE: Thank you, Madame Chair. I don't have a question, but I would like to revisit this at the appropriate time so I could give my opinion on the continuation of its monitoring or studying or so on.

I've got one more just to explain to Mr. Hernandez. I've been saving these wolves up in my cookie jar and one of these guys got in there and got after them. My plan was to get two or three of these collared. We did get one of them even after trapping season and get a collar on it. We think there's at least three or four left in that pack.

VICE-CHAIR NEEDHAM: Okay. Mr. Douville, you wanted to revisit this or did you want to actually give comments regarding the overall Prince of Wales wolf for information at this time or did you say what you wanted to say?

MR. DOUVILLE: Do you want me to say what I want to say now briefly?

(Laughter)

VICE-CHAIR NEEDHAM: Yes, please.

MR. DOUVILLE: My concern is that the current science, and I've said this before, is not adequate to keep track of the number of wolves we have. As the science was lacking, the numbers are showing really low or lower than we think they were as local knowledge for lack of a better term. So we want to see the science good enough to have good numbers because if we don't, we're going to have people not reporting

1 wolves that they take. We're perhaps seeing some of
2 that in this really small season.

3

4 The reason the take was so small, the
5 guys with the real know-how and the capability just
6 simply didn't trap. They didn't care to. It wasn't
7 worth it and we're kind of being conservative right
8 now until we get a better handle on things. The
9 Department is using hair boards and DNA to try to do
10 the numbers and they've expanded that considerably, but
11 they are kind of, it looked like to me, leaning away
12 from putting collars on. I would encourage them to
13 continue to do that using local knowledge. It would be
14 much more cost effective because what they were doing
15 was quite expensive. It was like over \$28,000 per
16 collar. I participated in one and it cost \$200 in gas
17 and I volunteered my time.

18

19 The other thing I would encourage the
20 use of is more cameras to try to get better numbers so
21 we can have an honest quota and get a better handle on
22 actually how many or a better count on the wolves. So
23 I guess I would like the RAC to support efforts in that
24 direction, whether it takes money or encouragement or
25 whatever it may be.

26

27 VICE-CHAIR NEEDHAM: Okay, thank you.
28 Mr. Sensmeier, did you have a question for Mr. Douville
29 or a separate topic? Because I would like to ask what
30 the Council would like to do about Mr. Douville's
31 recommendation.

32

33 MR. SENSMEIER: Maybe I misunderstood
34 you, but I was wondering do you use traditional
35 ecological knowledge in making your decisions? I
36 thought I heard you say that.

37

38 MR. REEVES: Madame Chair, Mr.
39 Sensmeier. Actually I'm not the one making any of
40 these decisions. I believe when Fish and Wildlife
41 Service made their decision whether to list or not it
42 was more on the pieces that the petitioners identified
43 as to why those wolves should be listed. So I would
44 say I doubt traditional ecological knowledge was really
45 looked at, but I don't know. That's something that,
46 like I said, I can try to provide the name of the Fish
47 and Wildlife Service person for Southeast or whatever
48 that could probably provide more of the fine details
49 and stuff that was used.

50

1 When the Service said, okay, yes, we're
2 going to do the 12-month status review, I know they
3 were compiling all the wolf information that the State
4 had and different things to use for the review. So
5 what was in every single one of those documents perhaps
6 there might have been some TEK type reference, but I
7 don't know.

8

9 MR. SENSMEIER: Thank you.

10

11 VICE-CHAIR NEEDHAM: Are there any
12 other questions directly to Mr. Reeves. Ken

13

14 MR. JACKSON: Mr. Reeves through the
15 board. I know the taking of wolves on Prince of Wales
16 has directly affected the deer population. At the same
17 time these studies reflect weather and deer takes and
18 other animals. Is that part of this study?

19

20 MR. REEVES: Madame Chair, Mr. Jackson.
21 If you're referring to Fish and Game's population
22 study, that is -- basically they have a core area in
23 Unit 2 on Prince of Wales Island. There's kind of some
24 adjacent area there. They're trying to just identify
25 the population of the wolves. Where they do their hair
26 samples from, then that gets expanded to the whole --
27 the total area of Unit 2 proper, which also includes
28 some outside islands.

29

30 This study isn't looking at deer, but I
31 know they are receiving information from folks about,
32 you know, deer population seems to be down. They did
33 also -- I believe it's on their website where they
34 actually use Google Earth and can allow anyone, whether
35 they're hunters, trappers, to also click on there
36 and.....

37

38 (Microphone fell off table)

39

40 VICE-CHAIR NEEDHAM: Jeff, can you hold
41 a minute. Are we still on the record or did the mics
42 go off? The speakers went off. Good job, John.

43

44 (Laughter)

45

46 REPORTER: Can we take a break so I can
47 go get Tina?

48

49 VICE-CHAIR NEEDHAM: Yes, please.

50

1 (Off record)

2

3 (On record)

4

5 VICE-CHAIR NEEDHAM: All right. We are
6 back on the record. I'm going to turn it back over to
7 Mr. Reeves, who was answering a question.

8

9 MR. REEVES: Thank you, Madame Chair.
10 I was pretty much just at the end of my response when
11 the microphone turned, but basically what I was just
12 explaining is that the State did create a website where
13 users and anyone out there in Unit 2 comes across a
14 wolf sign or a wolf, they can report it and it's giving
15 the State a little bit better opportunity to start
16 looking at better areas.

17

18 VICE-CHAIR NEEDHAM: Okay. Are there
19 any other questions for Mr. Reeves regarding the
20 wolves.

21

22 Mr. Bangs.

23

24 CHAIRMAN BANGS: Thank you. Just a
25 short question for Mr. Reeves. I was wondering if we
26 came up with comments, such as what Mr. Douville is,
27 what would be the most effective recipient of that?

28

29 MR. REEVES: Madame Chair, Mr. Bangs.
30 I really don't know how to answer that question. If
31 it's a definite concern of the Council, I'd say note
32 it. You have something? I'll let Terry answer it.

33

34 MR. SUMINSKI: Mr. Bangs. Terry
35 Suminski with the Forest Service. I have talked to
36 Mike about the issue of the offer to help collar wolves
37 and I can pursue that both within the Forest Service
38 and with the Department. Thanks.

39

40 VICE-CHAIR NEEDHAM: Mr. Suminski, you
41 mean you can pursue that type of research study?

42

43 MR. SUMINSKI: Through the Chair, Ms.
44 Needham. There's an existing research study and I
45 think what Mike was concerned about was that they're
46 starting to work away from using collars because of the
47 expense and I think it's worth considering his offer to
48 reduce those costs and continue to work with the
49 collars.

50

1 Thank you.

2

3 VICE-CHAIR NEEDHAM: Okay. And Mr.
4 Douville had actually brought up two points. One was
5 the collaring and the other was the cameras. Is that
6 also something that you can pursue within the Forest
7 Service?

8

9 MR. SUMINSKI: Through the Chair, Ms.
10 Needham. Absolutely. I can sure check into it with
11 both the Forest Service and the Department.

12

13 VICE-CHAIR NEEDHAM: Okay. Are there
14 any other questions for Mr. Reeves or Mr. Suminski.

15

16 (No comments)

17

18 VICE-CHAIR NEEDHAM: All right. Thank
19 you. Is the Council satisfied with -- so Mr. Douville
20 made a recommendation to us that he would like to see a
21 few more things regarding research to wolves and the
22 Forest Service, they're going to check on that. Is
23 that the only -- do we want to take any other further
24 action on this or is that adequate at this time?

25

26 (Council nodding affirmatively)

27

28 VICE-CHAIR NEEDHAM: It's adequate. So
29 we have a few more things to get through today. It's
30 getting close to lunchtime. We're going to break for
31 lunch and come back at 1:30. I would encourage you to
32 specifically read the all-Council letter. It's an item
33 that we should be able to get through fairly quickly.
34 All we have to do is read it. If we agree with it, we
35 say we want to accept it. If we don't agree with it,
36 then we don't want to accept it.

37

38 By accepting it, what that's going to
39 mean is that we approve the content that's in the
40 letter and we understand that there's going to be some
41 wordsmithing on the bullet items within the letter to
42 make sure our intent is clear. As far as I know to
43 this point all the other Councils have approved to
44 accept the letter and understand that it will be
45 modified with that. So we're not actually going to be
46 able to add items to the letter or delete items from
47 the letter. It's a simple we accept it or we don't
48 accept it. So please make sure that you read that over
49 lunch.

50

1 Yes.

2

3 MR. KRON: Madame Chair. I just wanted
4 to follow up. Again, I spent all day yesterday in the
5 Bristol Bay Council meeting. I know that there is an
6 effort to try to get this out to all the other
7 Councils. The Bristol Bay Council approved the letter,
8 approved the letter you wrote I understand as written,
9 so that's just one. But, again, I wasn't in the other
10 meetings, so I don't know.

11

12 Thank you, Madame Chair.

13

14 VICE-CHAIR NEEDHAM: Thank you. I did
15 talk to Carl Johnson about it and he said so far every
16 Council that has met had approved the letter. Some had
17 tried to add bullet items to their letter, but then it
18 was subsequently determined that because not other
19 Councils could see those bullet items that they had to
20 take them out and they would go in a separate letter
21 from that particular Council.

22

23 So, again, we should be able to take
24 care of that agenda item fairly quickly.

25

26 Mr. Bangs.

27

28 CHAIRMAN BANGS: Thank you, Madame
29 Chair. I just wanted to touch on what's left and give
30 you an idea of how after lunch our reports will go. We
31 have that report from Mr. Whitford, which will be right
32 after lunch and then we have the nonedible plant
33 letter, and the all-Council letter, the annual report
34 and need to review the Council Charter, which shouldn't
35 take long. But if you would like to touch on some of
36 those and then we have to go over the meeting dates.

37

38 Madame Chair.

39

40 VICE-CHAIR NEEDHAM: I think the one
41 additional item would be whether or not we're going to
42 do anything specific regarding the Dry Bay cabins.

43

44 CHAIRMAN BANGS: Right. That will be
45 under the annual report.

46

47 VICE-CHAIR NEEDHAM: Mr. Hernandez.

48

49 MR. HERNANDEZ: Thank you, Madame
50 Chair. Also I was wondering if I could after lunch

1 introduce a letter to the Council which I would like be
2 sent in regards to my opening comments at the start of
3 the meeting.

4
5 VICE-CHAIR NEEDHAM: Can you repeat
6 that. Opening comments to what?

7
8 MR. HERNANDEZ: The Council's comments,
9 reports from the villages at the start of the meeting,
10 an issue that I brought up. If I could introduce a
11 letter to the Council that I'd like to have them
12 approve if possible.

13
14 VICE-CHAIR NEEDHAM: I'll leave that up
15 to the Chair to integrate into the agenda after lunch
16 if we have time.

17
18 MR. LARSON: Madame Chair. If I could
19 have some content, I will put it on paper and have that
20 available for the Council after lunch.

21
22 VICE-CHAIR NEEDHAM: Mr. Schroeder.

23
24 MR. SCHROEDER: Council Member
25 Sensmeier provided me with information from the Yakutat
26 Tlingit Tribe concerning nomination of a Tier III
27 outstanding natural resource water designation. That
28 letter was copied and it will be distributed. If it's
29 the Council's wishes, we may support that letter. I
30 don't believe it will take a lot of Council time to do
31 so. Thank you.

32
33 VICE-CHAIR NEEDHAM: Okay. With that,
34 we'll break for lunch and we'll be back here to start
35 business again at 1:30.

36
37 (Off record)

38
39 (On record)

40
41 CHAIRMAN BANGS: Please take your
42 seats. Okay. We're going to have Mr. Whitford give a
43 report from the Forest Service.

44
45 MR. WHITFORD: Good afternoon, Mr.
46 Chairman. Council members. My name is Tom Whitford and
47 I am the Regional Subsistence Program Leader for the
48 Forest Service and also a member of the Interagency
49 Staff Committee.

50

1 This afternoon I'll give you a quick
2 update on our budget and Terry Suminski will give you
3 an update on the Tongass National Forest Forest Plan
4 Amendment. I was hoping Melinda Hernandez-Burke would
5 be here, but she had to step next door for the tribal
6 relations session.

7
8 One thing that she wanted me to pass on
9 to the group is -- well, Melinda used to be with OSM,
10 but she's the new Tribal Relations Program Manager for
11 the Forest Service, so she's going to be based out of
12 Juneau. She also wanted me to mention another
13 personnel change and that's on the Tongass. Karluk
14 Casalukin is the new tribal liaison person for the
15 Tongass National Forest.

16
17 She also asked me to pass on to the
18 group that the Tribal Relations Directives were
19 recently published in the Federal Register this past
20 Wednesday. I haven't had a chance to look at them. I
21 did look at the draft over a year ago, so I really
22 can't comment on those directives, but I would
23 encourage the group to take a peak at those.

24
25 I'd like the Council to refer back to
26 the minutes from October's meeting, Page 14. That's my
27 last report to the Council. We did just get our final
28 2016 budget a few weeks ago. The information that's on
29 Page 14 of the minutes, none of that has changed. We
30 did get the final and \$2.5 million is our subsistence
31 budget for the region. So that information all stands.

32
33 One thing we hope to get in the next
34 few weeks is money that was unspent in 2015. I've seen
35 a dollar figure, but I haven't seen the money. What
36 we're hoping to do with that we call carryover money.
37 We're hoping to fund at least one of the 2016 FRMP
38 projects for Southeast. It's either going to be the
39 Sarkar Creek sockeye salmon stock assessment or the Eek
40 Lake or possibly both projects. It just depends on how
41 much money we get back from 2015.

42
43 With that same funding we're going to
44 kick some money into the black bear monitoring project
45 for the Chugach. So that's a bit of good news and
46 we're just hoping that we see that money in the next
47 few weeks so we can get those contracts put together.

48
49 That's really all I had for the budget.
50 Any questions on budget.

1 CHAIRMAN BANGS: Thank you, Tom. I was
2 under the understanding that we couldn't change the pot
3 of money from fisheries into wildlife? I'm not clear
4 on that. If you're going to do a black bear thing,
5 wouldn't that be in a different.....

6
7 MR. WHITFORD: That's coming straight
8 out of SMS. It's not coming out of FRMP money.

9
10 CHAIRMAN BANGS: Any questions. Patty.

11
12 MS. PHILLIPS: Thank you, Chairman. On
13 the FRMP going forward, is it that 1.5 million?

14
15 MR. WHITFORD: Well, going forward, it
16 depends on the list of projects because a lot of these
17 are continuation projects that we have in the
18 Southeast. It depends on how many we're wrapping up
19 this year and that would free up some funding for the
20 following year. Right now we're planning on getting at
21 least \$2.5 million a year and that's what we have to
22 work with.

23
24 Eventually the Chugach is going to have
25 an FRMP program. I know they submitted some projects
26 this year, but none of them were funded. We're looking
27 at improving those projects and how they were written
28 up, so there's going to be a little bit of competition
29 between the Tongass and the Chugach in the future. So
30 that remains to be seen though.

31
32 CHAIRMAN BANGS: Thank you. Any
33 questions for Mr. Whitford.

34
35 (No comments)

36
37 CHAIRMAN BANGS: Thanks, Tom. Terry.

38
39 MR. SUMINSKI: Good afternoon, Mr.
40 Chairman. Council members. Terry Suminski with the
41 Forest Service. Actually I have two pretty short
42 updates. One, I just wanted to remind the Council the
43 Tongass National Forest maintains a schedule of
44 proposed actions. It's located on the website. What I
45 have here is 20 pages of summarized projects. If
46 there's a NEPA analysis done for projects on the
47 tongass. You can find that on the website. If you
48 need any help with that, you can get a hold of me or
49 your Council Coordinator and we can get you whatever
50 information you need. Also any of those projects they

1 all list a contact, people that actually know something
2 about them, so I might not be the one that knows about
3 them, but I can sure help get you in touch with the
4 person that does.

5

6 Is there any questions on that.

7

8 (No comments)

9

10 MR. WHITFORD: Seeing none.

11

12 CHAIRMAN BANGS: Seeing none. Thank

13 you.

14

15 MR. WHITFORD: I stole your thunder,

16 sorry.

17

18 (Laughter)

19

20 MR. WHITFORD: The other thing I think
21 everyone is aware that the Tongass is going through a
22 Tongass Forest Plan Amendment process. Not too much to
23 report on it. We did have an open house and
24 subsistence hearings in January and those took place in
25 Klawock, Ketchikan, Petersburg, Wrangell, Juneau,
26 Sitka, Hoonah and Yakutat. I think I got them all.
27 The public comments due date is already passed. That
28 was February 23rd. I think the last I heard we got
29 over 100,000 comments. The only other thing to report
30 is they're expecting some sort of decision by mid
31 December.

32

33 Thank you.

34

35 CHAIRMAN BANGS: Any questions.

36

37 (No comments)

38

39 CHAIRMAN BANGS: Seeing none. Thank

40 you, Tom.

41

42 MR. WHITFORD: I guess we're done.

43

44 CHAIRMAN BANGS: Next I'd like to go to
45 the nonedible plants on the Park Service lands
46 collection for subsistence purposes. If everybody's
47 had a chance to read the letter, I'd like to have some
48 discussion as to the letter that Patty wrote up with
49 help from Albert and it was distributed before we broke
50 for lunch. I think it's appropriate that we either

1 endorse it or not endorse it to move forward to show
2 our support for the movement of allowing for the take
3 of nonedible plants and gathering of eggs on Park
4 Service land for subsistence purposes. Discussion.

5

6 MR. LARSON: Mr. Chair.

7

8 CHAIRMAN BANGS: Mr. Larson.

9

10 MR. LARSON: Mr. Chair, thank you.
11 During the lunch hour I tried to contact either the
12 Council Chairs or the Council Coordinators for the
13 other Councils. Generally speaking, they were in
14 support of the proposed rule. I know at least one
15 Council, the Western Interior, questioned the need for
16 a permit from the Park Supervisor to do something as
17 simple as what they were proposing to change, but by
18 and large they were in support.

19

20 Thank you.

21

22 CHAIRMAN BANGS: Thank you, Mr. Larson.
23 Any discussion.

24

25 Mr. Schroeder.

26

27 MR. SCHROEDER: I don't know if we want
28 to comment on bear baiting. It implies we're agreeing
29 with the other Council on the bear baiting. I'd
30 suggest that we either have some discussion about the
31 bear baiting component or we leave that out from our
32 comments.

33

34 CHAIRMAN BANGS: Thank you, Bob.

35

36 Patty.

37

38 MS. PHILLIPS: Thank you, Mr. Chairman.
39 Mr. Schroeder. We specifically state that the comments
40 are on the uses of plants and nonedible animal parts
41 stated in their letter. And then we talked about the
42 collection of live wildlife, but there's no reference
43 to bear baiting.

44

45 CHAIRMAN BANGS: Thank you, Patty. Any
46 other discussion. Mr. Larson.

47

48 MR. LARSON: And I should be clear that
49 that was the context of my conversations with the other
50 Councils. It was the first two items. We did not

1 include bear beating in ours and I didn't ask about
2 what they did with theirs.

3
4 CHAIRMAN BANGS: Thank you for the
5 clarification. Any other discussion.

6
7 (No comments)

8
9 CHAIRMAN BANGS: I would entertain a
10 motion to accept the letter and move it forward.

11
12 MR. DOUVILLE: So moved.

13
14 MR. WRIGHT: Second.

15
16 CHAIRMAN BANGS: It's been moved and
17 seconded to adopt the letter that Patty wrote to be
18 forwarded on to the Park Service and entities.

19
20 MS. PHILLIPS: Question.

21
22 CHAIRMAN BANGS: All those in favor.

23
24 IN UNISON: Aye.

25
26 CHAIRMAN BANGS: Opposed.

27
28 (No opposing votes)

29
30 CHAIRMAN BANGS: Motion carries. Next
31 I'd like to go to the Yakutat Tier III proposal from
32 the Yakutat Tribe. I think it's been passed out to all
33 of us. I'd like to open it up for discussion.

34
35 MR. SENSMEIER: Mr. Chairman. Has
36 everybody had a chance to read the letter. It's rather
37 lengthy. Here's a smaller version. I'd like to read
38 this letter. It's an endorsement from the Forest
39 Service in favor of Tier III nomination for the
40 Forelands.

41
42 CHAIRMAN BANGS: Excuse me, Ray. Could
43 you maybe just give a couple sentences of what Tier III
44 designation is. I think there's a lot of us that don't
45 know what that is.

46
47 MR. SENSMEIER: Okay. Tier III is a
48 nomination for an area that's either a National
49 Monument or Park Service or an area with outstanding
50 water quality and that's what the Forelands consist of.

1 Scientists and fish biologists have said that area is
2 the cleanest, most pristine water of drinking quality
3 in the nation.

4

5 It's been undisturbed because it has
6 wetlands, which you cannot drive ATVs over. You cannot
7 even walk on the same trail because it will disturb it
8 and it's noticeable for years. It's also dangerous
9 because there's potholes and things like that. But it
10 is the home of five species of wild Pacific salmon,
11 cutthroat, char, steelhead, eulachon, the seals and the
12 sea lions haul out there when the eulachon come.

13

14 In Southeast, I'm part of the
15 Commission on Transboundary Mining. A few years back
16 the Beard company came in and they staked the entire
17 Forelands and all of a sudden one day there was
18 helicopters flying over and they were staking it.
19 Fortunately, they didn't find gold in quantities that
20 was financially possible for them to make a mine.

21

22 If we receive Tier III nomination, they
23 could not mine in the Forelands because the discharge
24 has to meet the current water quality or higher, which
25 they cannot do, or any other industry that has
26 discharge that meets the current water quality or
27 higher.

28

29 It's a hunting area up to the left.
30 Our corporation worked with SEACC, Southeast Alaska
31 Conservation Council, and implemented a LUD II area and
32 a LUD I area, which is a remote recreational area. The
33 LUD II prevents -- it's roadless, so you can't really
34 do any logging, but it doesn't protect it from mining.
35 Unfortunately, the 1872 law trumps all laws pertaining
36 to mining. They can mine anywhere, any place, any time
37 they want and they do and that's what's happening on
38 the Canadian side now. Just flowing into the Forelands
39 is the Alsek River, which we've talked about quite a
40 bit here, how important it is. They were already
41 exploring on the upper Alsek when they heard about us
42 trying to designate. We're not the only areas, but
43 we're the least controversial.

44

45 I met with Michelle Hale in DEC in
46 Juneau several times. I flew down to Juneau and handed
47 all the paperwork I had to senators on the National
48 Resources Committee. They called me the day before
49 yesterday and asked me to come down on Monday to
50 testify before the legislature.

1 So this is backed by the National Park
2 Service and the Tongass Forest Service and we're
3 getting endorsements from other places as well.
4 There's 90 streams -- there's about four outlets, but
5 all the salmon go into 90 streams and rivers and into
6 the tributaries up to where they spawn. It's virtually
7 untouched and we'd like to keep it that way. We'd like
8 the support of this RAC.

9
10 CHAIRMAN BANGS: Thank you for that
11 explanation.

12
13 MR. SENSMEIER: Thank you, Mr. Chair.

14
15 CHAIRMAN BANGS: Mr. Douville.

16
17 MR. DOUVILLE: Because this affects a
18 wide variety of things, I would be interested in seeing
19 a map of the area that you're encompassing with this
20 request.

21
22 CHAIRMAN BANGS: I would agree with
23 that, Mr. Douville. I'm not really sure what the
24 consequences of this action would be for the future of
25 a large area like that, whether we could ever even go
26 in there or not. I'm not really fully understanding
27 what this means, but I think that a map would be useful
28 and what are the consequences in the big picture of
29 things.

30
31 I think Mr. Schroeder had some comments
32 that he was going to share with us, however brief.

33
34 MR. SCHROEDER: I will be brief, Mr.
35 Chairman. Mr. Sensmeier brought this to my attention
36 and from work I've done over the years I know that the
37 Yakutat Forelands is like a key area for subsistence
38 for the residents of Yakutat, so that's undeniably so.
39 Providing another layer of protection for subsistence
40 resources on the Yakutat Forelands would take place if
41 it got the Tier III status. So that's why it could be
42 appropriate for the Council to consider. It probably
43 would be pretty good if we knew exactly what the land
44 area was, so I'm in agreement with Mike on that one.

45
46 Thank you.

47
48 MR. SENSMEIER: Mr. Chair.

49
50 CHAIRMAN BANGS: I just want to get a

1 comment here from Mr. Yeager first and then Mr.
2 Sensmeier.

3

4 MR. YEAGER: Thank you, Mr. Chair.
5 Personally, due to the size of the document here and
6 not having all the maps and everything in front of us
7 and maybe even a little more explanation on this, I
8 would be hesitant to make a decision on it myself, but
9 I felt maybe it could be an agenda item for our fall
10 meeting. I didn't necessarily see in my brief passing
11 over of this a deadline or any time sensitive, but
12 that's just my opinion.

13

14 CHAIRMAN BANGS: Thank you, John. I
15 would be in agreement with that if that's possible. If
16 there is a deadline, then it wouldn't be much help to
17 him. Mr. Sensmeier.

18

19 MR. SENSMEIER: Yes, I do have some
20 maps, but I've been reluctant to distribute them
21 because they show all the sacred sites and
22 archaeological sites and there's a fear people would go
23 in and start digging, but it's a spider web of streams
24 and tributaries that goes from a place called Johnson
25 Slough near the Situk River down to the Alsek River.

26

27 CHAIRMAN BANGS: Thank you.

28

29 Mr. Larson.

30

31 MR. LARSON: Mr. Chair. I get the
32 sense of interest by the Council in this topic and I
33 would volunteer staff to do further investigations,
34 provide an explanation of exactly what it is and the
35 effects of the status and maps and have that available
36 at your fall meeting.

37

38 CHAIRMAN BANGS: Thank you, Mr. Larson.
39 I would think that would be very appropriate. I don't
40 feel comfortable making a decision based on what we
41 have before us as materials, but I'm very interested in
42 helping to protect subsistence needs and uses.

43

44 Mr. Howard.

45

46 MR. HOWARD: Thank you, Mr. Chairman.
47 Through the Chair. Has this been signed by the tribal
48 president?

49

50 MR. SENSMEIER: Yes.

1 MR. HOWARD: So that, in itself, Mr.
2 Chairman, should hold some weight with the RAC.

3
4 MR. SENSMEIER: And that has been
5 submitted to DEC and to the natural resources senators.

6
7 MR. HOWARD: If we're still bound by
8 the government to government issue. I mean it's gone
9 through their process. Just my thoughts.

10
11 Thank you, Mr. Chair.

12
13 CHAIRMAN BANGS: Good point, Mr.
14 Howard. I, for one, am in agreement with Mr. Yeager.
15 Not knowing exactly where it is or what it is, I feel
16 uncomfortable about making a decision. I agree with
17 you though that that's a good sign that there's a large
18 interest in protecting those waters. If there's no
19 timeline or due date, we have time to look into it
20 further and make a more informed decision.

21
22 Patty.

23
24 MR. SENSMEIER: Mr. Chairman.

25
26 CHAIRMAN BANGS: Wait. Patty.

27
28 MR. SENSMEIER: Oh, I'm sorry.

29
30 MS. PHILLIPS: Thank you, Mr. Chair. I
31 wanted to make sure that you find out that there will
32 be no impacts to subsistence uses in that area.

33
34 Thank you.

35
36 CHAIRMAN BANGS: Thank you, Patty.
37 Ray.

38
39 MR. SENSMEIER: Mr. Chair. Yeah, it
40 won't affect anything that's going on now or that we've
41 done in the past. Building of cabins for subsistence
42 or fisheries purposes. There's a thin strip along the
43 ocean that four-wheelers use and that would be allowed
44 as well. Boats with motors on the Alsek would be
45 allowed. It's just the Forelands are really
46 unaccessible. Down toward the southern toward the
47 Alsek it's not only used by the local people it's used
48 by hunters, it's used by sport fishermen. They come by
49 the thousands over the years and it's available to them
50 and the birdwatchers all over the world come there.

1 There's over 200 bird species there and the largest
2 Arctic Tern colony in the world and we'd like to
3 protect that.

4
5 CHAIRMAN BANGS: Thank you. What's the
6 will of the Council. Any more discussion or ideas on
7 how to proceed.

8
9 Mr. Jackson.

10
11 MR. JACKSON: Mr. Chair. It would be
12 really nice to get maps at least to locate the area and
13 maybe we should start doing this for any proposals that
14 somebody brings to us to at least show us the area
15 they're talking about because a lot of us don't -- I
16 mean I know we can pull them up on GPS and everything,
17 but it would be nice if that was on record for the
18 Council

19
20 Thank you.

21
22 CHAIRMAN BANGS: Thank you, Ken. I'm
23 getting the feeling that we're leaning towards tabling
24 this until we get more information.

25
26 Steve.

27
28 MR. REIFENSTUHL: I agree we that.
29 I've been trying to search here for maps. I can't find
30 anything online. I can find Tier III designation and
31 restrictions in general, but not specifics. So I agree
32 we should table.

33
34 CHAIRMAN BANGS: Okay with the rest of
35 the Council. We should just -- oh, Harvey.

36
37 MR. KITKA: Thank you, Mr. Chair. I
38 really would like to see what this Tier III means. I'm
39 reluctant to go to a point where it closes something
40 off completely for any future things that deals with
41 our children or our grandchildren somewhere down the
42 line. I know sometimes some of the things go into
43 almost an Act of Congress and then it might take 25 to
44 50 years to get back to where we have need of it. So
45 I'm just curious what Tier III means.

46
47 CHAIRMAN BANGS: Thank you, Harvey. I
48 think it would be better for us to gain more
49 information before we took any action on this. That's
50 my personal opinion.

1 Ray.

2

3 MR. SENSMEIER: Harvey just made a
4 comment and that's one of the reasons that we would
5 like that area to remain pristine for future
6 generations. We always usually think seven generations
7 out and we discussed this in Yakutat and we need to put
8 aside some land for our children and our children's
9 children and that will allow that.

10

11 CHAIRMAN BANGS: Thank you, Ray. So I
12 think the gist of it is I think we're just going to
13 hold off on this action and wait until our next meeting
14 when we have more information. Is everybody in
15 agreement with that?

16

17 (Council nods affirmatively)

18

19 CHAIRMAN BANGS: Okay. I see a lot of
20 nods. So I think we'll proceed on the agenda and come
21 back to this at our next meeting when we have proper
22 information.

23

24 MR. SENSMEIER: Could I make one more
25 comment.

26

27 CHAIRMAN BANGS: Just a second.

28

29 MR. SENSMEIER: Oh, I'm sorry.

30

31 MR. WRIGHT: I'd like to make a motion
32 to table the Yakutat Tlingit Tribe proposal until next
33 meeting.

34

35 MR. REIFENSTUHL: Second.

36

37 CHAIRMAN BANGS: It's been moved and
38 seconded to table the letter from the Yakutat Tribe
39 about the Forelands.

40

41 MR. SENSMEIER: Under discussion. Our
42 fear is that the mining companies in Canada realize
43 what the tribal group is doing, so they're going ahead
44 faster and they're now really going ahead on the Upper
45 Alsek, so time is of the essence. Is there some way I
46 can get this to members of the RAC prior to that time?

47

48 CHAIRMAN BANGS: I would have to refer
49 to Mr. Larson.

50

1 MR. LARSON: Mr. Chair. Certainly, as
2 some of you know that have suffered through many pages
3 of emails that I've sent you, that I'm not above
4 sending you information as I get it. I do have one
5 little process. When you're ready, I'll ask that.

6
7 CHAIRMAN BANGS: We're under
8 discussion. We've got a motion to table this until the
9 next meeting. It's been seconded.

10
11 MR. LARSON: That's my process
12 question. The appropriate parliamentary procedure
13 would be to table a motion. I don't know that we have
14 a motion on the table. So I would guess that it would
15 be more appropriate to ask the Chair to include this
16 item as an agenda item on your fall meeting and ask for
17 unanimous consent of that. That's a more appropriate
18 motion.

19
20 Thank you.

21
22 MR. WRIGHT: Mr. Chair.

23
24 CHAIRMAN BANGS: Mr. Wright.

25
26 MR. WRIGHT: I withdraw motion.

27
28 CHAIRMAN BANGS: Do you withdraw your
29 second?

30
31 MR. REIFENSTUHL: I withdraw.

32
33 CHAIRMAN BANGS: Okay. So what we'll
34 do is we'll put it on the agenda for the next meeting
35 and we'll have an analysis and more information and
36 maps. Okay. So, with that said, I'd like to move on
37 to the next item on our agenda and that's the
38 all-Council letter that we need to endorse and
39 everybody's got a copy of it. I'd entertain any
40 discussion.

41
42 MR. LARSON: Or get a motion.

43
44 CHAIRMAN BANGS: Oh. May I have a
45 motion to accept it. Do we have a motion to accept it.

46
47 MR. HOWARD: Move to accept it.

48
49 CHAIRMAN BANGS: Thank you, Albert. Is
50 there a second.

1 MR. REIFENSTUHL: Second.
2
3 CHAIRMAN BANGS: It's been moved and
4 seconded to adopt the all-Council letter that was given
5 to us that we wrote basically, I think, that was
6 presented to the other Councils. Is there any
7 discussion on the letter.
8
9 MR. LARSON: Information.
10
11 CHAIRMAN BANGS: Yes, Mr. Larson.
12
13 MR. LARSON: The information I have
14 from other Council Coordinators and Council Chairs is
15 that although some of the Councils wished to add
16 information that was specific to their regions, they
17 were all in favor of submitting a joint Council letter.
18 Thank you.
19
20 CHAIRMAN BANGS: Thank you, Mr. Larson.
21 Any discussion.
22
23 (No comments)
24
25 MR. YEAGER: Question.
26
27 CHAIRMAN BANGS: The question has been
28 called for in accepting the all-Council letter to be
29 forwarded. Say aye.
30
31 IN UNISON: Aye.
32
33 CHAIRMAN BANGS: All opposed.
34
35 (No opposing votes)
36
37 CHAIRMAN BANGS: Motion carries. Thank
38 you. Okay. Now we have the annual report. What's the
39 wish of the Council, add to, amend, retract. Anybody
40 have any ideas. Make a motion to accept it.
41
42 MR. LARSON: Would you like me to
43 review it or not?
44
45 CHAIRMAN BANGS: Yes.
46
47 MR. LARSON: Thank you, Mr. Chair. A
48 quick review of previous actions by the Council and
49 direction. Before I get into the specifics of what we
50 had discussed previously, I think it's most appropriate

1 if we have a motion to adopt on the floor and then we
2 can work forward.

3

4 CHAIRMAN BANGS: Cathy. I think we
5 tabled this.

6

7 MS. NEEDHAM: I don't know if we did
8 it, but my question would be we added things to it. I
9 don't know if we actually moved to adopt it the first
10 time and then we added some edits to it during our
11 discussion earlier.

12

13 MR. LARSON: Mr. Chair. I'm not 100
14 percent sure that we have a motion to adopt on the
15 floor. We need a motion to adopt, a second, we'll have
16 a discussion, we'll incorporate and review those items
17 that the Council wished to add to it and then we'll
18 move on to the Park Service issue. That's my
19 suggestion.

20

21 CHAIRMAN BANGS: Does that sound right?

22

23 MS. PHILLIPS: Mr. Chairman.

24

25 CHAIRMAN BANGS: Patty.

26

27 MS. PHILLIPS: Thank you, Chairman
28 Bangs. So we did make a motion to table the Park
29 Service issue, not the annual report. I'm just trying
30 to get clarity here.

31

32 CHAIRMAN BANGS: I thought we tabled
33 the annual report until after such we got more
34 information.

35

36 MS. PHILLIPS: So, Mr. Chair, wouldn't
37 that mean we have to take it off the table?

38

39 CHAIRMAN BANGS: Mr. Larson.

40

41 MR. LARSON: Mr. Chair. My issue is
42 that the start of that conversation I was out of the
43 room, so it's unclear to me whether or not we had a
44 motion to adopt on the table at that time. So if that
45 was the case, and I think that that was the case, that
46 we had a discussion without a motion, then that means
47 that the motion to table was not appropriate as well.
48 So now we need to set the stage again for adopting the
49 annual report and that means a motion to adopt and then
50 we'll have a discussion.

3 Mr. Howard.
4
5 MR. HOWARD: Thank you, Mr. Chairman.
6 I'm putting my percentage on the line here as far as
7 being wrong and right. I remember we went into
8 discussion on this, but we didn't move to adopt it
9 because we went straight into discussion and then it
10 got tabled.
11
12 CHAIRMAN BANGS: Okay. We need a
13 motion then to adopt.
14
15 MR. HOWARD: Yeah, because we needed
16 more information throughout the rest of the agenda.
17
18 CHAIRMAN BANGS: Okay.
19
20 MR. REIFENSTUHL: May I make a motion
21 to adopt the annual report, please.
22
23 CHAIRMAN BANGS: Thank you, Mr.
24 Reifenstuhl.
25
26 MR. YEAGER: Second.
27
28 CHAIRMAN BANGS: We've got a second.
29 It's been moved and seconded to adopt the draft of the
30 annual report. Discussion.
31
32 MR. LARSON: Thank you, Mr. Chair. In
33 previous discussions of the Council on this topic there
34 was a suggestion to amend number one to add the words
35 at least at current levels of funding. There was a
36 suggestion to add a new item and that is to add a
37 subsistence representative to the North Pacific
38 Fisheries Management Council and we would pattern that
39 item after the words that were included in the joint
40 Council letter, amend the C&T to include those words at
41 this time. Then we're to a review of item number four,
42 action on Park Service lands. I believe it was the
43 focus of our thoughts at noon and we allowed ourselves
44 a chance to approve a letter to the Park Service, which
45 was somehow related but not directly related, but it
46 does focus us now on Dry Bay.
47
48 So that's where we are.
49
50 Thank you.

1 CHAIRMAN BANGS: Thank you, Mr. Larson.

2

3 Cathy.

4

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

6 With respect to Dry Bay, it was brought to my attention
7 when we were on a break while I was chairing the
8 meeting this morning that we could ask Mr. Clarence
9 Summers or Mr. Jim Capra to come back up to the table
10 and specifically ask them address this matter directly
11 with the Superintendent of the National Park Service.
12 If that Superintendent has the authority to make the
13 decision to do what we're asking to do if we support
14 the gentlemen that have come to us with the issue about
15 the cabin use.

16

17 So what we would need to do is
18 basically ask them to do that and then the
19 Superintendent would come to our meeting -- it's a new
20 Superintendent and he hasn't been aware of this issue
21 yet, but he could potentially come to our next meeting
22 and then after we talk to him about our concerns that
23 we've heard through this venue, that the whole matter
24 could be potentially taken care of through that route.

25

26 So I would like to ask Mr. Capra to
27 come up and do that and then we could -- to close out
28 that item in our annual report, we can say that this is
29 the process that we've taken to address it directly.

30

31 CHAIRMAN BANGS: Thank you, Cathy.

32

33 Could Mr. Capra come up and address
34 questions.

35

36 MR. CAPRA: Mr. Chairman. Members of
37 the Council. Jim Capra with the National Park Service.
38 I was made aware of this option over lunch too and I've
39 checked with our Park Superintendent Philip Hooge. He
40 is the Superintendent of Glacier Bay, not the entire
41 Park Service. I don't think he'd claim that.

42

43 (Laughter)

44

45 MR. CAPRA: He has been there about two
46 years now too. I contacted Mr. Hooge and he said
47 currently his schedule is open in October. I know
48 there may be some change in the dates, but he would be
49 happy to address the Council on this. He is the
50 signing authority for the cabin permits and the

1 Superintendent is given a fair bit of discretion. Not
2 complete, but a fair bit under our regulations.

3

4 CHAIRMAN BANGS: Thank you, Jim.

5

6 Mr. Howard.

7

8 MR. HOWARD: Thank you, Mr. Chair.

9 I've always prided myself on not killing the messenger,
10 so I just thought I'd pass that on to you.

11

12 (Laughter)

13

14 MR. HOWARD: Mr. Chairman, that's a
15 great idea, but this is what went through my mind when
16 I was listening to it, is Park Service Superintendent's
17 change from time to time and then they come in and
18 interpret this law their way again and then I could see
19 us back sitting here doing this again. So I think we
20 just need to give the gentlemen here and the future
21 Park Service Superintendents clear language in the law
22 they've created for them that it explains it's okay for
23 them to use their cabins however they wish according to
24 ANILCA.

25

26 That's my thoughts, Mr. Chairman.

27

28 CHAIRMAN BANGS: Thank you, Albert.

29 Any other discussion.

30

31 Patty.

32

33 MS. PHILLIPS: Thank you, Chairman
34 Bangs. What I understand and what I would like passed
35 on to the Superintendent is that the RAC has been asked
36 by Federally qualified users to recognize their long-
37 term pattern of use in Glacier Bay Preserve, the use of
38 their cabins for subsistence hunting and fishing. The
39 permit issuance regulations that were provided to the
40 RAC could be more liberally interpreted by the
41 Superintendent of Glacier Bay National Park and he has
42 discretionary authority to grant cabin use, fish camp
43 or the commercial fish camps be allowed for subsistence
44 use. So could you share that with him or if that's
45 appropriate, Mr. Chair. That's the issue as I see it.

46

47 Thank you.

48

49 CHAIRMAN BANGS: Thank you, Patty. Any
50 other -- John and then Don.

1 MR. YEAGER: Thank you, Mr. Chair. I
2 think it's great that he has an open schedule in
3 October, but I do feel that until then I think there
4 should be some sort of action, if we support this,
5 taken now. Whether it's support of this letter or we
6 draft another simple letter stating that we are well
7 aware of -- and I like Patty's verbiage there. I
8 think that would make a great body of a letter. That
9 we are in support of the letter from Mr. Robbins, but I
10 think it would be good to give the Superintendent a
11 heads-up on the direction that we possibly would be
12 going in October and that would get the ball rolling
13 here and not keep it tied up until then.

14
15 CHAIRMAN BANGS: Thank you, John.
16
17 Don.

18
19 MR. HERNANDEZ: Thank you, Mr.
20 Chairman. My thoughts were completely in line with
21 what John and Patty were just saying. I think that we
22 do need to respond in some way to the Superintendent in
23 regards to this issue. I don't think we can tell the
24 Superintendent how to interpret regulation. However, I
25 think we should communicate to the Superintendent if
26 he's going to come before this Council in October that
27 there are certain topics that we would like him to
28 address and those would be what Patty mentioned. I
29 think we would want to hear how he regards the
30 customary and traditional use findings for that Dry Bay
31 area. I think I would also add that we would want to
32 ask him to examine how he feels the subsistence
33 priority is being addressed in this situation. I mean
34 those two things come to mind immediately.

35
36 I think that's what we ought to do. If
37 we're going to invite him, I think we should tell him
38 what we're interested in hearing and where his comments
39 should be directed.

40
41 I think that would be very helpful.

42
43 CHAIRMAN BANGS: Thank you, Don.
44
45 Steve.

46
47 MR. REIFENSTUHL: I agree with those
48 comments. I guess what I would not like to see is the
49 Park Superintendent coming in October and giving a
50 rehash of what we've already heard. What I would like

1 to hear in October if the Council agrees is how we
2 resolve this issue. I think it's fairly clear. We've
3 had a request to try to resolve it and it would be nice
4 to hear how it was resolved.

5
6 Thank you.

7
8 CHAIRMAN BANGS: Thank you, Steve.
9 Albert and then Mr. Schroeder.

10
11 MR. HOWARD: I thought we had the wood
12 boat fixed, but apparently not.

13
14 (Laughter)

15
16 MR. HOWARD: I think you hit it right
17 on the head. What's going to happen is we're just
18 going to hear the same thing we heard from the
19 gentleman sitting in front of us except we're going to
20 hear it from a higher level. I think we need to give
21 them our interpretation of how it should be according
22 to ANILCA and everything that ANILCA implies because it
23 seems like when they put this regulation in place, they
24 totally missed the fact that ANILCA has its own law
25 because it isn't reflected in this regulation.

26
27 When you don't even allow for
28 subsistence use, then you're ignoring the fact that
29 subsistence has priority and at a Federal level. The
30 State can argue this forwards and backwards, but then
31 again the Park Service is Federal. I think it's a good
32 idea to bring the Superintendent to the table. Just
33 for disclosure, his wife is on our regional school
34 board, so I have their number.

35
36 (Laughter)

37
38 CHAIRMAN BANGS: Thank you, Albert.

39
40 Robert.

41
42 MR. SCHROEDER: I think it's great. I
43 basically agree with the other Council members and I
44 think we're moving in the direction of a letter on this
45 issue. I hope that this issue would be resolved
46 amicably and that long-term, consistent patterns of
47 subsistence use, which have occurred in this area by
48 Mr. Robbins and his family as well as others, would be
49 maintained.

50

1 I'm also really worried about -- it's a
2 little bit like the death by 1,000 cuts thing. If
3 there's no action and Mr. Robbins is not allowed to
4 hunt this fall, then that's another year when he can't
5 hunt. Then we stretch that out a little bit. Perhaps
6 he or one of his sons or grandsons would come before us
7 and say, well, you know, we used to hunt there, my
8 grandfather used to hunt there, and I don't think
9 that's the way we like things to go.

10
11 So I'd put some emphasis on action and
12 possibly, since this will be in play, at least as far
13 as the Council is concerned, that we suggest in our
14 letter something like a stay of execution until this is
15 resolved so that perhaps something could be done in the
16 short term so the pattern of use could continue in
17 2016.

18
19 Thank you.

20
21 CHAIRMAN BANGS: Thank you, Mr.
22 Schroeder.

23
24 Anyone else.

25
26 (No comments)

27
28 CHAIRMAN BANGS: So the feeling I get
29 is the Council wants to draft a letter and give the
30 concerns that the Council has and we want to invite the
31 Superintendent or supervisor to our next meeting with
32 the intention of giving them direction and the
33 information we would like to receive, and go forward,
34 but make sure that the letter is included in our annual
35 report to the Federal Board and that our concerns are
36 notified to them. Harvey.

37
38 MR. KITKA: Thank you, Mr. Chair. I
39 really like the idea but I think somewhere along the
40 line we're going to need to start having somebody start
41 a proposal to change the language.

42
43 CHAIRMAN BANGS: Patty.

44
45 MS. PHILLIPS: Mr. Chair. So we have a
46 motion on the floor, right, to accept the annual
47 report. So how are we going to address that part of
48 the cabins in the annual report?

49
50 CHAIRMAN BANGS: Mr. Larson.

1 MR. LARSON: Mr. Chair. It would be my
2 suggestion, and I think the amendments and changes
3 prior to this point are fairly simple and the entire
4 Council agrees with them, that that portion of the
5 changes to the annual report could be incorporated into
6 a motion to amend the annual report as per this
7 discussion. So there could be just one motion and not
8 four or five.

9
10 I would like to be clear that this
11 topic is going to go to the Federal Subsistence Board
12 as well as possibly, after we deal with this issue, an
13 additional letter to the Park Superintendent. If
14 that's your understanding and if there's no other
15 amendments or changes to this topic, I think I could
16 capture it well enough in an annual report. What I
17 would do is encourage amended language, we would amend
18 appropriately, and then I would take under
19 consideration the language that would be developed in a
20 possible letter that might come after this business.
21 So that's my suggestion.

22
23 CHAIRMAN BANGS: Mr. Larson, would it
24 be appropriate to go through all our items with
25 amendments and then make a motion to amend the whole
26 document at once and then go back to the main motion as
27 amended and then pass the annual report?

28
29 MR. LARSON: Yes, Mr. Chair, that seems
30 to be the most straightforward way to do that. If
31 there was a motion on the table to amend, then I would
32 assist you in reviewing those.

33
34 CHAIRMAN BANGS: Thank you. Patty.

35
36 MS. PHILLIPS: Mr. Chair. Move to
37 amend the main motion for the annual report.

38
39 MR. REIFENSTUHL: Second.

40
41 CHAIRMAN BANGS: It's been moved and
42 seconded, but I was going to say one thing. There
43 might be some more amendments that we want to make to
44 the annual report.

45
46 MS. PHILLIPS: Mr. Chair.

47
48 CHAIRMAN BANGS: Yes.

49
50 MS. PHILLIPS: It was my understanding

1 that the Coordinator would read all the amendment
2 language.

3
4 CHAIRMAN BANGS: That's correct, but I
5 wanted to amend another item. So I was just saying I
6 want to make sure we get through all the items and
7 amend them each as we feel, he writes them down and
8 then we make that motion. So I just want to make that
9 clear. Patty.

10
11 MS. PHILLIPS: Mr. Chair. I withdraw
12 my amendment.

13
14 MR. REIFENSTUHL: I withdraw my second.

15
16 CHAIRMAN BANGS: Thank you very much.
17 There's another issue -- if everybody is good with the
18 amendments or the comments that we made on that
19 particular one, I wanted to make sure if you are all
20 comfortable with making an addition to the annual
21 report to reiterate our concern as well as Kodiak is
22 about sea otters. I know it's redundant, but I don't
23 want it to go away. I want to keep on that path of
24 understanding our concerns about how we're going to --
25 they're not managing it and I think we need to keep
26 pushing on the Federal government.

27
28 Patty.

29
30 MS. PHILLIPS: Thank you, Mr. Chairman.
31 Robert, one item you missed was the emphasis -- the C&T
32 group asked for C&T use designations for the region, a
33 list of it or a map of it, so we wanted to emphasize
34 that request for information on C&T use designations
35 under number five.

36
37 CHAIRMAN BANGS: Could you explain
38 that. I think it's confusing.

39
40 MS. PHILLIPS: So the C&T working group
41 has requested a list of what are the C&T use
42 designations in the region, either a list or a map, and
43 we have not gotten that list, so we're emphasizing that
44 request for information on C&T use designations. In
45 previous correspondence from the RAC to somebody.

46
47 CHAIRMAN BANGS: Mr. Larson.

48
49 MR. LARSON: Mr. Chair. I still do not
50 understand. We have a regulation book that has all the

1 C&T designations listed. In the fish book, there's
2 designations for the fisheries. In the wildlife book,
3 there's a designation for all of the -- that joins the
4 areas and the species and the C&Ts together.

5
6 So I don't understand. One more time
7 and I'll be with you.

8
9 MS. PHILLIPS: Mr. Chairman. Like the
10 community of Pelican, I mean what is all our C&T use
11 designations? I mean if you look in this book, it's
12 hard to know what my C&T or the community of Pelican's
13 C&T is.

14
15 MR. LARSON: Mr. Chair. A couple of
16 years ago we actually went through this exercise and
17 had maps drawn up that had C&T use areas for species.
18 It's been four or five years now since we've done that,
19 but I could certainly -- they're actually posted on my
20 wall in my office, so that would be an easy thing to
21 have available for you in October. You don't need to
22 put that before the Board. It's just a file and a
23 table and a map and I've got it for you.

24
25 MS. PHILLIPS: As long as we finally
26 get it.

27
28 CHAIRMAN BANGS: Okay. Anyone else
29 have anything to add to our annual report or edit.

30
31 (No comments)

32
33 CHAIRMAN BANGS: So I guess what we'll
34 do is ask Mr. Larson to read the additions that we put
35 forth and then we can make a motion to amend our annual
36 report with those comments. Mr. Larson.

37
38 MR. LARSON: Mr. Chair. An amended
39 annual report would be the report that's in the book
40 with these following additions and corrections. One
41 would be to amend item number one to say at least at
42 current levels of funding. We would add a section to
43 discuss a subsistence representative on the North
44 Pacific Fisheries Management Council that would be
45 consistent with the language of the joint Council
46 letter. Item number five it would be these words, at
47 this time.

48
49 There would be a review of item number
50 four, the Park Service lands issue in Dry Bay. That
would be consistent with a letter that may or may not

1 be generated later in this meeting. In essence, if
2 there was not a letter, what it would include is that
3 the Council would like to engage the Board in an
4 ongoing issue regarding C&T uses in Dry Bay and how the
5 subsistence priority is being implemented in that
6 Preserve specifically and we would be interested in how
7 this issue is being resolved. If there is additional
8 correspondence to the Park Service, then those concepts
9 would be fleshed out at that point and incorporated
10 into the annual report.

11
12 One other item would be consistent with
13 previous actions of the Council, a discussion of
14 impacts of sea otters and lack of management thereof.

15
16 CHAIRMAN BANGS: Thank you, Mr. Larson.
17 So we have the amended language. I'd entertain a
18 motion to amend our annual report with the amendments
19 that he just read.

20
21 MR. REIFENSTUHL: Motion to adopt the
22 annual report by the list that Mr. Larson just read.

23
24 CHAIRMAN BANGS: Thank you, Steve. Is
25 there a second.

26
27 MR. JACKSON: Second.

28
29 CHAIRMAN BANGS: It's been moved and
30 seconded to amend our annual report with the items that
31 Mr. Larson just read.

32
33 MR. YEAGER: Question.

34
35 CHAIRMAN BANGS: All those in favor say
36 aye.

37
38 IN UNISON: Aye.

39
40 CHAIRMAN BANGS: Opposed.

41
42 (No opposing votes)

43
44 CHAIRMAN BANGS: Motion carries. Now
45 we're back to the main motion on the floor to adopt our
46 annual report as amended. Any discussion.

47
48 CHAIRMAN BANGS: Patty.

49
50 MS. PHILLIPS: I would just request

1 that the Coordinator review the transcripts on the
2 Glacier Bay Park Service land cabin use and be sure
3 some of that language where the Council talked about
4 the issue to include some of that language in the
5 letter to the Board.

6

7 Thank you.

8

9 CHAIRMAN BANGS: Thank you, Patty. So
10 we have the main motion to adopt -- Mr. Douville.

11

12 MR. DOUVILLE: The annual report as
13 amended.

14

15 MS. PHILLIPS: Second.

16

17 CHAIRMAN BANGS: Yeah, it was already
18 -- I think it was already on the floor as move to
19 adopt. So now we have the main motion on the floor to
20 adopt the entire annual report as amended. It's been
21 seconded twice and the question has been called for.
22 All those in favor of adopting our amended annual
23 report please say aye.

24

25 IN UNISON: Aye.

26

27 CHAIRMAN BANGS: Opposed nay.

28

29 (No opposing votes)

30

31 CHAIRMAN BANGS: Motion carries. Thank
32 you. We only have a couple things left here, but one
33 of the things that we need to do before we adjourn is
34 review the Council Charter. It's in the back of your
35 book SE-29.

36

37 Mr. Larson, would you like to address
38 the Council with the review.

39

40 MR. LARSON: Mr. Chair. The Council
41 Charters are in effect for a two-year period, so every
42 two years they are rewritten, which usually means they
43 just change the date at the bottom. There was a few
44 changes a few years ago in some format that was
45 requested by the General Services Administration that
46 operates the FACA itself. This is generally for
47 information items. The authority of the Council to
48 change the Charter is small. You can change your name.

49

50

1 I did want you to be aware that you
2 have a charter that's been approved through the
3 Executive Branch and it's monitored by the General
4 Services Administration. This Charter is part of a
5 larger reporting system that is required by the Federal
6 Advisory Committee Act. There is a database. Any of
7 you are welcome to access the Advisory Committee
8 database. I make sure the database is populated with
9 your information, meeting times, meeting dates, meeting
10 actions, meeting costs, a current roster of
11 representatives and who they represent. This is part
12 of a bigger picture that authorizes you as an Advisory
13 Council to the Federal government. I think that's what
14 I have to say about the Charter.

15
16 Thank you.

17
18 CHAIRMAN BANGS: Thank you, Mr. Larson.
19 There is no action we need to take then. We just
20 needed to review that, is that correct?

21
22 MR. LARSON: I assume you're happy with
23 your name?

24
25 (Laughter)

26
27 CHAIRMAN BANGS: Yeah.

28
29 MR. LARSON: Okay.

30
31 CHAIRMAN BANGS: Okay. So that's done.
32 I guess we're on to choosing our future meeting dates.
33 One thing I would like to point out is what happened is
34 the dates we pick a lot of times we end up getting
35 bumped because there's already two Councils that have
36 picked that time period. We're scheduled for October
37 4th to the 6th in Petersburg this fall. We put in for
38 a later date, but it had already been filled. First we
39 can go over whether those dates are going to work for
40 us, but that's when we're scheduled to go. If you guys
41 still want to do it in Petersburg on October 4th
42 through the 6th. Is that okay, everybody. Cathy.

43
44 MS. NEEDHAM: Mr. Chair. So we had
45 previously worked out dates later in October and then
46 the dates were changed for us. Do we actually have to
47 stick to that week? Are we bound by that just because
48 it was the only opportunity? We weren't notified or
49 consulted on those dates.

50

1 CHAIRMAN BANGS: That would be a
2 question for Mr. Larson.

3
4 MR. LARSON: Mr. Chair. It's the
5 policy of the Office of Subsistence Management that we
6 only have two meetings in a week.
7 That's a logistical concern. We want to make sure the
8 Councils are supported by the appropriate staff and we
9 have the appropriate court reporting services available
10 to us. We also have a concern between the Southeast
11 Council and the Southcentral Council because we share
12 staff between those that we don't want to have those
13 two meetings at the same time.

14
15 When we initially chose these dates --
16 there's also a policy of first come, first serve.
17 Unbeknownst to us at the time of our meeting, there was
18 already a meeting that had been concluded that also
19 chose the same dates that we did. So there was some
20 ex-parte communications to select these dates.

21
22 CHAIRMAN BANGS: Thank you, Mr. Larson.

23
24 MS. NEEDHAM: Mr. Chair.

25
26 CHAIRMAN BANGS: Cathy.

27
28 MS. NEEDHAM: My question was are we
29 bound, do we have to stick to those dates or do we have
30 other options.

31
32 MR. LARSON: As long as you address
33 those two concerns, then you can change your dates.

34
35 CHAIRMAN BANGS: Mr. Jackson.

36
37 MR. JACKSON: I see that some of the
38 RACs only meet for two days. Is it our policy to meet
39 for three? I don't know.

40
41 MR. LARSON: Mr. Chair. There's
42 actually a fair amount of pressure, budgetary pressures
43 for the Councils to meet in two days. It has always
44 been this Council's recommendation and their position
45 that in order for them to do adequate work to address
46 the issues that are before them they need three days.
47 The Office of Subsistence Management has reviewed the
48 work of this Council and it's my impression that as
49 long as this Council uses their time constructively and
50 in a very effective way that we will get three days.

1 But it's not a concern and it's not in the best
2 interest of things like budgets and work like that, but
3 the Council is afforded the three days because they use
4 them constructively.

5
6 CHAIRMAN BANGS: Thank you, Mr. Larson.
7 I would like to mention one thing that I've been
8 thinking about since this has happened more than one
9 time. I think that I would like to put our choosing of
10 the meeting dates earlier in our agenda so that the
11 week that we're meeting with another Council and
12 there's an open place that we would like to meet that
13 maybe we would get that spot before they would.

14
15 (Laughter)

16
17 MS. NEEDHAM: Mr. Chair. I would
18 support that. I also think it would be nice if we
19 could ask OSM if we've already been bumped twice that
20 we not get bumped a third time. Bump the other
21 Council. But I know when we originally picked dates at
22 our last meeting we pushed it towards the end of the
23 window that was open for having meetings because of
24 people's really busy schedules as well as their
25 subsistence harvesting schedules, moose season. So I
26 think it would be prudent for us to make sure that we
27 would actually have a quorum if we had to stick with
28 the April 4th or if we need to look at changing it to
29 earlier if we have some other options of dates to look
30 at.

31
32 CHAIRMAN BANGS: I understand. I
33 personally think that the earlier you go the more
34 people are going to be absent. That's just my feeling.
35 How does the rest of the Council feel? Does that work
36 for everyone or most people?

37
38 Mr. Douville.

39
40 MR. DOUVILLE: Thank you, Mr. Chair.
41 I've been here since 2000 and we always get to choose
42 last. October is better for me, but I'll work with it.

43
44 CHAIRMAN BANGS: Any other discussion.
45 Those dates work for the most of us?

46
47 Patty.

48
49 MS. PHILLIP: When is election day?
50 The first Tuesday or the second Tuesday?

1 CHAIRMAN BANGS: It's in November.
2
3 MS. PHILLIPS: No, local.
4
5 CHAIRMAN BANGS: Vote absentee.
6
7 (Laughter)
8
9 MS. PHILLIPS: My term expires.
10
11 CHAIRMAN BANGS: I'm not sure when your
12 election is, but that's something to consider. We need
13 you here if we could. I think the local elections are
14 usually around that week, the first Tuesday in the
15 month. So that would be the first day of our meeting.
16
17 John.
18
19 MR. YEAGER: Thank you, Mr. Chair. The
20 dates work fine for me personally and we would be able
21 to keep it in Petersburg?
22
23 CHAIRMAN BANGS: It's up to the
24 Council.
25
26 MR. YEAGER: I recommend Petersburg.
27
28 CHAIRMAN BANGS: Okay. I guess what we
29 would do is entertain a motion to accept those dates as
30 our meeting date and carry on.
31
32 MS. PHILLIPS: Mr. Chair. Move to
33 select the week of October 4th for the Southeast RAC
34 meeting for the dates of October 4th, 5th and 6th in
35 Petersburg.
36
37 CHAIRMAN BANGS: Not hearing a second.
38
39 MR. YEAGER: Second.
40
41 CHAIRMAN BANGS: Okay, it's been move
42 and seconded for the next meeting of the fall October
43 4th, 5th and 6th in Petersburg. All those in favor.
44
45 IN UNISON: Aye.
46
47 CHAIRMAN BANGS: All those opposed.
48
49 (No opposing votes)
50

1 CHAIRMAN BANGS: Motion carries. Mr.
2 Larson, is there any other issues we need to address.

3
4 MR. LARSON: Yes, Mr. Chair. We have a
5 winter 2017 meeting calendar. If you look on Page 236,
6 you'll see a calendar that is mostly empty in your
7 book. However, I have late-breaking news. All the
8 other Councils have already selected their dates.

9
10 (Laughter)

11
12 MR. LARSON: It's really not like this
13 Council to be in this position. But if you would like
14 to reference your calendar. So the North Slope is
15 February 8th and 9th, Eastern Interior is February 7th
16 and 8th. That next week Yukon Delta is 15th and 16th
17 of February. Southcentral is 14th and 15th. The next
18 week, February 21 and 22 is Western Interior, 22 and 23
19 is the Kodiak/Aleutians. February 28th and March 1st
20 is Bristol Bay. March 1st and 2nd is Northwest Arctic.
21 March 6th and 7th is Seward Pen and that is all the
22 Councils except for ours.

23
24 CHAIRMAN BANGS: So what's the will of
25 the Council. Where would you like to have the meeting.
26 I guess our options are March 6th. Any discussion of
27 where and when. Patty.

28
29 MS. PHILLIPS: How about Sitka? No?

30
31 CHAIRMAN BANGS: Cathy.

32
33 MS. NEEDHAM: Mr. Chair. We haven't
34 been to Prince of Wales for a while and it seems like
35 we could actually get there relatively easily and there
36 are a number of communities on Prince of Wales that we
37 would serve in a meeting.

38
39 CHAIRMAN BANGS: Thank you, Cathy. Any
40 other ideas, places.

41
42 Mr. Larson.

43
44 MR. LARSON: Mr. Chair. I would like
45 to remind the Council that we have weather
46 considerations this year that are much different than
47 we normally have for a winter meeting. Often times the
48 first week in March, which sounds like that you are
49 talking about, they're more difficult to get around
50 than they are this year or last year even. I know in

1 previous years they've tried to have the winter meeting
2 in either Ketchikan, Sitka or Juneau, but that's not to
3 say that going to another community isn't possible, but
4 there is that consideration.

5
6 Thank you.

7
8 CHAIRMAN BANGS: Cathy.

9
10 MS. NEEDHAM: Mr. Chair. With that
11 into consideration, I think Prince of Wales is still an
12 option because they have a reliable consistent ferry
13 service every day out of a hub community like
14 Ketchikan. By going to Prince of Wales we would be
15 offering the opportunity to hear from Federally
16 qualified subsistence users from approximately 12
17 communities in our region. Not all of them are on the
18 road system, but there are 12 communities on Prince of
19 Wales.

20
21 CHAIRMAN BANGS: I know we talked about
22 this before when we had difficulties in the wintertime
23 going to areas like that and the ferry system is a good
24 effective way, but deer season is next fall on Prince
25 of Wales. There's no deer hunting in February or
26 March.

27
28 (Laughter)

29
30 MS. NEEDHAM: Steelhead.

31
32 CHAIRMAN BANGS: Albert.

33
34 MR. HOWARD: This time last year Angoon
35 thought we had a ferry that was pretty reliable. Now
36 it isn't.

37
38 CHAIRMAN BANGS: Mr. Larson is going to
39 look up the policy that they have. Harvey.

40
41 MR. KITKA: One consideration. Usually
42 that first week of March is when Southeast tournament
43 takes place. Just curious as to where that's going to
44 be. If you schedule it toward the end of March, then
45 you fall into St. Patty's Day someplace.

46
47 CHAIRMAN BANGS: Another consideration
48 is we don't know when the Federal Board is going to
49 meet. Usually they have a winter meeting as well.

50

1 MR. LARSON: It's going to be the end
2 of January.
3
4 CHAIRMAN BANGS: Okay, that clears that
5 up, it's the end of January. Did you have a list,
6 Robert, or a policy?
7
8 MR. LARSON: Mr. Chair. As this
9 meeting has moved through, my computer is becoming more
10 difficult to deal with and it says I don't have
11 permission anymore to open it.
12
13 (Laughter)
14
15 MR. LARSON: This is my suggestion. My
16 recollection is that Craig and Klawock are not listed
17 as a hub community, which you have a default permission
18 to have your meetings in. What that means is that you
19 would need to provide a preference as for Craig or
20 Klawock or any non-hub community, but provide me with
21 an alternate. What I'm going to have to do is go back
22 through and do a cost analysis to provide for the
23 Office of Subsistence Management and then they will
24 decide whether or not those additional costs are
25 something they want to absorb.
26
27 If you would like to go to Craig,
28 that's all good and well, but I would appreciate a
29 fall-back position so we don't have to have this six
30 months in limbo before the next Council meeting to have
31 a venue already selected.
32
33 Thank you.
34
35 CHAIRMAN BANGS: Thank you, Mr. Larson.
36 So we have Craig and we can fall back on Sitka or vice
37 versa. I guess it depends on the funding and available
38 place.
39
40 What does the Council wish.
41
42 MR. WRIGHT: Saxman.
43
44 MR. SENSMEIER: Mr. Chairman, what
45 month are you.....
46
47 CHAIRMAN BANGS: Just a minute. You
48 wanted to provide a.....
49
50 MR. WRIGHT: Suggest Saxman.

1 CHAIRMAN BANGS: Saxman. We haven't
2 been there in years.
3
4 MR. SENSMEIER: I was just wondering
5 what month you're thinking of.
6
7 CHAIRMAN BANGS: We're looking at the
8 first week in March. Mr. Larson.
9
10 MR. LARSON: Mr. Chair. One of the
11 discussion points that was brought forward in previous
12 meetings when we were at this point in the process was
13 how to incorporate the town of Metlakatla into our
14 process. When we are meeting in Ketchikan or Saxman,
15 that we take an opportunity to engage the town of
16 Metlakatla in this. We could actually have a day
17 meeting in Metlakatla. They have a ferry system that
18 accommodates that. So that's something to think about
19 and something that was mentioned in previous meetings.
20
21 Thank you.
22
23 CHAIRMAN BANGS: Thank you, Mr. Larson.
24 Mr. Reifentstuh.
25 MR. REIFENSTUHL: How late in March can
26 we meet? Is it open beyond the first week or not?
27
28 CHAIRMAN BANGS: The window closes on
29 the 17th.
30
31 MR. REIFENSTUHL: Okay. Because that
32 week of the 6th I definitely can't be there.
33
34 CHAIRMAN BANGS: Patty.
35
36 MS. PHILLIPS: How about the week of
37 14th?
38
39 CHAIRMAN BANGS: Does that work for
40 everyone?
41
42 MR. HERNANDEZ: It works for me.
43
44 CHAIRMAN BANGS: Well, maybe we should
45 entertain that week and then we just have to figure out
46 -- maybe the weather would be better. We have three
47 different places on the table right now. We have
48 Sitka, Craig and Saxman. Any more ideas which would be
49 better.
50

1 Ken.
2
3 MR. JACKSON: Mr. Chairman. Ketchikan.
4
5 CHAIRMAN BANGS: We've held a meeting
6 in Saxman before and they have a place for us to meet
7 and then we were transported back to Ketchikan for our
8 housing and food, so that's definitely a possibility
9 and it's a hub community. We haven't been there in
10 several years.
11
12 Discussion. Don.
13
14 MR. HERNANDEZ: Mr. Chairman. I'd like
15 to propose we meet in Saxman.
16
17 CHAIRMAN BANGS: Anyone else. Albert.
18
19 MR. HOWARD: I agree with that since
20 they've just been designated rural and it's important I
21 have food, Mr. Chairman.
22
23 (Laughter)
24
25 CHAIRMAN BANGS: Thank you, Albert.
26 Well, we could put that down. This isn't cast in
27 stone, but it would be good to have an itinerary and
28 let the staff work on setting up arrangements for
29 Saxman if that's amiable to the Council. That would be
30 March 14th, 15th and 16th. Is that going to be a
31 problem for traveling on the day the window closes?
32
33 MR. LARSON: Mr. Chairman. It's not a
34 problem traveling on the day the window closes. I know
35 in several school districts the week of March 13th is
36 taken as spring break. I don't know what kind of
37 consideration that is. I would be in communications
38 with the Council prior to approving this time so we can
39 make sure we all understand exactly what we're agreeing
40 to here.
41
42 CHAIRMAN BANGS: So we could use March
43 14th, 15th, 16th as our dates to meet in Saxman with a
44 fallback of March 7th, 8th and 9th if it doesn't work
45 out. Is that acceptable?
46
47 (Council nods affirmatively)
48
49 CHAIRMAN BANGS: I would entertain a
50 motion to accept those tentative dates with a fall back

1 and the meeting place is Saxman.

2

3 MR. HOWARD: So moved, Mr. Chairman.

4

5 MS. PHILLIPS: Second.

6

7 CHAIRMAN BANGS: It's been moved and
8 seconded to have our meeting in Saxman March 14th, 15th
9 and 16th with the fallback days of March 7th, 8th and
10 9th. All those in favor.

11

12 IN UNISON: Aye.

13

14 CHAIRMAN BANGS: Opposed.

15

16 (No opposing votes)

17

18 CHAIRMAN BANGS: Motion carries.
19 There's something that I thought about. I don't know
20 if the Council is interested in this. I think we're
21 done with the agenda. Don.

22

23 MR. HERNANDEZ: Thank you, Mr.
24 Chairman. I did want to bring a proposed letter before
25 the Council before we adjourn if that would be okay.

26

27 CHAIRMAN BANGS: Sure.

28

29 MR. HERNANDEZ: I do that now?

30

31 CHAIRMAN BANGS: I think you could read
32 it and see. I don't know if we can take any action on
33 it because it wasn't on the agenda.

34

35 MR. HERNANDEZ: I know. It concerns a
36 topic that I brought up in my opening comments on
37 community concerns. I do apologize. I had hoped to be
38 able to type it in and have some copies made, but
39 Robert's been having some kind of computer problems
40 there. I had it written up, but I guess all I can do
41 is read it into the record and ask if the Council would
42 want to approve such a letter to be sent.

43

44 As I said, one of the topics that I
45 brought up in my opening comments was the Forest
46 Service's carrying out of Section 810 of ANILCA
47 subsistence hearings in regard to the Tongass Land
48 Management Plan. Since we've been at the meeting, I
49 guess I found out more information that I didn't know
50 at the start of the meeting, so it kind of prompted me

1 to want to write this letter. I would ask the Council
2 if they would want to approve such a letter.

3
4 This would be addressed to Beth
5 Pendleton, the Regional Forester Supervisor. I would
6 ask our Coordinator if the letter is approved to maybe
7 add the introductory language, but the gist of the
8 letter would be the Southeast Regional Advisory Council
9 met in Anchorage on March 10th and 11th, 2016. One of
10 the functions of the RAC is to serve as a forum to hear
11 any concerns related to subsistence uses by rural
12 residents of Alaska.

13
14 At our March meeting, we heard concerns
15 about the U.S. Forest Service compliance with Section
16 810 of ANILCA which requires that hearings be held to
17 take testimony from subsistence users affected by
18 proposed management plans as part of the National
19 Environmental Policy Act process of preparing an EIS.
20 The U.S. Forest Service held Section 810 hearings this
21 winter on the Tongass Land Management Plan revision.

22
23 The Southeast Regional Advisory Council
24 is concerned that many rural residents were not given
25 an opportunity to testify due to the failure of the
26 Forest Service to hold hearings in some of the most
27 subsistence-dependent communities in Southeast Alaska.
28
29 Can you please respond to this letter by giving the
30 Southeast Regional Advisory Council an explanation of
31 how the Forest Service interprets its responsibility to
32 hold Section 810 hearings in the vicinity of proposed
33 activity which affects subsistence users.

34
35 Like I say, the new information that I
36 heard during the Council meeting, which I didn't really
37 know when I came in is Terry Suminski told us that they
38 did hold such hearings and apparently they held six
39 hearings and two of those hearings were held in
40 Ketchikan and Juneau, which are non-subsistence
41 communities, which does afford the opportunity for
42 subsistence people to travel to those communities, but
43 they were held in January and travel is kind of
44 difficult for a lot of people in remote areas that time
45 of year.

46
47 So I'd just kind of point out to the
48 Council that communities such as Haines, Gustavus,
49 Pelican, Kake, Angoon, Point Baker, Port Protection,
50 Port Alexander, Edna Bay, Meyers Chuck, Metlakatla may

1 have all had difficulties having that opportunity to
2 testify.

3
4 What I'm asking here is just for the
5 Regional Forester to give the Council maybe a little
6 explanation of how they intend to carry out that
7 mandate of Section 810 in the future.

8
9 CHAIRMAN BANGS: Thank you, Donald.

10
11 Mr. Larson.

12
13 MR. LARSON: Thank you, Mr. Chair. I
14 don't want to speak to the issue, but I would like to
15 speak to the accuracy of Don's comments. I do not know
16 all the places that there were hearings, but I do know
17 that there was a hearing in Kake.

18
19 Thank you.

20
21 CHAIRMAN BANGS: Don.

22
23 MR. HERNANDEZ: I stand corrected.
24 Terry did mention that this morning.

25
26 CHAIRMAN BANGS: I know they held
27 hearings in Wrangell and Petersburg as well, but I
28 don't know of any other ones but Juneau and Kake and
29 Ketchikan. What's the will of the Council. Would we
30 entertain accepting that letter and having it sent to
31 the Regional Forest Supervisor.

32
33 Albert.

34
35 MR. HOWARD: Mr. Chair. Move to accept
36 the letter.

37
38 CHAIRMAN BANGS: Is there a second.

39
40 MR. DOUVILLE: I'll second and I have a
41 question. Don't we have to ask permission before we
42 send letters.

43
44 CHAIRMAN BANGS: I think we can send
45 letters, but they just have to go through the channels,
46 OSM. I believe that's protocol, isn't that right?

47
48 MR. LARSON: Mr. Chair. If we're
49 talking about process and policy, we need to back up a
50 little bit. I didn't interrupt you when we started

1 down this road because it appeared that it was the will
2 of the Council to move forward with a non-agenda item.
3 The most honest way and correct way to move forward
4 would be to ask that the rules be suspended. We don't
5 have an agenda item to take this up as an additional
6 topic. Then the Council would agree to hear the topic.
7 There would be a motion, which was made. Now we're
8 into the discussion.

9
10 There's no difference in a letter to an
11 agency head than there would be to the Park Service
12 letter that we discussed previously. There's a
13 correspondence policy that will provide a leadership
14 team review by the Office of Subsistence Management to
15 make sure there's not a fatal flaw in anything that was
16 said. At that point there's also a file code that's
17 attached to the letter. At that point we have
18 permission to send. There's nothing special about a
19 letter going to the Forest Service versus the Park
20 Service versus the Fish and Wildlife Service versus the
21 State of Alaska. They all go through this review
22 process to make sure that we're not saying something
23 that's inappropriate in some way.

24
25 Thank you.

26
27 CHAIRMAN BANGS: Thank you for
28 clarifying that.

29
30 Mr. Hernandez.

31
32 MR. HERNANDEZ: Thank you, Robert. I
33 fully intended to have the letter pass through the
34 protocols. I assumed would go to OSM. I would just
35 request that eventually the letter get forwarded to the
36 Regional Supervisor.

37
38 CHAIRMAN BANGS: Thank you, Donald.

39
40 Yes, Albert.

41
42 MR. HOWARD: Mr. Chairman. The agenda
43 was approved as a guide, so I'm not sure.....

44
45 CHAIRMAN BANGS: It's the will of the
46 Council. Patty.

47
48 MS. PHILLIPS: Mr. Chairman. If I
49 understand our Coordinator correctly, I move to suspend
50 the rules to add the letter Section 810 hearings on the

1 Forest Plan Amendment to the agenda.

2

3 CHAIRMAN BANGS: Thank you, Patty, but
4 I think we have a motion on the floor already.

5

6 MS. PHILLIPS: We do?

7

8 CHAIRMAN BANGS: Yes. We have a motion
9 to accept the letter and a second. So we'd have to
10 back up in order to do that or table that and then you
11 make your motion. What's the will of the Council.

12

13 MS. PHILLIPS: Mr. Chair. I withdraw
14 my motion.

15

16 MR. LARSON: Mr. Chair. Albert was
17 exactly right. I alluded to that earlier. The agenda
18 was adopted as a guide. It was the will of the Council
19 clearly to have a discussion on the agenda topic that
20 Don Hernandez wanted to bring up. That was verified by
21 the motion to send a letter. Now we're into discussion
22 stages of that. So the motion to suspend the rules I
23 think is the most appropriate, of course, but I don't
24 think in this case it's necessary.

25

26 Thank you.

27

28 CHAIRMAN BANGS: It seemed the intent
29 of the Council. So we have a motion on the floor to
30 send the letter that Donald has written and it was
31 seconded by Mr. Douville.

32

33 Any discussion about the letter.

34

35 MR. DOUVILLE: Question.

36

37 CHAIRMAN BANGS: The question has been
38 called for to send the letter to the Forest Supervisor.
39 All those in favor.

40

41 IN UNISON: Aye.

42

43 CHAIRMAN BANGS: Opposed.

44

45 (No opposing votes)

46

47 CHAIRMAN BANGS: Motion carries. Thank
48 you. Okay. So now we're down to -- does anybody have
49 any closing comments that they would like to share.

50

1 Mr. Howard.
2
3 MR. HOWARD: Just real quick, Mr.
4 Chairman. Board Member Phillips and Mr. Jackson
5 alluded to this when he talked about Alecks Lake and
6 she was concerned about figuring out why fish are no
7 longer showing up at the river systems. It's just a
8 thought. It seems like we're studying the resource and
9 not the people. I think that's something for future
10 conference.
11
12 Thank you, Mr. Chair.
13
14 CHAIRMAN BANGS: Thank you, Mr. Howard.
15 That's a very good point. Anyone else have any
16 comments before we adjourn.
17
18 (No comments)
19
20 CHAIRMAN BANGS: Seeing none. I would
21 entertain a motion to adjourn.
22
23 MR. DOUVILLE: Move to adjourn.
24
25 MS. PHILLIPS: Second.
26
27 MR. WRIGHT: Second.
28
29 CHAIRMAN BANGS: It's been seconded
30 twice. All those in favor say aye.
31
32 IN UNISON: Aye.
33
34 CHAIRMAN BANGS: Motion carries. Thank
35 you.
36
37 (Off record)
38
39 (END OF PROCEEDINGS)

