

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING
3
4 PUBLIC MEETING
5
6 VOLUME II
7
8 Kake, Alaska
9 February 28, 2007
10 9:00 o'clock a.m.
11
12
13 COUNCIL MEMBERS PRESENT:
14
15 Bertrand Adams, Chairman
16 Michael Bangs
17 Nicholas Davis
18 Michael Douville
19 Merle Hawkins
20 Donald Hernandez
21 Joe Hotch
22 Harvey Kitka
23 Floyd Kookesh
24 Patricia Phillips
25 Richard Stokes
26 Lee Wallace
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30 Regional Council Coordinator, Robert Schroeder
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44 Recorded and transcribed by:
45
46 Computer Matrix Court Reporters, LLC
47 700 W. Second Avenue
48 Anchorage, AK 99501
49 907-243-0668
50 jpk@gci.net/sahile@gci.net

1 P R O C E E D I N G S
2
3 (Kake, Alaska - 02/28/2007)
4
5 (On record)
6
7 CHAIRMAN ADAMS: Everyone please take
8 their seats. I'll give you a minute and we'll get
9 started.
10
11 (Pause)
12
13 CHAIRMAN ADAMS: Okay. Everyone please
14 take their seats. We want to get started here. Cal, do
15 we have our State people on line?
16
17 MR. CASIPIT: Yes, they're here,
18 available and ready to go.
19
20 CHAIRMAN ADAMS: Okay. The same
21 people, Larry and Doug?
22
23 MR. CASIPIT: Yes, sir.
24
25 CHAIRMAN ADAMS: Thank you. We'll go
26 ahead and call this meeting back to order.
27
28 Let me see. We want to thank, you
29 know, the Salvation Army people for allowing us to come
30 up here and hold the rest of our meetings, and we
31 really appreciate that. Would you do us a favor, would
32 you give an opening prayer for us if you would?
33
34 CAPTAIN SMITH: I would be glad to.
35
36 (OPENING PRAYER)
37
38 CHAIRMAN ADAMS: Thank you. Okay.
39
40 Dr. Schroeder, I'd like for you just to
41 take a minute or two and review what we've done so far
42 and where we're at, if you would. Thank you.
43
44 DR. SCHROEDER: Mr. Chairman. We're in
45 the process of going through proposals, and yesterday
46 we did the statewide proposals. Tom Kron covered
47 those. And we had dealt Proposal 07-06 extending deer
48 harvest through December 31st, and the Council took
49 action on that. We're at the point of dealing with
50 Proposal 07-07 which concerns the doe hunt on Prince of

1 Wales Island.

2

3 Just by way of introduction, I think
4 we're in pretty good shape on our agenda. We will be
5 leaving tomorrow to catch the ferry. We'll have to
6 check the exact time, but we may need to close up at
7 3:00 or 3:30 depending on the ferry timing. So I'll be
8 looking at the agenda today and trying to see what will
9 fit in, and there's a chance that we may need to meet a
10 little bit longer today than yesterday, just to make
11 sure we have adequate time to cover our items. Mr.
12 Chairman.

13

14 CHAIRMAN ADAMS: Thank you, Dr.
15 Schroeder. And I'll try to push the agenda along today
16 so that we don't have to put too much strain on our
17 evening activities.

18

19 But anyhow we're on Proposal No. 07,
20 carrying on. Larry, are you going to do that for us?
21 Thank you. Larry, for the sake of the recorder would
22 you please just identify yourself, you know.

23

24 MR. DICKERSON: Thank you, Mr.
25 Chairman. My name is Larry Dickerson. I'm a wildlife
26 biologist for the Forest Service. I reside in Craig.

27

28 Well, today Proposal WP07-07 was
29 submitted by the Klawock Cooperative Association, and
30 they requested the elimination of the Unit 2 antlerless
31 deer harvest or to allow harvest of antlerless deer
32 every other year.

33

34 And for the Council, to bring you up to
35 date, similar proposals to eliminate the harvest of
36 antlerless deer have been before the Council in the
37 year of 2000, 2002 and 2004. On each of these
38 occasions, with the analysis and the determination
39 before the Council, it was believed that there was no
40 conservation concerns for the limited amount of deer
41 hunting, antlerless deer hunting in Unit 2.

42

43 And for the Council's background, on
44 November the 6th I got on the Klawock Cooperative
45 Association's agenda. And what I did was I wanted them
46 to review my written summary of their proposal to make
47 sure that we had captured what they were asking in
48 regard to this antlerless proposal. So they agreed
49 that we had. And second of all, they had a unanimous
50 vote that their intention was to eliminate antlerless

1 deer hunting over having antlerless deer hunting every
2 other year. So I think that was pretty important to
3 capture what they were asking before we started putting
4 it in writing and analyzing it.

5
6 And so what I would like to do is
7 basically recap the Federal regulations. The existing
8 Federal regulations for Unit 2 currently allow the
9 harvest of five deer, of which only one can be
10 antlerless. This proposal with the proposal to the
11 Federal regulations, would still allow the harvest of
12 five deer; however, all would be antlered, and there
13 would be no harvest of antlerless deer. And the
14 existing State regulations allow currently the harvest
15 of four antlered deer.

16
17 And for the Council, a quick review of
18 the regulatory history. It is important to recognize
19 that a limited antlerless harvest has existed in Unit 2
20 since 1955 in most years. Therefore antlerless harvest
21 has been well established in Unit 2 when the deer
22 population levels are considered stable.

23
24 So now I'd just like to quickly review
25 the science and the local knowledge. This analysis
26 basically reviewed the existing data and methodology
27 for collecting deer population data and herd
28 composition, which is really hard to get in Unit 2,
29 because of the heavy vegetative cover. Therefore, the
30 two methodologies used or what is used right now is
31 pellet count trend survey information, hunter harvest
32 surveys, and local knowledge. These are the best three
33 factors that we have to provide us useful management
34 information.

35
36 Last week I met with Boyd Porter who is
37 the ADF&G wildlife biologist in Ketchikan. And for
38 everyone's information, at this time Boyd believes the
39 Unit 2 deer population is at 10 to 15 year highs.

40
41 I also talked and met with Ken Persons
42 and Boyd regarding Unit 2 deer. And both of those
43 biologists in Ketchikan believe that predation from
44 wolves and black bears is the one element that is
45 keeping Unit 2 deer below carrying capacity.

46
47 Still, as far as local knowledge with
48 this, I think it's important. You'll notice in the
49 analysis that Todd Brinkman did a 2005 study where he
50 did 88 face-to-face interviews with residents that hunt

1 in -- I should say subsistence hunters in Unit 2.
2 Those people had an average of 19 years of hunting deer
3 in Unit 2. And what he found was -- he interviewed 20
4 people from the Ketchikan area and 68 more from Prince
5 of Wales. What he found was that 49 percent, almost 50
6 percent of those people believe that it takes the same
7 unit effort, time hunting, to take deer now as it did
8 five years ago. 14 percent of those local hunters that
9 use that felt that it take less time now to get deer in
10 Unit 2 than it did five years ago. So that means about
11 65 percent of the experienced subsistence hunters in
12 Unit 2 are satisfied or feel things are getting a
13 little better. Now, there were 35 percent of those
14 hunters, 35, 36 interviewed that felt that it takes
15 more time and effort to harvest deer.

16
17 So where we're headed with this
18 proposal, to analyze it, is in the last 10 years an
19 average of 136 antlerless deer have been taken per
20 year. And we kind of look at that as the doe harvest.
21 However, antlerless deer we need to know would be, you
22 know, a female deer of all age classes. It would also
23 be those nubbin bucks of the year. So, I mean, people
24 can't identify those. And also if the season goes to
25 December 31st, sometimes the bucks shed their antlers
26 in later December, so an older buck could be harvested.
27 So because it's antlerless, doesn't necessarily mean
28 that the harvest is always on does.

29
30 So what I wanted to touch base with is
31 what does 136 deer mean with the population. Well,
32 ADF&G at this time believes there's from 45,000 to
33 55,000 deer in Unit 2. So there was a deer modeling
34 for blacktail done a few years ago which says basically
35 10 percent of that population can be taken during
36 hunting season with an allowable sustainable harvest.
37 So that means, if that's true, if there's 45,000 to
38 55,000, that from 4500 to 5500 deer can be removed from
39 Unit 2 without affecting the total population.

40
41 Now, also the science says that 10
42 percent of the allowable harvest can be antlerless deer
43 or does. So what does that go down to? So that shows
44 that 450 to 550 deer could be removed from Unit 2
45 without adversely affecting the deer population. So
46 450 to 550 deer is about three times that of the 136
47 that's occurring right now.

48
49 So to give everybody a background, if
50 the numbers are correct, and we all know that we use

1 trend data, which is from the pellet counts and also
2 from hunter harvest, we try to get better hunter
3 harvest, but that information is really important, but
4 that's what we have to make our best decisions upon.

5
6 So with that, I want to talk about the
7 effects of this proposal. If this proposal passes, it
8 would prohibit subsistence hunters from harvesting an
9 additional 136 deer and having the opportunity to do
10 that.

11
12 So from this analysis, the science and
13 the local knowledge suggests that Unit 2 deer
14 populations are stable at this time. During the last
15 few years hunters trips versus successful trips have
16 increased. The number of deer taken per trip have
17 increased. The deer catch per unit effort has
18 increased. And the hunter days per deer are slightly
19 decreasing. Plus we have the local knowledge of
20 people, 65 percent, saying they are satisfied. So
21 therefore with this knowledge, we believe that there is
22 currently not a conservation concern in a limited
23 antlerless hunting, and also that antlerless deer
24 hunting has been continuing since 1955 on most years,
25 so therefore it's an established long-term historical
26 pattern of community use.

27
28 So our preliminary conclusion is to
29 oppose the proposal.

30
31 Thank you.

32
33 CHAIRMAN ADAMS: Thank you, Larry. Any
34 questions by the members of the Council. Patty, go
35 ahead.

36
37 MS. PHILLIPS: Thank you, Mr.
38 Dickerson. On Page 139, on the top it says mortality
39 may be considered compensatory. Could you define that,
40 please?

41
42 MR. DICKERSON: Compensatory mortality
43 generally equates to when deer population's at a
44 certain level. If animals are not harvested by
45 hunting, they may die in other ways. There's more
46 numbers, they may die because of illness or predation,
47 hit by cars, winter kill or other things. So once the
48 level hits compensatory mortality, it just means they
49 could die from other ways versus hunting, where
50 additional mortality is the opposite of compensatory.

1 It means that if you were killing deer, you're really
2 setting that population back in this case.

3

4 CHAIRMAN ADAMS: Go ahead, follow up,
5 Patty

6

7 MS. PHILLIPS: Thank you, Chairman
8 Adams.

9

10 On the harvest levels, you know, based
11 on 45,000 to 55,000, it's 10 percent and then another
12 -- which means 4500 to 5500. And then 10 percent of
13 that is antlerless, which is 450 to 550. Is that only
14 hunter harvest, or does that include predation?

15

16 MR. DICKERSON: No, the 10 percent that
17 we talked about that could be harvested with hunting to
18 sustain a population is just with hunting. That
19 recognizes that there is another large percent that is
20 taken by predation, or possibly illegal harvest, or in
21 other ways. Because if you look at predation alone,
22 if there are 300 wolves still in Unit 2 and deer
23 average 26 -- excuse me, wolves average 26 deer per
24 year, then that's about 7800 additional deer, which is
25 two to three times what the hunters take.

26

27 So that 10 percent is hunting harvest.

28

29 CHAIRMAN ADAMS: Mr. Hernandez, please.

30

31 MR. HERNANDEZ: Thank you, Mr.
32 Chairman.

33

34 It's a very well-written report, too,
35 Larry. I just wanted to mention that.

36

37 That 45 to 55,000 just kind of jumped
38 out at me. Do you have any idea how they came up with
39 that number?

40

41 MR. DICKERSON: That's a very good
42 question, Mr. Hernandez. Mr. Chairman. I did meet and
43 talk several times with Dave Person, the ADF&G
44 biologist and they've tracked the population and were
45 doing pellet counts since the early 80s, and that's the
46 best science and best knowledge there. That's what
47 both Boyd and Dave Person believes, so that's where
48 we're coming from with the science that we have. And
49 we realize that is limited knowledge, and we realize
50 that it's not totally accurate. It's what we feel is

1 the best ballpark decision that we can base management
2 decisions upon.

3

4 If that answered your question, but
5 that's -- because of the vegetation, there's just no
6 way to get bucks per 100 does or fawns per 100 does,
7 that information. So just it's all with pellet
8 counting and hunter harvest survey and local knowledge.

9

10 CHAIRMAN ADAMS: Follow up there, Don?
11 Go ahead.

12

13 MR. HERNANDEZ: Well, I think I should
14 just point out for the Council, I think you would
15 probably agree with this, that the pellet counts were
16 never intended to try and ascertain an exact
17 population. It's suppose to gather trends in
18 population.

19

20 Would you agree with that?

21

22 MR. DICKERSON: Correct. He's right.
23 Pellet counts are trend information. It's an indices
24 of what the population is doing over time. However,
25 pellet counts can also be influenced by snow depths, so
26 some of the places you walked last here, there could be
27 more snow which would influence how long the deer
28 stayed there or remained there. So pellet counts are
29 without a doubt just trend information.

30

31 CHAIRMAN ADAMS: Patty, go ahead.

32

33 MS. PHILLIPS: Thank you, Chairman
34 Adams.

35

36 On Page 136, the last sentence in the
37 top paragraph, it says typically the harvest data
38 generated by ADF&G displays greater numbers of
39 antlerless deer harvested in Unit 2 than the Federal
40 permit data. Is this because the ADF&G numbers include
41 the sport harvest?

42

43 MR. DICKERSON: Ms. Phillips, that is
44 correct. The ADF&G numbers include the sport harvest,
45 but they also extrapolate from the information that
46 they gather, where the Federal permit that were coming
47 in, it's lower just because we were just counting the
48 exact numbers of permits returned. And at this time
49 our reporting is somewhere between, you know, 45
50 percent to.....

1 (Microphone shuts off)

2

3 REPORTER: Larry.

4

5 MR. DICKERSON:harvest rates,
6 therefore the reporting of the Federal system would be
7 much lower. Our Federal system shows that there is
8 about 75 antlerless deer being harvested per year,
9 where the State where they've extrapolated that through
10 their system over 10 years, which is the best data base
11 really to look at, because we've just been doing this
12 for a few years, is a little higher, showing 136. So
13 that is why it was prepared and presented to you in
14 that manner versus just a small data set of one or two
15 years.

16

17 CHAIRMAN ADAMS: Follow up, Patty.

18

19 MS. PHILLIPS: Thank you. Could you
20 lower that down a little? I didn't quite understand
21 what you said.

22

23 MR. DICKERSON: Well, you're correct.
24 You're correct. The Federal system has been collecting
25 data two years, and we are collecting data just by
26 adding the number of hunter harvest reports that are
27 returned to us. Therefore those are counted, and those
28 reflect that the annual doe harvest, antlerless harvest
29 has been closer to 75 per year. However, we are only
30 receiving 40 to 66 percent of those harvest reports.

31

32 The State's program through the last 10
33 years in time generally contacts about 33 percent of
34 the hunters that hunt an area, and therefore they look
35 at that information and they extrapolate that, it's my
36 understanding throughout the number of licenses that
37 were sold. Therefore they reach what they believe is
38 the harvest data, because they cannot contact everyone.

39

40

41 So that's how those are determined.
42 That's why the Federal is lower than the State would be
43 if we looked at both our numbers.

44

45 CHAIRMAN ADAMS: Patty, go ahead.

46

47 MS. PHILLIPS: So is there effort to
48 reach the -- you know, you said 60 percent is -- of the
49 Federal registration permits are returned or harvest
50 records are based on 65 percent return of actual

1 registration permits issued. So is there effort to
2 reach that other, the percent that doesn't that doesn't
3 return their harvest record?

4

5 MR. DICKERSON: They told me I was
6 going to get into this with Unit 2 deer.

7

8 (Laughter)

9

10 MR. DICKERSON: You're absolutely
11 correct. What's happening is harvest reports were due
12 by January the 15th. After that point we get a list of
13 those hunters who are non-respondents and we have the
14 first non-respondent letter going out just next week,
15 and there will be a follow-up non-respondent letter
16 that says we've done this twice. Then we will begin a
17 series of phone contacts with those others. Also
18 during this time, we have done -- I went to Ketchikan
19 to do a radio spot. We paid for ads in two of the
20 Ketchikan papers, the Daily News and Our Paper, also
21 the Island News, the Wrangell Sentinel, and the
22 Petersburg paper.

23

24 MS. PHILLIPS: Wow.

25

26 MR. DICKERSON: We put out flyers.
27 We're trying to get the word out, saying deer harvest
28 reports, enough that -- the efforts that we can get a
29 better return.

30

31 MS. PHILLIPS: Thank you.

32

33 CHAIRMAN ADAMS: Dr. Schroeder, go
34 ahead.

35

36 DR. SCHROEDER: Larry, we do have you
37 down for item 11 on the agenda talking about how the
38 Unit 2 deer harvest reporting would work. A suggestion
39 at this point might be that the Council would finish up
40 questioning about everything other than the deer
41 harvest reporting, and then ask Larry to give us his
42 report on the deer harvest report system. So we would
43 move up -- what you do would be if you had other
44 questions about the analysis he's presented, goes
45 through those and then we would have Larry give us the
46 nuts and bolts of what's going on on Unit 2 deer
47 harvest reporting. And then move back into our normal
48 proposal mode.

49

50 CHAIRMAN ADAMS: Larry, are you

1 prepared to do that at this time?

2

3 MR. DICKERSON: Yes, Mr. Chairman.

4

5 CHAIRMAN ADAMS: Okay. If it's all
6 right with the Council, you know, we'll go ahead and
7 hear his report and that might help you, you know, in
8 the rest of the process when we get into deliberations.
9 And that will be one little program we'll have out of
10 the way by tomorrow. Do you have it available right
11 now? Do you need some time to get it?

12

13 MR. DICKERSON: Well, I was just
14 looking for Dave Johnson just because he has the legacy
15 knowledge of this. I'll be glad to go into that, Mr.
16 Chairman.

17

18 CHAIRMAN ADAMS: Yeah, he's hiding
19 behind you there. Yeah, why don't we go ahead and do
20 that, Larry, and then we'll get that one out of the
21 way, too.

22

23 MR. DICKERSON: Okay. Well, what I'm
24 going to do now is go into a discussion of the Unit 2
25 harvest reporting. Historically, we now have a
26 combined Federal and State system of reporting to where
27 when hunters get their harvest tags at any vendor.....

28

29 CHAIRMAN ADAMS: Excuse me, Larry.
30 Does the Council know what we're doing here? Okay.
31 Just so I'm sure that you know what we're doing here.
32 Sorry to interrupt you. Go ahead.

33

34 MR. DICKERSON: So we now have a joint
35 dual reporting system with the State and Federal, so
36 therefore when a hunter receives your harvest tickets,
37 when you buy your tickets, receive your tickets, you
38 also receive a harvest report form. And that harvest
39 report form will record information of how many deer
40 were killed, how much effort the hunter had, specific
41 areas where deer were killed, and how many deer you saw
42 on a trip, and that type of information.

43

44 So one of the things that we've done is
45 we have met with the State. First I will step back and
46 say this Council put together a subcommittee, the Unit
47 2 subcommittee, and they put a report together, a very
48 intensive report that detailed the contentious issues
49 in Unit 2 deer, and outlined the methodologies and some
50 strategies for improving deer harvest reporting,

1 improving the biological information, and also putting
2 some emphasis on the Forest Service restoration and
3 young growth timber. So those are all very important.

4
5 And where I'll head with that, as far
6 as biological information, the Council, it was very
7 important that deer harvest information, deer harvest
8 reporting was increased, to find some better strategies
9 to do that.

10
11 As far as management, the subcommittee
12 recommended that there be no drastic changes in deer
13 harvest management for the next three to five years,
14 and then they also recommended that the Forest Service
15 improve their rehabilitation efforts and strategies in
16 young growth.

17
18 Yesterday there was a discussion about
19 thinning for wildlife. There are several ways to do
20 that, and I'll just briefly say you can thin timber,
21 young growth. You can do commercial thinnings, you can
22 do pre-commercial thinnings, and you can do thinnings
23 for wildlife. One of the things we're working to do is
24 put wildlife prescriptions into all thinnings and try
25 to make it economical for Unit 2, so there's a lot
26 going on.

27
28 And we met with the State recently in a
29 conference call to outline our -- we kind of have a
30 memorandum of understanding. So the State, ourselves
31 and OSM is involved, we each have an agenda to track
32 through harvest reporting, to stay on line, and to stay
33 to that contract.

34
35 And so one of the things that we're
36 doing, it's in our case now, we've received the 1648
37 non-reportings from 2006 hunt. There were about 2550
38 deer hunters in Unit 2 this year. 1648 of those were
39 non-respondents. So we have a lot of work to do to get
40 those persons to come through.

41
42 So some of the things that we're doing
43 differently this year is we travelled with Todd
44 Brinkman as he came onto the Island to talk about the
45 88 face-to-face interviews. So I went to both the
46 Klawock meeting and the Thorne Bay and talked about the
47 need for better harvest reporting. As we said earlier,
48 we did an interview with the radio stations in
49 Ketchikan. We've also got flyers out. I posted them
50 in three villages myself. My wife says she will have

1 two posted in Hydaburg and Whale Pass this weekend.
2 And we've placed those hunter information also about
3 reports in all the local newspapers. So that's an on-
4 going effort.

5
6 So we're going to follow up and stay
7 with this. I've been assigned the person to give it
8 the care and feeding it needs. If this fails
9 improving, and it kind of rests on my shoulders.

10
11 And what we've seen is there's just
12 really a large need to talk with hunters and to look at
13 our strategies. The hunters I've talked with, I
14 believe they feel that we are asking too much specific
15 information when we ask a hunter exactly where he
16 hunts. The people, the hunters I've talked with feel
17 that that's just too tight of information. I get too
18 many people that tell me they hunt at No Name Creek and
19 No Tell 'Em Ridge.

20
21 And so I talked with Floyd Porter and
22 what we're going to do is hopefully talk about those
23 strategies and maybe put a map of Unit 2 together that
24 shows the WAA, which is the wildlife analysis area, and
25 those are large. Some of those are 50 by 50 miles or
26 larger, therefore hopefully a hunter will say that he
27 works, you know, he hunts in that WAA, therefore he
28 doesn't have to disclose his exact area. Or some of
29 those WAA's are also islands, so if someone hunts on an
30 island, they will be telling that, but -- so anyway,
31 what we're trying to do is find strategies to improve
32 reporting.

33
34 It is my feeling after talking with
35 hunters, a lot of people have worked with biologists
36 and worked with scientists in the past, and the more
37 information some of them have given up, they believe
38 it's come back to bite them. So I feel we have a road
39 to build a little trust with hunters and the local
40 knowledge is there.

41
42 So our work is in front of us, and I
43 guess I'd ask Dave if -- Dave's been here for many
44 years, if he has a few comments on this, too.

45
46 CHAIRMAN ADAMS: Dave, so long as you
47 have been here for many years, just for the sake of the
48 recorder, identify yourself, please.

49
50 MR. JOHNSON: Yeah. Dave Johnson, the

1 subsistence coordinator on the Tongass National Forest.
2
3 I can tell you briefly when I saw Larry
4 for the first time I almost gave him a kiss,
5 because.....

6
7 (Laughter)
8

9 MR. JOHNSON:having him on staff
10 on Prince of Wales to work with the Unit 2 deer issue
11 is very refreshing. And as most of you know, Larry
12 comes with a strong history and background in the
13 villages up north with the Marine Mammal Program, and
14 also strong experience with U.S. Fish and Wildlife
15 Service in a number of different wildlife management
16 kinds of experiences. And so that combined with just
17 the fact that he's a hunter and trapper and understands
18 a little bit more about the local knowledge, importance
19 of local knowledge was really refreshing.

20
21 With respect to the harvest reporting
22 itself, we're very happy with the cooperation from the
23 State. Doug Larson, Dale Raymond. Anew biologist just
24 come on, Karen is her first name, and she's been very
25 helpful.

26
27 The harvest report forms are being
28 printed as we speak for the first follow up. Hopefully
29 today or tomorrow we'll be able to get those to the
30 post office and we anticipate in a couple weeks. Then
31 there will be a second follow up and then there will be
32 the phone call that Larry mentioned. And then the next
33 thing we'll be working on is the actual harvest report
34 form for the 2007/ 2008 harvest reporting period, and,
35 of course, it will depend on the action taken by the
36 Council and the Board on this proposal and others as to
37 what the actual regulations will be that go into
38 effect.

39
40 We do need to do a little bit of work
41 in the green handy-dandy book that goes out to the
42 hunters. It's not real clear in there, in the Unit 2
43 portion that you are required to report your harvest.
44 It's in regulation, but if you're a hunter and you
45 looked at that right now, you wouldn't necessarily be
46 able to tell for sure that that's exactly what's
47 required. So that and also the harvest report form
48 itself. But again we're making a lot of effort.

49
50 We've also had some good help from the

1 Office of Subsistence Management, from Maureen Clark.
2 Melinda's been working also. We want to get some more
3 information out, basically just telling people the
4 importance of harvest reporting.

5
6 CHAIRMAN ADAMS: Thank you, Larry and
7 Dave.

8
9 Any questions of these two gentlemen.
10

11 MR. STOKES: Yes.

12
13 CHAIRMAN ADAMS: Mr. Stokes.

14
15 MR. STOKES: Is there a penalty for not
16 reporting or do they anticipate any?

17
18 MR. JOHNSON: The Regional Council has
19 gone on record in the Unit 2 deer reporting or
20 subcommittee meetings that were held, that we wanted to
21 attempt to get good harvest reporting without using a
22 stick or without, you know, providing a penalty or fine
23 or some other type of action that would have a negative
24 effect on subsistence hunters.

25
26 I think that in my opinion, Dick, that
27 after this year, after we get through this year, and
28 we'll have to see what kind of response we get, after
29 we've done everything we feel that's reasonable to make
30 sure all the hunters understand the importance of
31 reporting, they've been given the second follow up,
32 they've been given a phone call, and if at that point
33 we still don't have good harvest reporting, then we may
34 want to come back to the Council to ask for more
35 support for some further incentive to get people to
36 report.

37
38 But right now, no. We're more
39 concerned about making sure people understand the
40 importance of harvest reporting without giving up their
41 good hunt locations where they're hunting. And again
42 the reason why we're doing this is because the
43 subcommittee and the Federal Subsistence Board as a
44 result of the action taken by this Council said that
45 harvest reporting is one of the top priorities for this
46 particular effort.

47
48 And so in fairness, I don't feel that
49 this being the second year that we've done everything
50 we can do to simplify that process for the hunter, and

1 Larry being on board, I think we're moving that
2 direction. We're getting there, but in answer to your
3 question, right now I would say, no, but I think in the
4 future. Harvest reporting is required, it is
5 mandatory, and therefore we expect to report. But we
6 also have to make sure that people understand the
7 importance of that.

8

9 MR. STOKES: Thank you.

10

11 CHAIRMAN ADAMS: Anyone else.

12

13 MR. DAVIS: Right here.

14

15 CHAIRMAN ADAMS: I saw Patty first.

16 Okay.

17

18 MS. PHILLIPS: What's the next level
19 if, you know, your first mail-out, you get some back
20 and you don't get some back, what's the next level?

21

22 MR. JOHNSON: There will be a second
23 mail-out, and the second mail-out, just so you know
24 when you get it in your mailbox, if you have neighbors
25 that hunted in Unit 2, it will be hunter orange, okay.

26

27

28 (Laughter)

29

30 MR. JOHNSON: So when somebody says
31 they didn't see one or didn't get one, if they said
32 that, but they got something in the mail that was
33 orange, well, that was it. Okay. So the hunter orange
34 color is the color of the second mail-out.

35

36 Once we get the results back from that,
37 have all the list of those that are still non-
38 respondents, then we will be working with Dr. Schroeder
39 and Dale Rabe to come up with a survey methodology that
40 looks at what the number of non-responses are, and then
41 based on that create a survey instrument and a number
42 of respondents that we would need to contact to get 100
43 percent of that group. It wouldn't necessarily be 100
44 of the total list of non-respondents, but some number,
45 and then we would follow up with phone calls for that
46 information.

47

48 CHAIRMAN ADAMS: Mr. Davis.

49

50 MR. DAVIS: That was my question.

1 Thank you.

2

3 CHAIRMAN ADAMS: Anyone else.

4

5 (No comments)

6

7 CHAIRMAN ADAMS: All right. Let's move
8 on. Thank you for that report. And we'll go back to
9 the proposal now.

10

11 Any questions of Dave -- I mean, of
12 Larry on the proposal itself.

13

14 (No comments)

15

16 CHAIRMAN ADAMS: Okay. We'll move on
17 to the State. Larry or Doug, please.

18

19 MR. D. LARSON: Good morning, Mr.
20 Chairman. This is Doug Larson. For the record I am
21 with the Department of Fish and Game, and I serve as
22 the regional supervisor for Southeast Alaska, Division
23 of Wildlife Conservation.

24

25 On this Proposal, WP07-07, you can find
26 the State comments on Page 142 in your book. And I'll
27 just make my comments brief.

28

29 Let me say first that I really
30 appreciate the briefing that Larry provided, and like
31 Mr. Hernandez, I think a very good job was done in
32 portraying the information in a very easy to understand
33 and a very cohesive way. So I commend Larry for that
34 effort.

35

36 I also would like to say as a
37 representative on the State side helping with the Unit
38 2 deer harvest reporting, I thought the report that
39 Dave and Larry gave was very good, very complete. I
40 have nothing really to add except to say that we remain
41 committed to doing all we can in cooperation with the
42 Forest Service and the RAC to get just as good of
43 harvest information from Unit 2 as we possibly can.
44 And obviously it's pretty important in light of things
45 like the proposal that's in front of us in the form of
46 07.

47

48 The Fish and Game Department has
49 repeatedly been on record as opposing the doe hunt in
50 Unit 2, and that goes clear back to 1995 when it was

1 first implemented. And I guess in a nutshell, I think
2 Larry has captured it well. There's not really in our
3 minds, and I don't think anybody has a sense that
4 there's really a conservation concern with deer in Unit
5 2 at this time. And, in fact, deer numbers, based on
6 the information we have in the form of indices and
7 harvest information and the local information that we
8 get from individuals would suggest that we're in pretty
9 good shape. And, you know, that's a function of a
10 number of factors, not the least of which has been
11 weather conditions.

12

13 But at the same time, we also want to
14 point out that Unit 2, and Larry has referenced this
15 through the comments that he shared that he'd received
16 in discussions with our Staff in Ketchikan, and that's
17 Boyd Porter and Dave Person, in a situation like we
18 have in Unit 2 where you do have predators in the form
19 of wolves and black bears and with the information that
20 we've been able to glean about that predation by those
21 predators in that area, we know that the ability of
22 deer to go to higher levels absent those predators
23 would be there. And that's what we see in places like
24 Unit 4 where we don't have those predators, and, in
25 fact, the densities of deer are markedly higher. And
26 so what that tells us is that there is room in Unit 2
27 for expanded numbers of deer, and that by harvesting
28 does in a situation where you can allow for additional
29 deer to be present on the landscape, it may in fact,
30 although there's a benefit in taking some deer in the
31 form of antlerless deer, there may be a greater benefit
32 by allowing those deer to reproduce and produce more
33 deer that would result in what we think could be
34 additional deer for harvesting.

35

36 And I think Ms. Phillips asked about
37 compensatory versus added mortality, and that's an
38 excellent question. And I think Larry did a very good
39 job of describing the difference. And I guess just to
40 reiterate, in a situation like Unit 2 where you have
41 growth potential in terms of habitat, that any
42 harvesting of does in that circumstance would be really
43 be additive and not compensatory, because chances are
44 good that those deer actually could survive, or if they
45 didn't, they'd be taken out by wolves, and obviously
46 element of the population is going to continue to go to
47 go to wolves. But in the long run, it's still allows
48 for more deer than even with wolf predation to be
49 available potentially for harvesting.

50

1 So the other point I guess I would like
2 to make in terms of the doe hunt is as a member of the
3 Unit 2 Deer Planning Committee, you know, I heard from
4 several people that they were just not seeing the deer
5 or getting the deer they need. And, excuse me, as one
6 of the elements that the RAC wanted the group to get
7 into was that whole assessment of what need really
8 constitutes. The best I think we can get at this point
9 is in the form of the information that Larry's
10 presented in his report where he describes how in
11 talking to people there was really a mixture of
12 feelings about people's perceptions about deer across
13 the landscape in Unit 2. And that varied from people
14 saying, boy, I see more than I did to people saying,
15 boy, I don't see as many as I did in the past. And so
16 there's sort of this all over the board type of thing.

17
18 And in fact Todd Brinkman interestingly
19 in some of the discussions he had with a number of
20 residents across Prince of Wales, and he graphed the
21 feedback he got. And I don't if any of you saw the
22 report that he put out, but it looked like, you know,
23 it's a kindergartner's rendition of a drawing and all
24 the lines that he put on this graph, they were all over
25 the board, and there was absolutely no pattern in terms
26 of a consensus or a unified feeling about what is
27 happening.

28
29 And the only explanation I can come up
30 with is that I think it really is variable depending on
31 individuals and depending on where in the landscape
32 people are and have traditionally gone to hunt. And so
33 that I think does have relevance in this case, because
34 when you think about people hunting on Prince of Wales,
35 where the doe harvest is primarily coming from, and
36 again this is depicted in Larry's report, it's from
37 those more easily accessible areas. And so when you
38 harvest does in sort of isolated, concentrated areas
39 where people tend to do most of their hunting, I can't
40 help but believe that even if it's a fairly small
41 number of animals, that that can actually have
42 implications for hunters in those areas.

43
44 One thing we know about deer,
45 particularly does, is that they have a very high
46 fidelity to their home ranges, which means that they
47 don't go a whole long ways outside of their birthing
48 areas, and they don't travel large distances. And so
49 when you take does out of areas, it really -- to have
50 those areas rebound, it's going to take other does

1 within those areas to repopulate those areas. And
2 certainly there are movements of deer, but by and large
3 does tend to move relatively little. And so as you
4 take does out of areas, you're really reducing within
5 those localized areas the potential for additional
6 animals to be recruited into that population, which
7 then obviously could play back into what would be
8 available for hunters.

9

10 And so the reason that the Department
11 supports this proposal is that we do feel that in the
12 big picture there would be greater opportunity for
13 harvest by all users if this doe hunt were eliminated.

14

15 And, Mr. Chairman, that's really all I
16 have to offer at this point, but I'll be happy to try
17 and answer questions.

18

19 CHAIRMAN ADAMS: All right. Thank you,
20 Doug.

21

22 Questions, anyone. Patty, why don't
23 you have a question? Do you have one?

24

25 MS. PHILLIPS: Yes.

26

27 CHAIRMAN ADAMS: Good. All right. Go
28 ahead.

29

30 MS. PHILLIPS: Thank you, Chairman
31 Adams.

32

33 Mr. Larson, on the -- Mr. Dickerson
34 talked about the predation and keeping the Unit 2 deer
35 below carrying capacity. Is the deer population on
36 Unit 2 below carrying capacity?

37

38 MR. D. LARSON: Through the Chair. Ms.
39 Phillips, it's our sense based on the observations that
40 we have on the landscape, and knowing, too, that
41 predation is occurring, it is our assessment at this
42 point that more deer could be supported on the
43 landscape given the conditions that we've seen there at
44 this point.

45

46 CHAIRMAN ADAMS: Anyone else.

47

48 (No comments)

49

50 CHAIRMAN ADAMS: All right. Thank you,

1 Mr. Larson. Appreciate it.
2
3 MR. D. LARSON. You're welcome.
4
5 CHAIRMAN ADAMS: The next is Federal,
6 State or Tribal. Anyone from that?
7
8 (No comments)
9
10 CHAIRMAN ADAMS: InterAgency Staff.
11 Mr. Kessler, please.
12
13 MR. KESSLER: Thank you, Mr. Chairman.
14 Good morning. The InterAgency Staff has no comments.
15 This was a very well-written proposal.
16
17 CHAIRMAN ADAMS: Okay. Thank you, sir.
18
19 Any advisory people.
20
21 (No comments)
22
23 CHAIRMAN ADAMS: Written comments. Dr.
24 Schroeder.
25
26 DR. SCHROEDER: Mr. Chairman. No
27 written comments on this proposal.
28
29 CHAIRMAN ADAMS: Okay. Public. Anyone
30 from the public.
31
32 (No comments)
33
34 CHAIRMAN ADAMS: Okay. We can go into
35 Council deliberation now. We are now in deliberation.
36 What is the wish of the Council. Mr. Hernandez.
37
38 MR. HERNANDEZ: Mr. Chairman. I move
39 to adopt wildlife Proposal 07-07 as it appears on Page
40 127 in the briefing book.
41
42 MR. STOKES: I second the motion.
43
44 CHAIRMAN ADAMS: Thank you. Seconded
45 by Mr. Stokes. We're in for discussion now.
46
47 Remember the criteria.
48
49 Mr. Kitka.
50

1 MR. KITKA: Thank you, Mr. Chairman.
2
3 I thought the document well written
4 with -- but I noticed that they only took people in
5 Thorne Bay and Klawock I believe it was. What about
6 the other communities? Was there anybody asked any
7 information about their hunting in those areas and what
8 they felt about this document.
9
10 CHAIRMAN ADAMS: Larry, can you answer
11 that?
12
13 MR. DICKERSON: Yes, Mr. Kitka, Mr.
14 Chairman. Which document are we.....
15
16 MR. KITKA: Excuse me. This proposal,
17 it seemed like it came out of Klawock, and some of your
18 information that was in Klawock and Thorne Bay, but
19 you've got communities of Hydaburg and Kasaan to name
20 two others that I didn't see or hear that you mentioned
21 anything from those people. And this will directly
22 affect them, too, so I just was curious as to whether
23 they were asked about this or not.
24
25 MR. DICKERSON: I guess I can best
26 answer that, Mr. Kitka, by I really haven't gotten
27 input from quite a few of the villages regarding this
28 analysis. The proposal came out. We had flyers around
29 about different things than hunter harvest, but about
30 this analysis I really don't know how many people are
31 aware of it.
32
33 CHAIRMAN ADAMS: Okay. Any other
34 concerns. Mr. Bangs.
35
36 MR. BANGS: Thank you, Mr. Chairman.
37
38 Although I'm not an advocate of a doe
39 hunt, from the information presented, it doesn't seem
40 to be of a concern for conservation. And if we
41 eliminate the doe hunt, I think we would diminish the
42 opportunity for subsistence harvest. So I'm going to
43 oppose the proposal.
44
45 Thank you.
46
47 CHAIRMAN ADAMS: Mr. Bangs, you started
48 on the criteria thing. Do you want to finish that up
49 for us, please?
50

1 (Laughter)

2

3 MR. BANGS: I don't think that the
4 information provided to us supports substantial
5 evidence that this is a necessary proposal. And I
6 think that we're not -- although we're not violating
7 principles of fish and wildlife conservation either
8 way, whether we pass the proposal or not, I think it
9 will be a detriment to subsistence needs for those who
10 rely on the need for a doe. And I don't think that
11 this is going to unnecessarily restrict anyone.

12

13 Thank you.

14

15 CHAIRMAN ADAMS: Thank you, Michael.
16 Any other? Mr. Douville.

17

18 MR. DOUVILLE: Thank you, Mr. Chairman.

19

20

21 I do not support the proposal. There's
22 no biological reason to support it. We've been down
23 this road many times since my first meeting as sitting
24 on the other side of this table in Saxman.

25

26 The one thing that I would like to see
27 that came out of that meeting in Saxman several years
28 ago, I don't even know what year it was, in the '90s,
29 was that there was no accountability for the harvest of
30 does, so there was a special doe permit put in place at
31 that time, and I don't remember this Council ever
32 dealing with it to make it go away, and I don't know
33 where it went. So we have in my opinion a loophole
34 that allows hunters to take more than one doe should
35 they decide to, and nobody could hold them accountable,
36 because but there is no specific tag that allows them
37 only to take one.

38

39 i would suggest that we use one of
40 these tags we're issued now, like tag number 5, to take
41 a doe only. Only that tag could be used for a doe or
42 it could be used for a buck. But once you've used it
43 for a buck, then you couldn't get a doe, and that would
44 hold people more accountable, a system of this type.

45

46 But it was never explained to me where
47 the original doe permit that you had to go to the
48 Forest Service to get, it went away, and I don't know
49 how or why it did.

50

1 And I further don't support it because
2 there is no biological reason, and you would be taking
3 -- you would be restricting a subsistence users, which
4 you cannot do without first eliminating other reasons.
5 So we couldn't go here easily if you wanted to.

6
7 But what I'm trying to say I guess is
8 we need some better accountability for the doe harvest.
9 Certainly in maybe the method I suggested or some other
10 means. And you could get a better accounting of the
11 doe harvest also.

12
13 CHAIRMAN ADAMS: Thank you, Michael.

14
15 Dave, you have something to shed on
16 this?

17
18 MR. JOHNSON: Yes, Mr. Chairman,
19 Council. The reason that the antlerless permit went
20 away, you may recall in the discussions that we had as
21 part of the Unit 2 Deer Subcommittee planning process,
22 and the harvest report process that we went to, the
23 cooperative reporting with the State, we were trying to
24 eliminate dual reporting. We were trying to eliminate
25 confusion to the hunter so that there would be one
26 harvest reporting mechanism whether you were a
27 subsistence hunter or whether you were a
28 non-subsistence hunter. We wanted to have all of the
29 harvest information from all the hunters that were
30 going to Unit 2.

31
32 With respect to the antlerless portion
33 of that reporting requirement, it still is on the
34 current harvest report form that we have in place with
35 the State. So when you report your harvest, there's a
36 place there to report also designated hunter
37 information, or if you hunted under the State proxy
38 system. So there's on one form, we can capture all of
39 the information.

40
41 Now, with respect to Mr. Douville's
42 concerns about how to track that, that is a different
43 issue.

44
45 CHAIRMAN ADAMS: Mr. Stokes, please.

46
47 MR. STOKES: Thank you, Mr. Chair.

48
49 Is there a certain date during the
50 season that one can take an antlerless deer?

1 MR. DICKERSON: Correct, Mister.....
2
3 CHAIRMAN ADAMS: Larry, why don't you
4 just stay right there.
5
6 MR. DICKERSON: Correct, Mr. Stokes and
7 Chairman. Antlerless deer on Unit 2 can be harvested
8 by a subsistence hunter between October 31st I think
9 through December.....
10
11 MR. JOHNSON: 15th.
12
13 MR. DICKERSON: October 15th through
14 December 31st. there is a window that allows one
15 antlerless deer.
16
17 MR. STOKES: Thank you.
18
19 CHAIRMAN ADAMS: Mr. Bangs and then
20 Donald Hernandez.
21
22 MR. BANGS: Thank you, Mr. Chairman.
23
24 I'm not sure how this came about, but
25 when the original existing Federal regulation came out
26 last year, we received a couple of phone calls from
27 hunters, and they interpreted the way it was worded
28 that they could shoot four bucks and one doe, which is
29 the way it is, but they thought they had to shoot a doe
30 for their fifth deer. And I read it and I kind of see
31 how they were confused, but maybe there's some better
32 way to word it. I'm not sure if there's anything we
33 can do, but it was -- I did receive a couple different
34 calls from hunters that were wondering why they had to
35 shoot a doe if they wanted a fifth deer.
36
37 Thank you.
38
39 MR. DICKERSON: And my comment to that
40 is you're correct. We do have some confusion on how
41 that reads. That has been expressed to us. As Dave
42 Johnson had mentioned earlier, we are going to go over
43 that wording. Right now the harvest of a Unit 2
44 antlerless deer is up to the hunter. It's up to you,
45 it's up to the party if you want to do that; however
46 the opportunity exists, but you don't have to. But we
47 will try to clear that up.
48
49 CHAIRMAN ADAMS: When you said you were
50 going to try to clear that up, is that Mike's concerns

1 that you're addressing? Because he seems to have some
2 legitimate concerns there.

3

4 MR. DICKERSON: Yes. Mr. Chairman.
5 It's a little bit different. Mr. Douville's concern I
6 think is that we try to find a way that we can better
7 establish that only one antlerless deer can be
8 harvested. Right now if I remember right the
9 regulations, as deer are harvested, they are supposed
10 to be tagged in sequence with those tags, if I'm
11 correct. And I think Mr. Douville was expressing can
12 we look to find a better strategy like only the last
13 tag can be used for an antlerless or antlered deer.
14 And maybe we can state that better. But there's one
15 tag that would be just for that, so it wouldn't be
16 number two, three or four. So once that tag has been
17 validated and punched and hopefully people would do
18 that, it could not be used again for a second or third
19 deer as if something else happened and you got that
20 deer in and you were not caught with it, and therefore
21 it is in your freezer and stuff, and therefore you have
22 an opportunity with number tags 2, 3, 4, and 5 to
23 possibly do the same.

24

25 CHAIRMAN ADAMS: Thank you. Mike, go
26 ahead.

27

28 MR. DOUVILLE: Thank you, Mr. Chairman.

29

30 You've almost got it right, but what I
31 was suggesting, you'd be able to use that tag after
32 sequence after October 15th, and once you've used tag
33 number 5, if you chose to take a doe, then you couldn't
34 take another one.

35

36 MR. DICKERSON: Yes, thank you, Mr.
37 Douville.

38

39 MR. DOUVILLE: So that's what I was
40 suggesting, that you have that opportunity to use a tag
41 out of sequence for that doe after October 15th, and
42 once you did, well, then you were done with the doe
43 hunt.

44

45 MR. DICKERSON: Okay. Thank you. I
46 understood that. And I understood that from Mr.
47 Douville, I just didn't express that. So, thank you.

48

49 MR. DOUVILLE: I have one more
50 question.

1 CHAIRMAN ADAMS: Follow up, Mike.
2
3 MR. DOUVILLE: I would like to ask the
4 State to respond to my suggestion.
5
6 CHAIRMAN ADAMS: Terry, Doug, did you
7 hear the question, concern.
8
9 MR. D. LARSON: Mr. Chairman. I'll be
10 happy to try and answer it. Could you please restate
11 it, Mike?
12
13 MR. DOUVILLE: I was asking you what
14 your opinion would be of using a tag for a doe or a
15 buck out of sequence, like tag number 5 could be used
16 for the taking of a doe, and none of your other tags
17 could be used for taking that doe should you choose.
18 You would be able to use that last one out of sequence
19 for a doe after October 15th, but say if you used -- do
20 you understand what I'm asking?
21
22 MR. D LARSON: Through the Chair. I
23 think so, Mike. And, you know, as somebody mentioned
24 already, the Board of Game a couple of cycles ago
25 passed a regulation that required that tags be used in
26 sequential order. So to answer your question, I guess
27 I'm not sure allowing one to come out of sequence to
28 use would fit into the context of that element. But my
29 sense would be that since the real concern and the
30 reason for that sequential ordering of tags had to do
31 with areas that have lower bag limits than others. And
32 using a tag 5 as a doe tag, there may be some
33 opportunity there without getting into or causing
34 problems for the original intent of that, the use of
35 tags in sequence.
36
37 But I guess to be honest with you,
38 Mike, I guess what I would suggest is that if that
39 would be an interest, that would be something that we
40 would want to check with our regulatory authority to
41 see, you know, how that might play out in terms of that
42 whole effort that was put in place a couple of years
43 ago.
44
45 CHAIRMAN ADAMS: Follow up, Mike.
46
47 MR. DOUVILLE: We're only talking about
48 Unit 2, of course, and only rural users. But I'm just
49 looking for a way to have better accountability for the
50 doe harvest, because right now you're kind of on your

1 honor to take only one. And if no one sees you, any
2 enforcement sees you take that doe, you can go take
3 another one, or you can take five of them if no one's
4 -- after October 15th, if no one's watching.

5
6 CHAIRMAN ADAMS: Mr. Stokes.

7
8 MR. STOKES: Thank you, Mr. Chair.

9
10 I was just wondering why the doe season
11 is so late, because they're already serviced, and
12 they're impregnated. Why don't they have the doe
13 season a little bit earlier.

14
15 CHAIRMAN ADAMS: Who's going to answer
16 that one?

17
18 MR. JOHNSON: I believe that, my
19 understanding -- Dave Johnson again from the Forest
20 Service -- that the -- my understanding is that part of
21 the reason for waiting until later in the year is
22 because fawns are still with does until fairly late in
23 the year. And so by waiting somewhat longer, and also
24 because the does actually are not bred until later.
25 The rut, the peak of the rut is around the third week
26 of October, first week of November. Correct me if I'm
27 wrong. So I think that was the reason for that
28 particular time frame.

29
30 CHAIRMAN ADAMS: Follow up, Mr. Stokes?

31
32 MR. STOKES: Then they want to get the
33 does that are already serviced, is that correct?

34
35 MR. JOHNSON: Yeah, Mr. Chair, Council.
36 Again, they're antlerless deer, so they may not
37 necessarily be does. They could be buck deer that are
38 from that year that are fawns. So it's not necessarily
39 a doe per se.

40
41 MR. STOKES: Okay. Thank you.

42
43 CHAIRMAN ADAMS: We need to move on
44 here, folks, but anyone -- Dave, you had -- well, I
45 have Councilman Hernandez first, and then, Dave, you
46 can respond.

47
48 MR. HERNANDEZ: Thank you, Mr.
49 Chairman.
50

1 I was intending to speak out against
2 the proposal. If we want to finish up this that would
3 be fine. If Dave wants to add one more point, I'll
4 hold.

5
6 CHAIRMAN ADAMS: I'll let Dave handle
7 one more point, and then we're going to have to move
8 on.

9
10 MR. JOHNSON: Yeah. Mr. Chairman,
11 Council. If this would help with clarity, we could
12 make an administrative change in the actual wording
13 that would say five deer, optionally, one may be an
14 antlerless deer taken only during the period October
15 15th through December 31st. Does that provide enough
16 clarity?

17
18 CHAIRMAN ADAMS: That's pretty much
19 clear to me, because I was confused like, you know, Mr.
20 Bangs was when he first brought up that issue, and I
21 think that takes care of it.

22
23 But how does the Council feel about
24 that wording. Patty.

25
26 MS. PHILLIPS: Thank you, Chairman
27 Adams.

28
29 That addresses, you know, the
30 regulatory language, but it doesn't address Mr.
31 Douville's concern about tag 5 being buck or doe, and
32 only using tag 5 to take an antlerless deer. And so
33 how do we go about making that so?

34
35 CHAIRMAN ADAMS: Okay. Dave, go ahead.

36
37 MR. JOHNSON: Mr. Chairman. If we
38 could go ahead and take the first issue and make sure
39 the Council's fine with that, then we could come back
40 to the answer to Patty's question.

41
42 CHAIRMAN ADAMS: All right. Let's do
43 that.

44
45 MS. PHILLIPS: Read it again.

46
47 MR. JOHNSON: Five deer, optionally one
48 may be an antlerless deer taking only during the period
49 October 15th through December 31st.

50

1 CHAIRMAN ADAMS: Are you all right with
2 that, Council. Mr. Hernandez.
3
4 MR. HERNANDEZ: Mr. Chairman. I'm not
5 all right with the doe hunt is what I was -- so maybe I
6 should put my point of view on here.
7
8 I guess I'm agreeing with Mr. Douville
9 who originally spoke out against the doe hunt
10 altogether.
11
12 CHAIRMAN ADAMS: Just for a matter of
13 information, I remember talking about this, you know,
14 and Mike has brought it up, you know, a number of
15 times, and it doesn't seem to have gotten solved. So
16 let's try to take care of that today, okay? Thank you.
17
18 MS. PHILLIPS: We have a motion, don't
19 we? Can we deal with that?
20
21 CHAIRMAN ADAMS: We have a motion.
22
23 MR. HERNANDEZ: We have a motion to
24 adopt the proposal, right. So now we're in
25 deliberations. Yeah, we're going off on how to manage
26 the deer hunt, the doe hunt. I'm still talking about
27 doing away with the doe hunt. I'm speaking out against
28 the proposal As Mr. Douville originally did also in his
29 first comment before we got sidetracked.
30
31 As you know, I sat on the Unit 2 Deer
32 Subcommittee with Mr. Douville and Mr. Bangs. Dolly
33 Garza was also on it. She's no longer on the Council.
34
35
36 A lot of discussion on the doe hunt.
37 It's a divisive issue. The Unit 2 committee decided
38 that we would keep the doe hunt, and there would be --
39 we also made some kind of a commitment that we
40 recommended no major changes for, you know, three to
41 five years as Mr. Dickerson pointed out.
42
43 However, you know, I would like to
44 stand by those agreements; however I guess I wasn't
45 expecting to see proposals on the doe hunt coming from
46 these subsistence community. We've dealt -- this
47 Council has dealt over the years with a lot of
48 proposals to do away with the doe hunt, and they all
49 came from the non-subsistence users for the most part
50 in the last few years. This one came from a group of

1 subsistence users who have apparently always been
2 opposed to the doe hunt since its inception, as Mr.
3 Douville has, myself also.

4
5 When the doe hunt was instituted, I was
6 the chairman of our local advisory committee. We
7 strongly opposed it. As subsistence users, we didn't
8 feel that it was a good thing for the deer populations.

9
10 So I guess I'm breaking that commitment
11 I made in the Unit 2 subcommittee, but I feel there are
12 good reasons. The main reason would, you know, does it
13 violate recognized principles of fish and wildlife
14 conservation. And in this instance, I think it
15 obviously does. You heard testimony about, you know,
16 deer populations in relation to carrying capacity, and
17 I think that pretty much sums up where we are in Unit
18 2.

19
20 Just to look at some of the -- going
21 back to the briefing book, some of the key information
22 there I think I'd like to point out. Page 133, in the
23 deer pellet group data and trends, I think as I asked
24 Mr. Dickerson and he pointed out, that pellet groups
25 are really not reliable to get population numbers, but
26 they are good for getting trends. And down at the very
27 bottom of the page, it says -- it does make some
28 analysis of population based on pellet group, and I
29 think in a general way, I think that's reliable.

30
31 I've been involved with pellet
32 counting. I volunteered a number of years ago. Myself
33 and some volunteers from Point Baker along with some of
34 the school kids went out, and we went out with Doug
35 Larson. He came out to Point Baker and we all went out
36 and we did some of his deer transects, so I got a
37 pretty good idea of just how these are done on the
38 ground, and I feel comfortable with the statement that
39 average pellet group densities of less than one group
40 per pod are considered low densities, one to two pellet
41 groups considered medium, and greater than two pellet
42 groups are considered high. I think that's a good
43 indication of just what the population is in any given
44 area at any time.

45
46 And if you look at the at the next
47 page, 134, there's average pellet counts, you know,
48 throughout the unit over a 25-year period I guess. But
49 if you just look at the last 10 years, since 1997,
50 you'll see the average was right at that one group per

1 plot. And that kind of represents just a modest amount
2 of deer in a given area. Not a high population, just
3 kind of modest. Might be okay for hunting, you might
4 have some decent success there, but, you know, my
5 experience is, having hunted areas where I know there's
6 pellet counts, and I know what the hunting is like, and
7 areas where I know what the pellet count data is, I
8 would agree with that. I would say in places where
9 I've been where they've come up with a one group per
10 plot, yeah, it's not a high population. You might be
11 able to have a good chance of deer there given, you
12 know, some effort. But it's not good hunting. I would
13 not characterize that as good hunting.

14
15 So in the last 10 years you can see the
16 trends there. I think there's four years where the
17 average has been below that, and five years where it's
18 been just kind of right at that or slightly higher.
19 Just, you know, for just kind of an average throughout
20 the Island. And I think that kind of sums it up. It's
21 not high, it's okay, but, you know, some years it's
22 been lower. And in a lot of places where people do
23 like to hunt, a lot of the hunting effort is, it's
24 definitely low.

25
26 And I think the point that the State
27 makes about you know, if it's a place where you
28 typically like to hunt and if there happens to be
29 people in that area that like to take does, it's
30 affecting the population. And, you know, I'm trying to
31 convince people that that's okay. It just doesn't go
32 down very good.

33
34 And, you know, I come from a community
35 where probably 95 percent of the people are opposed to
36 the doe hunt, and I think that that's the primary
37 reason, that's what they're seeing, that kind of
38 effect. The places that they like to hunt, they feel
39 are being affected by doe hunting, and they're opposed
40 to it.

41
42 And if that's -- you know if there's
43 other people on the Island like people down in Klawock
44 who put forward this proposal, I think I would like to
45 support them in that.

46
47 So i guess that pretty much sums up my
48 opposition -- or, excuse me, I better clarify. I'm
49 supporting the proposal.

50

1 MS. PHILLIPS: You are.
2
3 MR. HERNANDEZ: I am supporting the
4 proposal, yes. I'm not in opposition to it.
5
6 CHAIRMAN ADAMS: Okay. Thanks, Don.
7
8 Anyone else like to comment. Mr.
9 Douville, please.
10
11 MR. DOUVILLE: I'm in opposition to the
12 proposal, but initially in the meeting in Saxman there
13 was lots of opposition to a similar proposal to
14 eliminate the doe hunt. And I've lived on Prince of
15 Wales all my life, and I've even hunted does in not
16 recent years, but in late November and December we
17 didn't even shoot bucks. We went looking for does, it
18 was much better meat. And it's still that way today.
19
20 But I opposed it and made the best
21 argument I could. However, after listening to me,
22 Chairman Thomas said, those are all very good points.
23 Thank you very much. But we have this little thing
24 called customary and traditional, and so we need to
25 keep that in mind when we deal with things like that.
26 It is customary and traditional, and there's no
27 biological reason not to take does.
28
29 CHAIRMAN ADAMS: Thank you, Mike.
30
31 Anyone else. Patty.
32
33 MS. PHILLIPS: Thank you, Chairman
34 Adams.
35
36 I'm going to oppose the motion. And I
37 appreciate the concise summary in our book. It took a
38 whole lot of information and boiled it down to what we
39 have before us. And he gave me some new information
40 that was based on I believe the Brinkman study, but
41 that -- on Page 134 at the bottom and the top of 135,
42 muskegs were identified as the most popular habitat
43 type to hunt followed by clear-cut forest. Hunters
44 reported that the best hunting in clear cuts began on
45 average two years after an area had been logged, and
46 the quality began to decline on average when a clear
47 cut reached nine years of age. And vehicles were used
48 the most to access hunting areas, and most hunters
49 reported that roads increased their hunting success and
50 decreased their hunting effort. But it also has that

1 effect of depleting the number of deer within those
2 more popular areas.

3
4 And I was wondering the chart on Figure
5 2, 135, show number of deer at 1842 in '97, and then
6 increasing up. That's the number of harvests, but the
7 number of deer back then may correlate to the amount of
8 forage food for the deer, because of all the clear
9 cutting that occurred on the Island, that we may have
10 seen an increase in the amount of deer back then. but
11 we also had a correlating increase in harvest, because
12 we had a higher population back then.

13
14 But the justification provided by Staff
15 is variables, such as road access, wolf and bear
16 predation, weather patterns, level of enforcement,
17 public education and habitat changes are likely to
18 impact the deer population and harvest levels much more
19 than elimination of the antlerless season or allow
20 antlerless deer to be hunted every other year.

21
22 The current information indicates deer
23 population across Unit 2 is in balance with its
24 habitat, with areas reflecting stable or increasing
25 deer populations and harvest and a few areas suggesting
26 some level of decline.

27
28 Hunter success, hunter effort, pellet
29 group data available to analyze do not indicate a major
30 decline in the deer population in Unit 2 at the present
31 time. At this time, continued antlerless harvest can
32 be an important tool to maintain opportunity and
33 additional venison for subsistence hunters.

34
35 And if you look at the ADF&G comments,
36 it says, under conservation issues, while harvesting of
37 does throughout Unit 2 may not affect the unit-wide
38 status or trend of the overall population, harvest
39 concentrated in and around easily accessible areas
40 where resident hunters typically concentrate most of
41 their hunting will undoubtedly reduce local deer
42 numbers and their availability.

43
44 Similarly, further down, deer numbers
45 may be affected near human population centers, because
46 of hunter focus and access.

47
48 But overall the numbers of deer
49 population is stable on most of the Island, and so
50 there is not a conservation concern. And this is

1 supported by the evidence in our document, in our
2 meeting summary, meeting materials, and it's -- it
3 would be detrimental to pass this, it would be
4 detrimental to the subsistence user to pass this
5 proposal, because it be restricting the subsistence
6 harvester from harvesting the does, which is something
7 that they have customary and traditionally done. And
8 by opposing this, we would not be unnecessarily
9 restricting the non-subsistence user, rather we would
10 be keeping in place the plan that has been developed
11 through the subcommittee process.

12

13 Thank you.

14

15 CHAIRMAN ADAMS: Thank you. You know,
16 we've gone through a lot here, and we've gone through
17 the four points. They've all, you know, been
18 identified there. I think we're ready to take this to
19 a vote now. So I'm going to.....

20

21 MR. DOUVILLE: Call for the question.

22

23 CHAIRMAN ADAMS: The question's been
24 called for. Mr. Kitka, please, roll call.

25

26 MR. KITKA: Richard Stokes.

27

28 MR. STOKES: I oppose.

29

30 MR. KITKA: Patricia Phillips.

31

32 MS. PHILLIPS: Oppose.

33

34 MR. KITKA: Mike Douville.

35

36 MR. DOUVILLE: Oppose.

37

38 MR. KITKA: Harvey Kitka. Oppose.

39 Bert Adams.

40

41 CHAIRMAN ADAMS: I oppose.

42

43 MR. KITKA: Donald Hernandez.

44

45 MR. HERNANDEZ: Support.

46

47 MR. KITKA: Mike Davis.

48

49 MR. DAVIS: Oppose.

50

1 MR. KITKA: Merle Hawkins.
2
3 MS. HAWKINS: Oppose.
4
5 MR. KITKA: Joe Hotch.
6
7 MR. HOTCH: Oppose.
8
9 MR. KITKA: Michael Bangs.
10
11 MR. BANGS: Oppose.
12
13 MR. KITKA: Lee Wallace.
14
15 MR. WALLACE: Oppose.
16
17 CHAIRMAN ADAMS: Thank you.
18
19 MR. KITKA: Mr. Chairman, the oppose
20 have it with one voting for.
21
22 CHAIRMAN ADAMS: Thank you, Mr.
23 Secretary. The motion is adopted. Adopted.
24
25 Thank you, Larry.
26
27 Dr. Schroeder, please.
28
29 DR. SCHROEDER: Mr. Chairman, the other
30 discussion was brought up concerning the use of tags.
31 In hearing from Doug Larson and other Staff, it sounded
32 like we weren't quite ready to do something in a
33 regulatory direction. I may be that the Council would
34 like Staff to pursue that option, and figure out what
35 might work and then report back.
36
37 CHAIRMAN ADAMS: Dave Johnson.
38
39 MR. JOHNSON: Mr. Chairman, Council.
40 One possibility and obviously Doug and others have not
41 heard the details on this, but one of possibility could
42 be that tag five, or harvest ticket number 5, we would
43 actually print on there, or put a stamp on there that
44 says, if you are a Federally-qualified user, you may
45 take an antlerless deer with this tag only between
46 October 15th and December 31st. This is the only
47 exception for using your tags out of sequence. So
48 again this is just one possibility that we could
49 explore with the State.
50

1 Did you get that, Doug.

2

3 MR. D. LARSON: Through the Chair.
4 Yeah, Dave, I did. And I guess my only thought there
5 is that, you know, the harvest tickets that are
6 currently used are used jointly by us and Forest
7 Service obviously, but they cross all units so that
8 same harvest ticket is used in Unit 2, it's used in
9 Unit 4 and elsewhere.

10

11 And, of course, in Unit 4, where pellet
12 group densities are up in the three to four per plot,
13 just in reference to Mr. Hernandez's comment earlier,
14 where we do have doe seasons, you know, people can kill
15 or take up to four antlerless deer. So I think there
16 would be some complications there in trying to make
17 something that would apply to Unit 2, and try to make
18 that fit for the whole region in its entirety.

19

20 So I think that, you know, the concept
21 makes sense, but I think if we're going to go there,
22 we're going to ultimately end up with something that is
23 right back where we started, which is something unique
24 in Unit 2 in order to try to address specific issues or
25 concerns there. And, of course, that's what we tried
26 to avoid when we went the other direction we did.

27

28 So, I think my perspective, Dave, and
29 others, is that if there's some interest in something
30 unique to address concerns in Unit 2, I think we need
31 to have a good long hard think about how that might
32 look so that we can most efficiently and effectively
33 implement that without complicating hunting across the
34 region.

35

36 CHAIRMAN ADAMS: Okay. Thank you,
37 Doug.

38

39 I think Mike wants to make a comment.

40

41 Mr. Johnson, would you turn off your
42 microphone, please.

43

44 (Laughter)

45

46 CHAIRMAN ADAMS: Go ahead, Mr.
47 Douville.

48

49 MR. DOUVILLE: I don't think that the
50 doe harvest, even with the unrecorded harvest part of

1 it, is that significant that it poses a biological
2 problem. But if the Departments want a better
3 accounting, they could pursue something like this. But
4 to me, personally, I don't have any heartburn with the
5 doe hunt, because I know that we used to take many,
6 many more does in the past when I was younger than we
7 even touch on today, and it didn't hurt the population
8 then. Some people are just more comfortable with
9 better accounting, like the group from Klawock would
10 probably feel better. However, I know that a certain
11 part of that group has been opposed to the doe hunt
12 since '94 or 5, and still haven't settled it in their
13 minds and it keeps coming back to us.

14
15 CHAIRMAN ADAMS: Okay. Thank you.
16 We're done with Proposal No. 7 now. I'd like to take a
17 short break and get back here at about 10:30 and we'll
18 go on with Proposal No. 8.

19
20 (Off record)

21
22 (On record)

23
24 CHAIRMAN ADAMS: Will that caucus in
25 the back there please break up and come on inside.

26
27 Okay. We're back into session. I
28 understand we have some State people here. I'd like to
29 give you an opportunity to introduce yourself and say
30 hello.

31
32 MR. HILSINGER: Yes. John Hilsinger,
33 Fisheries Division. And I had a chance to work with
34 you at the January meeting, and really enjoyed it. So
35 it's a great pleasure to be here. This is the first
36 time I've ever been to Kake. And I don't have a lot of
37 experience in Southeast Alaska. I've worked all over
38 Southcentral, westward and AYK, so I'm really looking
39 forward to learning about Southeast Alaska and this is
40 kind of my first opportunity, so thank you.

41
42 CHAIRMAN ADAMS: Thank you, John.
43 Welcome and I'm sure you're going to be heavily
44 involved in Southeast Alaska, so we welcome you.

45
46 How about this gentleman here.

47
48 MR. THORSTENSON: I'm Bob Thorstenson,
49 Jr., originally from Petersburg. I'm a commercial
50 purse seiner and sport fisherman, and I currently live

1 in Juneau. I'm also president of United Fishermen of
2 Alaska and executive director of Southeast Alaska
3 Seiners Association.

4
5 CHAIRMAN ADAMS: Welcome, Bob.

6
7 We're on Proposal No. 8, so, Mr.
8 Larson, the floor's all yours.

9
10 MR. R. LARSON: Thank you, Mr.
11 Chairman.

12
13 CHAIRMAN ADAMS: Excuse me. Is Doug
14 and Terry on line yet.

15
16 MR. D. LARSON: Mr. Chair, this is Doug
17 Larson. I am on line. Thank you.

18
19 MR. HAYNES: Thank you, Mr. Chairman,
20 Terry Haynes here and we're on line.

21
22 CHAIRMAN ADAMS: Okay. Thank you.
23 Thank you for your patience in waiting.

24
25 Go ahead, Mr. Larson.

26
27 MR. R. LARSON: Mr. Chairman. Proposal
28 WP07-08 was submitted by the Forest Service in
29 Petersburg, Alaska. And it requests that the Federal
30 Subsistence Board delegate in-season authority to close
31 the subsistence moose hunt in Units 1B and 3, which are
32 contained within the Petersburg management area.

33
34 The reason for this request was a
35 closure, an in-season closure, by the State of Alaska
36 in 2006 for the Unit 3 moose hunt. I can direct you to
37 Page 145 in your Council book. It has the draft Staff
38 analysis.

39
40 In the draft Staff analysis under
41 discussion it references the reason behind the closure,
42 which was excessive harvest of the adult segment of
43 moose in the area. And that's true in itself, and I
44 think that it's worthwhile to expand on that in that
45 the real concern in 2006 was that we have an antler
46 restrictions as you can see under existing Federal
47 regulations where we're talking about a spike fork or
48 50-inch or three brow-tine moose.

49
50 And what was happening was there was

1 widespread non-compliance with those antler
2 restrictions. What we're talking about is intentional
3 modifications of the antlers. So in fact we were
4 harvesting bull moose that was in part of our intended
5 portion of that population. At the time of the closure
6 there was 40 percent that had been harvested were of
7 questionable size. Since that time there was a number
8 of citations that's written.

9

10 The Board of Game has addressed the
11 issue and tightened up on those antler restrictions.
12 So I think we're well on our way to address that issue.

13

14

15 The only thing that would allow the
16 subsistence harvest to keep pace would be to delegate,
17 have the Subsistence Board delegate the in-season
18 management of moose to the in-season manager, the same
19 as they do for fish.

20

21 At the bottom of Page 145 you can see
22 our proposed regulatory language, and that is that in
23 addition to the regulation as it stands now, we include
24 the words, Petersburg Ranger District is authorized to
25 close the season -- the Petersburg District Ranger is
26 authorized to close the season based on conservation
27 concerns, in consultation with the Alaska Department of
28 Fish and Game and the Chair of the Southeast Alaska
29 Regional Advisory Council.

30

31 Page 146, we have the regulatory
32 history and the State regulations.

33

34 Discussion of the current events and
35 biological history on Page 147.

36

37 A review of the harvest history on Page
38 148, and the preliminary conclusions which would be to
39 support this proposal, and the justification is that
40 the authority for in-season management of moose in
41 Units 1B and 3 will provide the timely response
42 necessary to respond to unexpected circumstances that
43 may occur during the hunting season.

44

45 And that concludes my presentation.

46

47 CHAIRMAN ADAMS: Thank you, Mr. Larson.
48 Questions of the Council. Patty, go ahead.

49

50 MS. PHILLIPS: Thank you, Mr. Chair.

1 Mr. Larson, where's the wording on that
2 modification? You said support with a modification.
3
4 MR. R. LARSON: If I did, I misspoke.
5 We wish to support the proposal with the language as
6 suggested.
7
8 CHAIRMAN ADAMS: Mr. Hernandez.
9
10 MR. HERNANDEZ: Thank you, Mr.
11 Chairman.
12
13 The proposed Federal regulation, that
14 doesn't reflect the changes made to the regulation by
15 the Board of Game this past year though. Why is that?
16
17 MR. R. LARSON: Mr. Hernandez, there's
18 two reasons for that. The first is that the language
19 passed by the Board was done subsequent to the proposal
20 that we're talking about here. And the other reason is
21 that without regard to what the exact language is we're
22 referencing, the antler restrictions, the point that we
23 feel is most important is that the in-season manager
24 have the ability to close the season if conditions
25 warrant.
26
27 CHAIRMAN ADAMS: Anyone else.
28
29 You see the government class from the
30 high school is here again, so there's seats up here if
31 you guys want to come in and have a seat. Don't be
32 bashful. This is your own community.
33
34 Any other questions of Mr. Larson from
35 the Council. Patty.
36
37 MS. PHILLIPS: Thank you, Mr. Chair.
38
39 My question is based on ADF&G comment.
40 And should I bring that up? But it's to Federal Staff,
41 my question. Should I bring it up now?
42
43 CHAIRMAN ADAMS: Sorry. Why don't we
44 let ADF&G make their comments now and then you can
45 question them after that.
46
47 So, Terry, Doug, it's your turn.
48
49 MR. D. LARSON: Mr. Chairman, this is
50 Doug Larson.

1 I think Bob did a nice job of
2 summarizing the details, and it is certainly well
3 written in your summary book.

4
5 I'll refer you to Page 150 in your book
6 for our ADF&G comments.

7
8 I can make this pretty quick, I
9 believe. It's already been noted that last fall due to
10 some concerns with moose harvest in 1B in particular
11 that there was an emergency closure issued by the
12 State, and there was subsequently a lot of discussion
13 about how that affected the Federal side of things, and
14 it was agreed that the best way to address this type of
15 thing in the future and to best insure and position
16 both agencies to do what was best in the interest of
17 conservation, that a proposal be brought forward as has
18 happened in the form of 07-08, and that that would give
19 authority to, presumably it would be the district
20 ranger within the area to follow suit in issuing a
21 closure if and when one was deemed appropriate and
22 necessary.

23
24 So we support the idea here of having
25 Federal ability to issue the E.O. similar to what the
26 State does at this point.

27
28 So that's all I have, Mr. Chairman.
29 Thank you.

30
31 CHAIRMAN ADAMS: Thank you, Doug.

32
33 Patty, do you want to address your
34 issue now?

35
36 MS. PHILLIPS: Thank you, Chairman
37 Adams.

38
39 The conclusion of ADF&G comments, the
40 last paragraph Page 150 in the middle. In particular
41 hunts should only be closed to non-Federal subsistence
42 use in those instances in which substantial evidence
43 clearly indicates that the closure is necessary and
44 meets the standards established by Federal law, not
45 when an individual manager interprets an undefined
46 conservation concern.

47
48 So why are -- I understand why you need
49 the emergency order authorization, especially with the
50 explanation that Mr. Larson on the Federal Staff just

1 gave us about, you know, 40 percent of the harvest was
2 questionable size antler. So if there is a
3 conservation concern, why aren't we restricting non-
4 Federally qualified hunters before we go into an
5 emergency closure situation.

6

7 MR. D. LARSON: Through the Chair. Ms.
8 Phillips, the regulations apply to all hunters, and in
9 the case of 1B and 3, and Bob may have information
10 further on this, is that is -- the primary users there
11 are Federally-qualified hunters.

12

13 In that statement, I think what we're
14 really hoping to see happen, and I guess I'm optimistic
15 that it would happen, is that whatever decisions are
16 made relative to closing a season would be done in
17 cooperation between agencies, and that the reason for
18 it would be well understood in both parties, and that
19 it would be a cooperative effort to do what was right
20 in the interest of the resource. And then that's the
21 intent behind that language.

22

23 CHAIRMAN ADAMS: Okay. Oh, Bob.

24

25 MR. R. LARSON: And I could follow up
26 on that and concur that the actions that would be taken
27 by the Federal authority, in this case the Petersburg
28 District Ranger would not be, you know, without a
29 significant reason. And the conservation concern, of
30 course, would be impossible to identify more than a
31 need that would be fully substantiated. And it is, you
32 know, our understanding and our plan that the
33 management of moose in 1B and 3 is a cooperative effort
34 between the Alaska Department of Fish and Game and the
35 Forest Service for the best interests of the resource
36 and the subsistence users, which in this case happen to
37 be one and the same with the State users.

38

39 CHAIRMAN ADAMS: Thank you, Bob.

40

41 Anyone else. Questions for Bob.
42 Patty, follow up.

43

44 MS. PHILLIPS: Thank you, Chairman
45 Adams.

46

47 There was -- what percent of harvest is
48 by the eligible Federal-qualified resident? Is it 80
49 percent? 90 percent? 95 percent?

50

1 MR. R. LARSON: I'm not 100 percent
2 sure that I know that. As I recall there's been some
3 discussion, and I don't think it's in this document,
4 but it is almost all. It's a fairly low number of non-
5 Federally-qualified people that participate in those
6 hunts, but there is some. There is -- you know, there
7 is not only a harvest ticket type approach with these
8 type of antler restrictions, which is open to all, but
9 in addition to that, there is a drawing permit that is
10 for any bull. So to take those bulls of intermediate
11 size between the spike fork and the 50-inch, three brow
12 tines. So those people I believe have -- if we look at
13 the people that have taken those and gathered those
14 permits, there is one of -- most of those in fact are
15 local residents as well, but there are some that are
16 not.

17
18 CHAIRMAN ADAMS: Okay. Thank you.

19
20 For the high school government class,
21 we're on Page 151 if you want to turn to that page,
22 we're working on that proposal right now.

23
24 Okay. We've had, you know, comments
25 from Bob and introduction. We had comments from the
26 State.

27
28 Mr. Hilsinger, would you like to
29 address anything that we've talked about so far?

30
31 MR. HILSINGER: No, Mr. Chairman. I
32 don't have anything to add right now.

33
34 CHAIRMAN ADAMS: Since you were here, I
35 just wanted to give you an opportunity if you were so
36 inclined.

37
38 MR. HILSINGER: Thank you.

39
40 CHAIRMAN ADAMS: Okay. The Federal,
41 State, Tribal.

42
43 (No comments)

44
45 CHAIRMAN ADAMS: Okay. Steve, I have
46 an idea what yours is going to be like.

47
48 MR. KESSLER: Thank you, Mr. Chair.
49 That is correct. No comments from the Staff Committee
50 on this one.

1 CHAIRMAN ADAMS: Thank you. I didn't
2 even take the courtesy to sit down.
3
4 Advisory committee members.
5
6 (No comments)
7
8 CHAIRMAN ADAMS: Dr. Schroeder, any
9 written comments.
10
11 DR. SCHROEDER: Mr. Chair, no written
12 comments on this proposal.
13
14 CHAIRMAN ADAMS: Thank you. Public.
15
16 (No comments)
17
18 CHAIRMAN ADAMS: Hey, if any of you
19 students want to get up and address this issue, you're
20 welcome to. It's your public comments.
21
22 Okay. We're going to go into Council
23 deliberation now.
24
25 I just got a bright idea. What's your
26 name, sir, you're the teacher?
27
28 MR. MOCK: My name is Stu Mock.
29
30 CHAIRMAN ADAMS: Okay. Would you just
31 come up here and explain, you know, what you're trying
32 to get out of this situation here.
33
34 MR. MOCK: This is Stu Mock. I'm the
35 government instructor at Kake High School.
36
37 And we attended part of the session
38 today. I opened the invitation so to some students
39 outside of my government class today, just to give them
40 a chance to observe and possibly participate in some of
41 the matters that concern the community here locally,
42 and the regional as a whole. And we did spend a few
43 minutes before we came down here, we talked about a bit
44 of what we heard yesterday, especially Nick Davis'
45 comments about some of the issues that impact us
46 locally here in the community. So it's just an
47 opportunity to give the kids to see something, and I
48 guess be aware of a political process that is pertinent
49 to individuals that live in Southeast Alaska.
50

1 CHAIRMAN ADAMS: Well, thank you very
2 much. We appreciate you being here, and, you know, as
3 I mentioned yesterday, not all of us are going to be
4 here forever. And you youngsters are going to have to
5 step up and take these seats. And the issues that we
6 wrestle with during every meeting, you know, are
7 important subsistence issues that's going to affect
8 your life and other people's lives, you know, for many
9 years to come. So we really appreciate your interest
10 in coming down here and learning a little bit more.

11
12 It's probably all mixed up in your head
13 right tight. We understood that. Each and every one
14 of us, you know, when we got on this Council, we didn't
15 know whether we were coming or going either, so it
16 takes a lot of years of participating in these kind of
17 forums in order for us to gain an understanding, you
18 know, of the issues before us. But don't let it scare
19 you, because we're going to depend on you to come up
20 and fill these seats in the future, whether it be on
21 this forum or whether it be in the city government, the
22 State or whatever, you know, it's your future and we
23 need your leadership. So keep plugging away at it, and
24 listen to you teacher. You know, you can learn a lot
25 from this guy. Thank you.

26
27 MR. MOCK: Well, I'd like to just thank
28 you, Mr. Chair, and also all the members. Several
29 remarks were made yesterday that were really
30 appreciated by the kids and by myself. And thanks for
31 letting us kind of just slip in and slip out. I know
32 you've got a full agenda and I appreciate you taking
33 time to recognize the kids yesterday and again today.

34
35 CHAIRMAN ADAMS: Sure, you're always
36 welcome. Thanks.

37
38 MR. MOCK: All right.

39
40 CHAIRMAN ADAMS: Very good. Okay.
41 We're in Council deliberations now. So what's the wish
42 of the Council on this particular proposal.

43
44 MR. STOKES: Mr. Chair.

45
46 CHAIRMAN ADAMS: Mr. Stokes.

47
48 MR. STOKES: I speak in favor of this
49 proposal. I was one of the individuals that pushed for
50 a horn restriction for years before we got it, and the

1 individuals that were affected were those from out of
2 state mostly. So I have no feeling for them. So I
3 speak in favor of this.

4

5 CHAIRMAN ADAMS: Okay. Thank you.
6 Let's take Mr. Bangs and then Mr. Douville, please.
7 And, you know, if you could address the four criteria
8 for the.....

9

10 MR. BANGS: Thank you, Mr. Chairman.
11 I'd like first to move to adopt WP07-08.

12

13 CHAIRMAN ADAMS: Is there a second.

14

15 MR. DOUVILLE: Second.

16

17 MR. STOKES: I'll second it.

18

19 CHAIRMAN ADAMS: Okay. Mr. Douville
20 beat you out this time, Mr. Stokes. So, yeah, it's
21 been moved and seconded. WE're in for the discussion
22 now. Okay. Who's willing to.....

23

24 You know, for you students, there's a
25 criteria that we use in order to determine whether this
26 is a good or a bad proposal. And we're required, you
27 know, for each of the Council -- or a Council member
28 who wants to address it, to address those four
29 criteria. And if it fits, you know, in a positive
30 manner, all of these criteria -- is the proposal
31 supported by substantial evidence. And that evidence,
32 you know, has been presented to us when Mr. Larson and
33 other people, you know, were making their
34 contributions. And then does the proposal violate
35 recognized principles of fish and wildlife
36 conservation. Would the proposal be detrimental to the
37 satisfaction of subsistence needs. And will it
38 necessarily restrict other user groups, that's
39 commercial, sport and so forth. Okay. And those are
40 -- that's the criteria that we use when we determine,
41 you know, when we talk about these proposals, and
42 somebody from the Council needs to bring those points
43 out. So we're at that point right now.

44

45 Patty, go ahead.

46

47 MS. PHILLIPS: Thank you, Chairman
48 Adams.

49

50 I'm going to vote in support of the

1 proposal. This proposal is supported by substantial
2 evidence provided in the draft analysis.

3

4 It is consistent with recognized
5 principles of fish and wildlife conservation. The
6 manager has to be reactive to in-season events that are
7 occurring order to protect future subsistence
8 opportunities.

9

10 And it is not detrimental to the
11 satisfaction of subsistence needs if they're having to
12 do an emergency closure to be reactive to in-season
13 events.

14

15 And it would not unnecessarily restrict
16 non-subsistence users.

17

18 And the justification in the booklet,
19 the local manager has been given authority in the last
20 season management of local subsistence fisheries.
21 Similar delegated authority for wildlife management
22 would best address the need for timely closures should
23 a conservation concern arise.

24

25 This action would put in place a
26 wildlife management tool responsive enough to protect
27 subsistence resources in the future. And the authority
28 for in-season management of moose in 1B and 3 will
29 provide the timely response necessary to respond to
30 unexpected circumstances during the hunting season.
31 In-season closures have been necessary for moose in the
32 past several years.

33

34 Providing in-season management
35 authority will assist in maintaining populations of
36 moose.

37

38 Thank you.

39

40 CHAIRMAN ADAMS: Thank you, Patty.

41

42 Any other comments.

43

44 The teacher there, I'm going to give
45 you a copy of this so that you can have it for your
46 class, you know, and use it as a.....

47

48 MR. MOCK: We'll use that.

49

50 CHAIRMAN ADAMS: Mr. Kitka.

1 MR. KITKA: Thank you, Mr. Chair.
2
3 Maybe you can have somebody explain to
4 me, this is by permit, and it it's a permit, how do the
5 Federally-qualified subsistence users get priority on
6 the permit? This is just one of my concerns.
7
8 CHAIRMAN ADAMS: Mr. Larson, please.
9
10 MR. R. LARSON: Yeah. Mr. Chairman.
11 The Federally-qualified users operate their hunt under
12 Federally -- they may under Federal rules. The state
13 permit is a requirement under Federal rules. And we
14 use that not as a registration permit, but as a harvest
15 reporting mechanism. So in fact the fact that the
16 State would close their hunting season, the fact
17 remains that the permit would remain valid for a
18 Federal hunt because it's used as a reporting tool.
19 And in fact if we wanted to close the Federal
20 subsistence hunt, then we need to take separate action
21 from the State.
22
23 CHAIRMAN ADAMS: Satisfied, Mr. Kitka.
24
25 MR. KITKA: Mr. Chair. I still didn't
26 quite hear how the Federal subsistence user would get
27 priority on a permit basis. This is what I asked.
28
29 MR. R. LARSON: Mr. Chairman. The
30 priority is not contained within the permit. We can in
31 fact, because of the process and the basic format of
32 our regulatory process have a similar regulation as
33 State hunting regulations, and we don't have to have a
34 separate regulation that provides a priority of one
35 kind of another. It is in fact the process, and the
36 regulations themselves and what you can do with them
37 that would provide a priority in some cases. And
38 that's the case we're looking at here.
39
40 CHAIRMAN ADAMS: Mr. Stokes.
41
42 MR. STOKES: Thank you, Mr. Chair.
43
44 I would like to see the Federal
45 subsistence individual have a priority. Now, this is
46 basically the same as the buffalo permits, it's all
47 statewide. And it would break it down to where it
48 would be more local for the individual to have the
49 opportunity to draw a permit to hunt a bull.
50

1 CHAIRMAN ADAMS: Anyone else.
2
3 (No comments)
4
5 MR. BANGS: Question.
6
7 CHAIRMAN ADAMS: The question's been
8 called for. That's what I was looking for.
9
10 Mr. Kitka, roll call, please.
11
12 MR. KITKA: Richard Stokes.
13
14 MR. STOKES: Aye.
15
16 MR. KITKA: Patricia Phillips.
17
18 MS. PHILLIPS: Aye.
19
20 MR. KITKA: Mike Douville.
21
22 MR. DOUVILLE: Aye.
23
24 MR. KITKA: Harvey Kitka votes aye.
25 Bert Adams.
26
27 CHAIRMAN ADAMS: Aye.
28
29 MR. KITKA: Donald Hernandez.
30
31 MR. HERNANDEZ: Aye.
32
33 MR. KITKA: Nick Davis.
34
35 MR. DAVIS: Aye.
36
37 MR. KITKA: Merle Hawkins.
38
39 MS. HAWKINS: Aye.
40
41 MR. KITKA: Joe Hotch.
42
43 MR. HOTCH: Aye.
44
45 MR. KITKA: Michael Bangs.
46
47 MR. BANGS: Aye.
48
49 MR. KITKA: Lee Wallace.
50

1 MR. WALLACE: Aye.
2
3 MR. KITKA: Mr. Chair, the ayes have
4 it.
5
6 CHAIRMAN ADAMS: Thank you. The motion
7 is adopted.
8
9 Let's move on to No. 9. Mr. Larson.
10
11 MR. R. LARSON: I feel that we need to
12 just touch on the priority question just before we move
13 too far away.
14
15 CHAIRMAN ADAMS: You have my
16 permission. Go ahead.
17
18 MR. R. LARSON: Thank you. The
19 regulations that are in place right now do not
20 differentiate between an opportunity provided for under
21 State or Federal regulations. If it was the will of
22 the Council to direct a priority, to specify something
23 that is different, then there is, you know, a proposal
24 mechanism that you could pursue to do. And I'm not
25 presupposing what that was, but possibly similar to
26 what they do in Cordova where, you know, a certain
27 percentage of the drawing permits are to a subsistence
28 person versus one that's a statewide person. Anyway,
29 there is other mechanisms if you wanted to have
30 something specific in place to show a priority. But
31 that is my only comment, is there is a mechanism in
32 place if you wanted to pursue it.
33
34 CHAIRMAN ADAMS: Okay. Harvey. Does
35 that explain it? Okay.
36
37 And then for you, Mr. -- I keep
38 forgetting your name.
39
40 MR. MACH: It's Mach.
41
42 CHAIRMAN ADAMS: Mach. Okay. For your
43 students, what has happened here now is this proposal,
44 you know, has been adopted by this body. And then
45 eventually it will make its way up to the Federal
46 Subsistence Board, and they're the ones that either
47 finalize it or, you know, reject it. And once it gets
48 to that level, and they adopt it, then it becomes
49 regulation. Just, you know, just a little bit of
50 education for you and the students.

1 The important thing is this process
2 right here, because a lot of the field work was done
3 here, done by Staff and brought to us.

4
5 And we use these criteria, because
6 that's what the Federal Board also uses, you know, when
7 they determine whether it is a good proposal or not.
8 And if we do our homework well, there's a pretty dog-
9 gone good chance that this will become regulation,
10 because all of the field work was already done, you
11 know, with the Staff and through this forum here.

12
13 I just wanted to share that with you so
14 that you know how a regulation becomes regulation.

15
16 MR. MACH: Thank you very much. That
17 helps.

18
19 CHAIRMAN ADAMS: Okay. No. 9, please.

20
21 MR. JOHNSON: Thank you, Mr.
22 Chairman. Council. Dave Johnson, the subsistence
23 coordinator for the Tongass.

24
25 If you'll turn in your programs to Page
26 151 you will see Proposal WP07-09. And this proposal
27 along with the next two proposals were proposals that
28 were submitted by the Southeast Subsistence Regional
29 Advisory Council, and were place holders initially
30 until action was taken on the State side by the State
31 Board of Game that occurred after the Council meeting,
32 and that's why the Council submitted proposals at that
33 time.

34
35 Proposal WP07-09 is a request to open a
36 beaver trapping season in Unit 1D from November 1st to
37 May 30th with a no harvest limit. And the intent to
38 align Federal regulations with actions taken by the
39 Alaska Board of Game during their November 2006
40 meeting.

41
42 ADF&G Staff and the Alaska Board of
43 Game believe that the current beaver population is
44 capable of withstanding additional harvest, and the
45 Board of Game increased the State harvest limit from
46 five bag limit to no limit, but did not extent the
47 current State season during the November meeting.

48
49 The recommendation is to adopt the
50 proposal with the amendment where the harvest will be

1 set to limit and the season would be consistent with
2 the current State season, which is December 1st through
3 May 15th. Adopting the proposal with amendment would
4 align Federal and State regulations and reduce
5 regulatory complexity between the two programs.

6
7 Thank you, Mr. Chairman. That
8 completes my analysis.

9
10 CHAIRMAN ADAMS: Thank you, Dave.

11
12 Questions from the Council. Mr. Davis.

13
14 MR. DAVIS: Can you tell me what kind
15 of participation you have in there now?

16
17 MR. JOHNSON: As I understand it, the
18 existing Federal season, there was no Federal season at
19 the time, and I'm not sure, apparently there was enough
20 survey work done by the State to determine that the
21 beaver population was at a high enough level to take
22 the action to increase the bag limit and the season.

23
24 CHAIRMAN ADAMS: Anyone else. Come on,
25 Patty, you don't want to stop now.

26
27 MS. PHILLIPS: I don't have one. No
28 brainer.

29
30 CHAIRMAN ADAMS: Patty says no brainer.

31
32 We'll go to State comments now.

33
34 (Laughter)

35
36
37 MR. D. LARSON: Thank you, Mr.
38 Chairman. This is Doug Larson.

39
40 I appreciate that comment. I think
41 Dave has done a good job of summarizing the situation.
42 I think the most relevant piece of that at this point
43 is that the Board of Game did act based on information
44 that was made available to them in terms of the beaver
45 population in the valley, and took the action that they
46 did.

47
48 And we do, the Department does support
49 having aligned seasons and bag limits and so we, the
50 Fish and Game Department will support with the modified

1 recommendation, which would be to keep the limit at no
2 limit, and to have the season date December 1st through
3 May 15.

4
5 Thank you, Mr. Chairman.

6
7 CHAIRMAN ADAMS: Well, thank you, Mr.
8 Larson.

9
10 Any questions of Mr. Larson by the
11 Council. Mr. Bangs.

12
13 MR. BANGS: Thank you, Mr. Chairman.

14
15 Yes, Mr. Larson, is there a reason why
16 the State chose not to follow the recommendation of the
17 Council on the dates of the harvest.

18
19 MR. D. LARSON: Through the Chair. Mr.
20 Bangs, I guess somebody might be able to clarify for
21 me. I know that the Council put this in as a
22 placeholder, and as I recall, the original proposal
23 that was submitted to the Board of Game asked for
24 November 1 to May 30. So it was put in this book
25 similar to what it was in the Board of Game book.

26
27 And then during deliberations by the
28 Board, and in questioning our Staff, there was concern
29 or questions about pelt quality. And we felt that it
30 would make more sense from a pelt quality standpoint to
31 wait until December 1 to have the season initiated.

32
33 So it was not that there opposition to
34 the Regional Advisory Council. It was really that this
35 was put in by a member of the public originally and
36 then action was taken by the Board of Game.

37
38 CHAIRMAN ADAMS: All right. Thank you.

39
40
41 Any other comments, questions by the
42 Council. Mr. Hernandez.

43
44 MR. HERNANDEZ: Doug, on Page 155 of
45 our briefing book, under the conclusion, it says that
46 ADF&G recommends that the Federal Board take no action
47 on this proposal. Are you differing from that opinion
48 by saying that it should be adopted.

49
50 MR. D. LARSON: Through the Chair. Mr.

1 Hernandez, you know, the thinking within the policy
2 level of the Department is that with a regulation like
3 that's in place and is eligible for all users,
4 including those, including those that are Federally-
5 qualified, my understanding is that the sense was that
6 there wasn't really a need to have to have another
7 regulation put in place on the Federal side in order to
8 accommodate that.

9

10 And frankly that's outside of my area
11 of expertise, and perhaps Terry can weigh in with some
12 thoughts on it.

13

14 But relative to the proposal and what I
15 think is attempting to be done here, to the extent that
16 a regulation does get in place on the Federal side, it
17 just makes good sense to have those aligned if at all
18 possible, just for the sake of those users out there,
19 and to lessen any complications or, you know, unknowns
20 about what people can or can't do. So that's the
21 thinking there.

22

23 And I guess I would defer to Terry if
24 he has any other thoughts on it.

25

26 Thank you, Mr. Chair.

27

28 CHAIRMAN ADAMS: Sure. Terry.

29

30 MR. HAYNES: Thank you, Mr. Chairman.
31 This is Terry Haynes in Fairbanks.

32

33 Doug's correct. As I mentioned
34 yesterday at the outset of the meeting, we do have some
35 comments in our -- in the text here that kind of
36 reflect the Department's general perspective on some
37 broad issues. And the Department has consistently felt
38 that if a State regulation is providing the opportunity
39 for Federally-qualified subsistence users, that we
40 don't believe it's necessary to have a duplicate
41 Federal regulation.

42

43 But as Doug pointed out in this case,
44 if a Federal regulation is going to be put into place,
45 that we support a federal regulation that matches the
46 State regulation. That would serve to minimize
47 confusion and eliminate the opportunity for people to
48 have to determine if they are harvesting resources on
49 Federal public lands or on State and private lands.

50

1 So again we have this policy language
2 that accompanies our comments in some cases, but we
3 also recognize that the Federal Board is likely to take
4 action on these proposals, so that in this case as Doug
5 has pointed out, we support the proposal as modified in
6 the preliminary conclusion.

7

8 Thank you, Mr. Chairman.

9

10 CHAIRMAN ADAMS: Thank you, Terry.

11

12 Anyone else here want to question.

13 Mike.

14

15 MR. DOUVILLE: Thank you, Mr. Chairman.

16

17 I would like an explanation from maybe
18 a Federal Staff on the paragraph on Page 155, before
19 the Federal Board adopts a new Federal season and bag
20 limit for trapping beaver in Unit D, a customary and
21 traditional use determination must be made that
22 specifies which rural residents have a history of
23 trapping beaver for subsistence purposes in Unit 1D.

24

25 CHAIRMAN ADAMS: Tom, would you come
26 down here and help Dave a little bit here? Or Bob.

27

28 MR. R. LARSON: Mr. Chairman. There's
29 two common themes that run through the State comments.
30 The first is regarding the need for a customary and
31 traditional use determination, and the second, of
32 course, addresses the issue that you were speaking of
33 just a short time ago of why would you need a Federal
34 regulation if the State is already providing for those.
35 And if it's okay, I'll address those issues.

36

37 CHAIRMAN ADAMS: That's okay. Go
38 ahead.

39

40 MR. R. LARSON: Regarding the customary
41 and traditional use, the eight factors used by the
42 Board to make customary and traditional use
43 determinations, you know, they are not in fact a
44 checklist, but characteristics that taken together
45 exemplify whether or not a community has a historic use
46 of resources. Then the Board, of course, makes the
47 customary and traditional use determinations for the
48 use of fish and wildlife, but not the specifics of each
49 type of use after the wildlife has been harvested.

50

1 Our regulations do not require an
2 individual and specific use determinations for each
3 use, which means eating, trading, bartering, sharing,
4 selling, crafting after the harvest of a resource. So
5 it's the use of the community, but not after it's
6 harvested.

7

8 CHAIRMAN ADAMS: Interesting. Okay.

9

10 MR. R. LARSON: Regarding the need for
11 a Federal subsistence regulation when in fact there is
12 a similar regulation in State regulations, you know,
13 the fact that a use is provided for in State
14 regulations is not really relevant, because the State
15 and Federal programs operate under different mandates.

16

17

18 ANILCA requires the Federal program to
19 give rural Alaskans a subsistence priority over other
20 uses for the taking of fish and wildlife resources on
21 Federally-managed lands. ANILCA provides for local and
22 regional participation by established Regional Advisory
23 Councils. That addresses the process issue, which is
24 fundamentally different between the State and the
25 Federal governments. ANILCA requires deference and
26 accountability to the Regional Councils on their
27 recommendations concerning regulatory proposals on the
28 taking of fish and wildlife resources. The Federal
29 subsistence program is required to ensure that
30 subsistence priority is given regardless of the
31 opportunity provided under State law.

32

33 Thank you.

34

35 CHAIRMAN ADAMS: Thank you, Bob.

36

37 It looks like the students are leaving.
38 You're going to be tested on this, you know.

39

40 (Laughter)

41

42 CHAIRMAN ADAMS: Steve Kessler, go
43 ahead.

44

45 MR. KESSLER: Steve Kessler with the
46 InterAgency Staff Committee. Thank you, Mr. Chairman.

47

48 Maybe I could help just a little bit
49 more with the customary and traditional use. If you
50 take a look on Page 153, there has been no customary

1 and traditional use determination made for beaver in
2 Unit 1D, and therefore all Federally-qualified
3 subsistence users of the State would be eligible to
4 harvest beaver under these trapping regulations.
5 That's the way that our Federal program operates.
6 Until there is a specific customary and traditional use
7 determination, which is in Part C of our regulations.
8 Part D is the harvest seasons, bag limits, et cetera.
9 Part C is the customary and traditional use
10 determinations. But until those determinations are
11 made, these areas are open to all rural residents.

12

13 Now, if a proposal comes forward then
14 to narrow that for this specific unit, for Unit 1D,
15 that would have to come forward as a separate proposal.
16 You can't do it as part of this. It would be a
17 completely new proposal.

18

19 But there is nothing that stops us from
20 having a harvest season, bag limits without that
21 specific customary and traditional use determination.

22

23 I hope that helps.

24

25 CHAIRMAN ADAMS: I see Patty nodding
26 her head, so it must help.

27

28 (Laughter)

29

30 CHAIRMAN ADAMS: Okay. John, go ahead.

31

32 MR. HILSINGER: Thank you, Mr.
33 Chairman. Maybe I can help. My name is John
34 Hilsinger. Again I'm the director of Commercial
35 Fisheries Division.

36

37 And I think Terry Haynes did a real job
38 of explaining some of the State's comments. I just
39 would add a couple things.

40

41 One, on the customary and traditional
42 use determination, the uses that are afforded a
43 preference under ANILCA are customary and traditional
44 subsistence uses, and so it's the State's feeling that
45 then the Federal Subsistence Board should go through
46 and determine what those customary and traditional uses
47 are rather than to provide a preference to all rural
48 residents of Alaska. It's highly unlikely that many of
49 those rural residents from other regions do have a
50 customary and traditional use. And so we would like to

1 see that customary and traditional use determination
2 made as these Federal seasons are created to ensure
3 that the people that actually have the customary and
4 traditional use of the resource are the people who are
5 afforded the preference.

6

7 And the other issue on the duplicate
8 regulations, the Federal regulations already adopt
9 State regulations by reference, and so those State
10 regulations are part of the Federal regulatory system.

11

12

13 And I think, you know, we've all looked
14 at those puzzles where they have two pictures, and one
15 is slightly different than the other. Someone's button
16 will be missing in one picture and not in the other,
17 and you have to look at those two pictures and try to
18 find all the differences. And that's kind of what
19 happens in these regulations. And so it was our
20 feeling that it would be much more clear if there were
21 one set of regulations, and where the regulations are
22 going to be the same, there be one set of regulations.
23 Where the Federal program determines that there needs
24 to be a difference, that the State program doesn't
25 adequately for the preference or whatever, then they
26 could adopt an additional regulation.

27

28 But to have a large body of regulations
29 that are the same and a few mixed in with those that
30 are different, it makes it extremely difficult both for
31 the public and for the agencies.

32

33 And so since our regulations are
34 already adopted by reference, we feel that that's the
35 preferable way to approach this in order to reduce, (a)
36 the conflict between the regulations, and (b) the
37 difficulty of figuring out exactly what it is you can
38 and can't do.

39

40 Thank you.

41

42 CHAIRMAN ADAMS: Thank you, Mr.
43 Hilsinger.

44

45 Is there any questions that anybody
46 would like to ask of John. Mr. Hernandez.

47

48 MR. HERNANDEZ: Well, regardless of
49 whether or not there is a customary and traditional
50 finding for that specific species and that specific

1 place, I mean, there still is a difference between
2 State and Federal regulations as to who is qualified in
3 my mind, and clarify, because State would give equal
4 priority -- or equal preference to anybody in the
5 State, whereas regardless of whether or not there's a
6 customary and traditional finding for that specific
7 place, Federal regulations still give a priority to
8 rural residents over non-rural residents. So isn't
9 that a difference in itself?

10

11 MR. HILSINGER: Mr. Chairman. Mr.
12 Hernandez. In these situations where there's no real
13 limitation on the resource, and, you know, in this case
14 we're talking about a fairly long season, and no
15 harvest limit, I'm no sure it makes too much
16 difference. When you get to situations where the
17 resource is limited and where there are restrictions,
18 then I think that's a situation where the Federal
19 program may wish to adopt some different regulations in
20 order to provide that preference. But when there's a
21 relatively low harvest and a relatively abundant
22 resource, and there's very little restriction or no
23 restriction on the harvest, then the State thinks that
24 it's reasonable to have one set of regulations that
25 would apply to everyone, and try to reduce the
26 potential for conflict and confusion.

27

28 CHAIRMAN ADAMS: Thank you, John.

29

30 Any other questions of Mister -- oh,
31 Steve, comment, question, or what?

32

33 MR. KESSLER: Thank you, Mr. Chairman.

34

35 For the Council, one thing that we made
36 you aware of yesterday, and we can do it again, but it
37 sort of responds to one of the things that Mr.
38 Hilsinger said was this regulation under .14(a) which
39 says State fish and game regulations apply to public
40 lands and such laws are hereby adopted and made a part
41 of the regulations in this part to the extent they are
42 not inconsistent with or superseded by the regulations
43 in this part, which means that if we don't have a
44 regulation for beaver in Unit 1D, then the State
45 regulation would in fact take over.

46

47 But in this situation, we do have a
48 regulation for Unit 1D for beaver, and that is that
49 there is no Federal open season. So right now, under
50 Federal regulations, no Federal open season. That

1 supersedes the State regulation. So for a Federally-
2 qualified person, you cannot trap beaver in Unit 1D.
3 So in fact if you want to have a Federal open season
4 under Federal regulation, you do have to do something
5 with this regulation. Does that make sense?

6

7 CHAIRMAN ADAMS: I think so.

8

9 MR. HAYNES: Mr. Chairman.

10

11 CHAIRMAN ADAMS: Yes. Is that Terry?

12

13 MR. HAYNES: This is Terry Haynes.

14

15 Just one clarification to what Mr.
16 Kessler just presented to you. He is correct in
17 stating that in order to have -- in order for
18 Federally-qualified subsistence users to trap beaver
19 under the Federal regulations, then this proposal would
20 need to move forward and be adopted. However, that
21 would not prevent Federally-qualified subsistence users
22 from trapping under the State regulation in Unit 1D.

23

24 CHAIRMAN ADAMS: Thank you, Terry.

25

26 You've got a response, Steve?

27

28 MR. KESSLER: Mr. Chairman, I agree
29 with that.

30

31 CHAIRMAN ADAMS: Thank you. Okay.

32

33 Any other comments. Oh, Lee. You've
34 been fairly quiet all the time.

35

36 MR. WALLACE: Yeah. Just a question,
37 it's actually probably for both the State and the U.S.
38 Forest Service. In your comments about C&T in the area
39 with this particular issue, have you -- did a survey
40 question individuals in that particular area of 1D that
41 there has been virtually no C&T of that area, or is it
42 -- to me, I guess I'm just kind of maybe baffled, maybe
43 thinking that, you know, these particular people up in
44 that area haven't used that particular animal for C&T,
45 whereas if you're a traditional user, you're probably
46 using most species, and you probably use it for C&T
47 somewhere in the past I'm sure. I guess we have an
48 individual from that area, from Haines, and so he could
49 probably speak more to it, but I'm just kind of
50 surprised there's no C&T history there.

1 CHAIRMAN ADAMS: Bob, go ahead.
2
3 MR. JOHNSON: Again, Mr. Chairman, Dave
4 Johnson.
5
6 A couple things, Lee. First of all
7 back to the comment that was made about if a C&T hasn't
8 been done, then all rural residents can trap there.
9 And as was pointed out, typically the people that would
10 be using that resource most would be people that live
11 there closest to the resource.
12
13 The other thing is when the Federal
14 regs were adopted initially, as I understand it, the
15 State C&T determinations that had been made became a
16 part of the Federal system, so we did not
17 systematically go out and do C&T determinations, except
18 in those places where a specific proposal came in
19 requesting that a C&T determination be made.
20
21 So in this example, where there had
22 been no Federal season, but there was an existing State
23 season, so there was a difference, that's where we
24 chose to go with just the season and bag limit. The
25 C&T determination could be something that could be
26 proposed at a later time.
27
28 CHAIRMAN ADAMS: But that wouldn't
29 prevent us from moving forward on this proposal then.
30
31 MR. JOHNSON: No.
32
33 CHAIRMAN ADAMS: Okay. Any other
34 comments. Questions.
35
36 (No comments)
37
38 CHAIRMAN ADAMS: All right. Thank you.
39
40 Federal, State, Tribal.
41
42 (No comments)
43
44 CHAIRMAN ADAMS: InterAgency. Steve,
45 did you already do your comment?
46
47 MR. KESSLER: Yes, sir.
48
49 CHAIRMAN ADAMS: Thank you. Advisory
50 committees.

1 (No comments)
2
3 CHAIRMAN ADAMS: Dr. Schroeder, any
4 written comments.
5
6 DR. SCHROEDER: Mr. Chairman. No
7 written public comments.
8
9 CHAIRMAN ADAMS: Public comments.
10
11 (No comments)
12
13 CHAIRMAN ADAMS: Okay. We're into
14 Council deliberation. We need a motion and then we'll
15 go into discussion.
16
17 MS. PHILLIPS: Mr. Chair.
18
19 CHAIRMAN ADAMS: Ms. Phillips.
20
21 MS. PHILLIPS: Thank you, Chairman
22 Adams.
23
24 Move to adopt WP07-09 on Page 151.
25
26 MR. DAVIS: Second.
27
28 CHAIRMAN ADAMS: It's been moved and
29 seconded. We are now under discussion. So go ahead.
30
31 MS. PHILLIPS: Mr. Chair.
32
33 CHAIRMAN ADAMS: Patty, go ahead.
34
35 MS. PHILLIPS: Move to amend WP07-09 to
36 the Staff recommendation, support with modification,
37 the no season -- would be no limit, and the date would
38 be December 1 to May 15th.
39
40 CHAIRMAN ADAMS: Thank you, Patty. Do
41 we hear a second to the amendment.
42
43 MR. BANGS: Second.
44
45 CHAIRMAN ADAMS: Mr. Bangs seconded.
46 We're under discussion.
47
48 MR. BANGS: Call for the question on
49 the amendment.
50

1 CHAIRMAN ADAMS: The question's been
2 called for. All in favor please say aye.
3
4 IN UNISON: Aye.
5
6 CHAIRMAN ADAMS: Opposed.
7
8 (No opposing votes)
9
10 CHAIRMAN ADAMS: The motion is carried.
11 Now we are on the main motion. Are we done discussing
12 it?
13
14 MR. BANGS: Question.
15
16 MS. PHILLIPS: Mr. Chairman.
17
18 CHAIRMAN ADAMS: Patty.
19
20 MS. PHILLIPS: Thank you. And I want
21 to thank Federal staff for bookmarking this for this
22 proposal packet. I appreciate that you're looking out
23 and paying attention to what's going on at the State
24 level so that we can have proposals before us that
25 would align the season and bag limits. And I also want
26 to recognize the that the participation by State Staff
27 and Federal Staff in their discussion during their
28 deliberations to us happen before us rather than at the
29 Board level, so we can -- you know, we're actually
30 seeing some of that discussion that happens at the
31 Board level that we haven't seen previously. So I want
32 to recognize that that's happening here at the SERAC
33 level, and I hope to see more of that. It gives us
34 some more in-depth feel of what the process is about
35 and addresses the concern that we've had in the past
36 that there's discussions going on without our knowledge
37 of what's being said, and now we can forward, well, we
38 know how the State -- what the State said, we know what
39 the Feds' reply was to it, and now we can make our
40 recommendations based on that. So thank you to both
41 the State Department and the Federal Government.
42
43 And I vote in support. I will vote in
44 support. Thank you.
45
46 CHAIRMAN ADAMS: Well said, Patty.
47 Thank you.
48
49 Any other comments. Okay. Follow up,
50 Patty.

1 MS. PHILLIPS: Thank you. I support
2 this proposal based on the recommendation of the Staff
3 analysis. It is supported by evidence. It does not
4 violate recognized principles of fish and wildlife
5 conservation. It is not detrimental to subsistence
6 needs, rather it provides opportunity. And it does not
7 unnecessarily restrict non-subsistence users.
8
9 Thank you.
10
11 CHAIRMAN ADAMS: Thank you, Patty.
12
13 Any further comments.
14
15 (No comments)
16
17 MR. KITKA: Call for the question.
18
19 CHAIRMAN ADAMS: Thank you, Mr. Kitka.
20 The question's been called. Roll call.
21
22 MR. KITKA: Richard Stokes.
23
24 MR. STOKES: Aye.
25
26 MR. KITKA: Patricia Phillips.
27
28 MS. PHILLIPS: Aye.
29
30 MR. KITKA: Mike Douville.
31
32 MR. DOUVILLE: Aye.
33
34 MR. KITKA: Harvey Kitka. Aye. Bert
35 Adams.
36
37 CHAIRMAN ADAMS: A, that means aye.
38
39 MR. KITKA: Donald Hernandez.
40
41 MR. HERNANDEZ: Aye.
42
43 MR. KITKA: Nick Davis.
44
45 MR. DAVIS: Aye.
46
47 MR. KITKA: Merle Hawkins.
48
49 MS. HAWKINS: Aye.
50

1 MR. KITKA: Joe Hotch.
2
3 MR. HOTCH: Aye.
4
5 MR. KITKA: Michael Bangs.
6
7 MR. BANGS: Aye.
8
9 MR. KITKA: Lee Wallace.
10
11 MR. WALLACE: Aye.
12
13 MR. KITKA: Mr. Chair, the aye's have
14 it.
15
16 CHAIRMAN ADAMS: Despite that, I was
17 unambiguous there. The ayes made it. Thank you.
18
19 We are now on Proposal No. 10. Mr.
20 Larson.
21
22 Mr. Johnson. I apologize for calling
23 you Bob a little while ago. Dave, are you the one
24 that's going to take it, or is it Bob?
25
26 MR. JOHNSON: Which number again?
27
28 CHAIRMAN ADAMS: No. 10.
29
30 MR. JOHNSON: Mr. Bob.
31
32 CHAIRMAN ADAMS: Okay. Mr. Bob.
33
34 MR. R. LARSON: Yeah. Mr. Chairman.
35 My name is Robert Larson. I work for the U.S. Forest
36 Service in Petersburg, Alaska.
37
38 We'll discuss WP07-10. This was a
39 placeholder proposal submitted by the Subsistence
40 Regional Council, and it would open beaver trapping in
41 Unit 4 west of Chatham Straits. It's a placeholder
42 proposal in that a very similar proposal to this was
43 adopted by the Board of Game in November of 2006.
44
45 The portion of Unit 4 east of Chatham
46 Straits is currently open for beaver trapping between
47 December 1st and May 15th. There's no open beaver
48 trapping season in Unit 4 west of Chatham Straits.
49
50 If you could look on Page 157 of your

1 Council book, you will see the existing Federal
2 regulation and it has the remainder of Unit 4, which is
3 that portion of Unit 4 west of Chatham Straits has no
4 open season.

5
6 During the 2006 Board of Game meeting,
7 the Board adopted a regulation that opened that portion
8 of Unit 4, and with the same seasons as the sections
9 east of Unit 4.

10
11 The Board of Game heard testimony by
12 ADF&G Staff that beavers are increasing in number and
13 causing problems along roads and drainages of Baranof
14 and Chichagof Islands. Nuisance permits are currently
15 being issued each summer. Based on that testimony, the
16 Board adopted what in fact you see as the proposed
17 Federal regulation. And that would read that beaver
18 trapping in Unit 4, December 1st to May 15th. No
19 limit.

20
21 There is not a customary and
22 traditional use determination specific to beaver
23 trapping in Unit 4, therefore all rural residents of
24 the State are eligible to harvest beavers in this area.

25
26 Our preliminary conclusions is to
27 support the proposal, the justification being adoption
28 of this regulation would align Federal and State
29 regulations. Allowing beaver trapping in Unit 4 west
30 of Chatham Straits is appropriate due to the increasing
31 beaver population in this area. And subsistence users
32 would benefit by having an increased opportunity to
33 harvest beaver.

34
35 Thank you very much.

36
37 MR. KITKA: Thank you, Bob. Council,
38 would you rather hear from the State first before you
39 ask any questions.

40
41 MR. HERNANDEZ: Well, I don't know if
42 you know the answer to this, Bob, just kind of general
43 information type of questions. Were beavers introduced
44 to Baranof and Chichagof Islands, or are they naturally
45 occurring?

46
47 MR. R. LARSON: You know, I just don't
48 know that. Mr. Kitka might know that.

49
50 MR. KITKA: Bob, they are naturally

1 occurring. They've been trapped out, but they're
2 coming back real strong.
3
4 Maybe we can hear from the State on
5 this.
6
7 MR. D. LARSON: Thank you, Mr.
8 Chairman. This is Doug Larson.
9
10 I think Bob Larson summarized very well
11 the situation as we understand it, and as it was
12 understood by our Board of Game last November when this
13 put into State regulation.
14
15 The beaver population is doing well.
16 Our biologist in Sitka, Phil Mooney, has commented on
17 that.
18
19 And so consequently not withstanding
20 the comments that you find on Page 159 of your book,
21 which again reference the points that Mr. Hilsinger and
22 Mr. Haynes made earlier made earlier about perhaps
23 there's not a need to have Federal regulations. With
24 that said, you know, if a regulatory change is made on
25 the Federal side, we would certainly support the one
26 that's proposed by the Federal Staff in that Unit 4 as
27 a whole then would become an area with no limit, no
28 annual bag limit, and that the season dates would be
29 December 1st through May 15th.
30
31 Thank you, Mr. Chairman.
32
33 CHAIRMAN ADAMS: Okay. I just got back
34 from a little walk. So are we on State comments now?
35 Any questions of the State, of Doug?
36
37 (No comments)
38
39 CHAIRMAN ADAMS: No? None? Okay.
40 Federal, State, Tribal.
41
42 (No comments)
43
44 CHAIRMAN ADAMS: InterAgency Staff.
45
46 MR. KESSLER: No comments.
47
48 CHAIRMAN ADAMS: No comments.
49 Advisory.
50

1 (No comments)
2
3 CHAIRMAN ADAMS: Dr. Schroeder, any
4 written comments.
5
6 DR. SCHROEDER: No written public
7 comments, Mr. Chair.
8
9 CHAIRMAN ADAMS: Public.
10
11 (No comments)
12
13 CHAIRMAN ADAMS: We are now in Council
14 deliberation. We need a motion and then we'll discuss
15 it.
16
17 Don, go ahead.
18
19 MR. HERNANDEZ: I move to adopt
20 Wildlife Proposal 07-10 as found on Page 156 in the
21 briefing book.
22
23 MR. STOKES: Second.
24
25 MR. DAVIS: Second.
26
27 CHAIRMAN ADAMS: Seconded by Mr. Davis.
28 Sorry. By the time I'm through with this chairmanship,
29 I'll probably have it down pat, but it won't do any
30 good after that, won't it.
31
32 We are now under discussion. Mr.
33 Hernandez, go ahead.
34
35 MR. HERNANDEZ: Mr. Chairman. I'd vote
36 in favor of this proposal. I think we have a good
37 analysis here with good information on the abundance of
38 beaver in Unit 4. There no conservation concerns.
39 This proposal would be beneficial to the subsistence
40 users, and I don't see how it would have any adverse
41 effects on non-subsistence users.
42
43 CHAIRMAN ADAMS: Thank you, Don, for
44 covering those four points.
45
46 Any other discussions. Mr. Douville.
47
48 MR. DOUVILLE: Thank you, Mr. Chairman.
49 I support the proposal. It's a regulation that -- or
50 these things as well as the previous one need to be in

1 place. The State disagrees, but the State does not
2 provide a rural preference in their regulations.
3 Should there be a need for a rural preference, the
4 mechanisms would be in place and it would be less time
5 consuming down the road in my opinion to deal with a
6 situation that could arise in that respect.

7

8 CHAIRMAN ADAMS: Thank you, Michael.

9

10 Any other comments.

11

12 (No comments)

13

14 CHAIRMAN ADAMS: Are we ready to vote.

15

16 MR. STOKES: Question.

17

18 CHAIRMAN ADAMS: The question's been
19 called. Mr. Kitka.

20

21 MR. KITKA: Thank you, Chair. Dick
22 Stokes.

23

24 MR. STOKES: Aye.

25

26 MR. KITKA: Patricia Phillips.

27

28 MS. PHILLIPS: Aye.

29

30 MR. KITKA: Mike Douville.

31

32 MR. DOUVILLE: Aye.

33

34 MR. KITKA: Harvey Kitka votes aye.

35 Bert Adams.

36

37 CHAIRMAN ADAMS: Aye.

38

39 MR. KITKA: Donald Hernandez.

40

41 MR. HERNANDEZ: Aye.

42

43 MR. KITKA: Nick Davis.

44

45 MR. DAVIS: Aye.

46

47 MR. KITKA: Merle Hawkins.

48

49 MS. HAWKINS: Aye.

50

1 MR. KITKA: Joe Hotch.
2
3 MR. HOTCH: Aye.
4
5 MR. KITKA: Michael Bangs.
6
7 MR. BANGS: Aye.
8
9 MR. KITKA: Lee Wallace.
10
11 MR. WALLACE: Aye.
12
13 MR. KITKA: Mr. Chair, the ayes have
14 it.
15
16 CHAIRMAN ADAMS: Thank you. Motion
17 passes.
18
19 Okay. We're going to go on the next
20 one. We've got about 15 minutes before lunch is
21 served, so I think we can take care of one more.
22
23 Your turn, Mr. Dave.
24
25 MR. JOHNSON: Thank you, Mr. Chairman.
26 My name's Dave Johnson, Forest Service on the Tongass.
27
28 If you'll turn to your books on Page
29 160, Proposal WP07-11, again another proposal submitted
30 by the Southeast Regional Advisory Council, a request
31 to extend the Federal harvest dates for coyote trapping
32 season in Unit 5 by 21 days. And currently the Federal
33 regulation is December 1 through February 15th, and the
34 proposed regulation would be -- season would be from
35 November 10th to February 15th.
36
37 The intent again is to align the
38 Federal regulations, excuse me, with actions taken by
39 the Alaska Board of Game during their November 2006
40 meeting. The Department of Fish and Game recommended
41 against extending the State season. The Board of Game
42 adopted a proposal for the State during the November
43 meeting aligning the State coyote season with that for
44 wolves and wolverines to address the issue of
45 incidental catches of coyotes.
46
47 The Department of Fish and Game
48 recommends that the Federal Board either delete the
49 Federal regulation or take no action on this proposal,
50 because the opportunity for continued subsistence use

1 of coyote is fully provided in the State regulations.

2

3 Although there does not seem to be any
4 significant issue of incidental catches in Unit 5,
5 aligning the Federal and State regulation would reduce
6 regulatory complexity.

7

8 The recommendation is to adopt this
9 proposal, and adopting the regulation would align
10 Federal and State regulations and allow the subsistence
11 user additional opportunities to harvest coyote without
12 impacting the coyote population.

13

14 Thank you, Mr. Chairman.

15

16 CHAIRMAN ADAMS: Thank you, Dave.
17 Questions for Dave.

18

19 (No comments)

20

21 CHAIRMAN ADAMS: No questions. We'll
22 move on to State comments.

23

24 MR. D. LARSON: Thank you, Mr.
25 Chairman. This is Doug Larson.

26

27 Once again I think Dave has done a good
28 job of laying out the situation that posed itself at
29 the November Board of Game meeting.

30

31 I would just offer that, and this is
32 what Dave shared, that our Department actually did not
33 support changing the season date from December 1 to
34 November 10. And the reason for that was that we
35 continue to feel that pelt primeness for many species,
36 including coyote, really doesn't get to a point where
37 it's adequate until December. And so we felt from that
38 standpoint it made more sense to leave the season at
39 December 1. However, as Dave mentioned, the Board of
40 Game respectfully concluded that despite that concern
41 on our part, they thought having the opportunity for
42 people to take coyotes and in those events which we
43 didn't have record of, but in events when they were
44 caught incidental to other trapping, they didn't want
45 them to be penalized for that. And so the Board of
46 Game went ahead made the change so that it now reflects
47 that November 10th opening on the State regulations.

48

49 So given that development through the
50 Board of Game process and in the interest of having

1 regulations that mirror each other, we felt with
2 whatever shortcomings they may have, I think that it
3 makes more sense now at this point to keep those
4 aligned. And so for that reason, our Department, not
5 withstanding the comments that are shared in your Board
6 book relative to that issue on Page 164, we do support
7 the proposed regulation of no limit and November 10th
8 through May 15th.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN ADAMS: Thank you, Doug.

13

14 Any questions of Mr. Larson by the
15 Council. Mr. Douville.

16

17 MR. DOUVILLE: I have I guess a
18 question for Mr. Larson. He said that felt that the
19 pelts were may not be prime. I want to know if he has
20 any evidence that they're not prime. Like in Southeast
21 here, the wolf primes just about exactly the same time
22 as deer do. The hair changes at the same time, so many
23 of us have experience and know how the deer changes, at
24 what time. And I've harvested a lot of wolves, and we
25 see the same thing with wolf at the same time, but
26 anyway that was my question for Mr. Larson.

27

28 CHAIRMAN ADAMS: Mr. Larson.

29

30 MR. D. LARSON: Through the Chair. Mr.
31 Douville, you know, what we use to assess pelt
32 primeness has been sort of a gradient across the State.
33 And certainly there are exceptions in places and
34 certainly there are exceptions one season to another
35 depending on weather conditions.

36

37 But in general what we had observed,
38 and when I say we, really our area biologist, Neil
39 Barten, who works closely with people in that
40 community, it just seemed to us that while pelt
41 primeness was okay in November, it was -- he felt based
42 on his work with people up there and seeing pelts, that
43 it was better in December, and consequently we
44 reflected that in our thoughts relative to when the
45 season date should open.

46

47 But I don't disagree a bit that there
48 are variations in that, and certainly in Unit 5, that's
49 no exception.

50

1 CHAIRMAN ADAMS: Okay. Any other
2 questions.

3
4 (No comments)

5
6 CHAIRMAN ADAMS: I do have one, and
7 Doug or Terry or even John might answer this question
8 for me.

9
10 On Page 60 under ADF&G comments it says
11 that ADF&G recommends that the Federal Board either
12 delete the Federal regulation or take no action on this
13 proposal, because the opportunity for continued
14 subsistence use of coyote is fully provided in the
15 State regulations. And then on Page 161 under the
16 discussion thing, it says the proposal -- request that
17 the Federal subsistence harvest regulations for
18 trapping be changed to align with actions taken by the
19 Alaska Board of Game during the November 2006 meeting.

20
21 I just want to pose a question that
22 kind of has been bothering me, because I know we have
23 some dual management problems, but I want to know
24 what's wrong with, you know, coming in line with
25 regulations that mirror each other. So any one of you
26 three, you know, can have the privilege of answering
27 that question for me if you would.

28
29 MR. HAYNES: Mr. Chairman.

30
31 CHAIRMAN ADAMS: Go ahead, Terry. And
32 then I think John wants to follow up, too. So we'll
33 take you, Terry.

34
35 MR. HAYNES: Thank you. You're raising
36 a very good question. And the point that I tried to
37 make at the outset of the meeting regarding the
38 Department's comments, as many of you noticed, our
39 comments this year are somewhat different than they
40 have been in the past in that we have included some
41 language in the comments that address policy issues and
42 broader concerns that the Department has had
43 consistently about dual management.

44
45 And when there is the opportunity to
46 adopt a Federal regulation that aligns with the
47 corresponding State regulation, we believe that's a
48 good idea in practice.

49
50 However, as John Hilsinger described

1 earlier and that I've talked about earlier, we have had
2 this long-standing concern about the duplication of
3 regulations, and the fact that if the opportunity is
4 being provided under State regulations, we felt
5 throughout the period of time that Federal management
6 has been in place, that Federal regulations were not
7 needed.

8

9 But when it comes down to proposals as
10 several of these before you today have been, and that
11 is to adopt a Federal regulation to align with a
12 corresponding State regulation, we prefer that over a
13 regulation being adopted that differs from the
14 corresponding State regulation.

15

16 So I was concerned that some of the
17 policy language in our comments would raise the kinds
18 of questions that you're asking and that other Council
19 members have been asking. And I want to assure you
20 that we believe it is appropriate to have Federal
21 regulations that correspond with State regulations as
22 long as we are going to have two separate sets of
23 regulations.

24

25 So I hope that helps and I'll try to
26 answer any other questions you might have. Thank you.

27

28 CHAIRMAN ADAMS: Thank you, Terry.

29

30 Mr. Hilsinger, would you want to also
31 make a comment.

32

33 MR. HILSINGER: Thank you, Mr.
34 Chairman. I think Terry explained it quite well. In
35 sort of the gradation of things, we would prefer to see
36 less conflict in the regulations. We think that's
37 better for the public, it's better for enforcement. It
38 makes the regulations more enforceable. It makes it
39 easier on enforcement. It reduces problems when people
40 may not know precisely where they are hunting or
41 fishing relative to the boundary lines, and so it
42 reduces, I think reduces the problems for the public.

43

44 Then the question is what's the best
45 way to achieve that. And one way is to align the
46 regulations and have duplicate sets of identical
47 regulations, and the other way is to use the State
48 regulations where they're the same and reduce the
49 difficulties that people have in trying to determine
50 the differences between State and Federal regulations.

1 And that's the State's preference.

2

3 Obviously oftentimes the Regional
4 Advisory Council and the Federal Subsistence Board have
5 a different opinion, and they go with the duplicate,
6 but identical regulation. And we recognize that's a
7 possibility, but we wanted to raise the advantages of
8 having a single set of regulations and then only
9 adopting regulations where there really needs to be a
10 difference. So then a person may have the State
11 regulation book, and they may have just a few pages
12 that are few pages as opposed to having two complete
13 books with the differences sprinkled throughout, and
14 then having to figure out, you know, where they're
15 hunting or fishing and then how the regulations may
16 differ.

17

18 And I know I've probably had the same
19 experience that many of you have had that it can be
20 quite a challenge to take the Federal regulations and
21 take the State regulations, and, you know, first
22 understand them both, and, second, be able to determine
23 where the differences are.

24

25 So that's the basis of our standing on
26 that. Thank you.

27

28 CHAIRMAN ADAMS: All right. Thank you,
29 John.

30

31 Mr. Douville, please.

32

33 MR. DOUVILLE: I can offer a simpler
34 solution, and that the State amend the Constitution and
35 adopt Title VIII, and we could clarify everything.

36

37 (Laughter)

38

39 CHAIRMAN ADAMS: Okay. Any other
40 questions. John, just hang there if you would

41

42 (No comments)

43

44 CHAIRMAN ADAMS: Okay. Hearing none.
45 Okay. You're excused. Thank you.

46

47 Dave, are you going to sit there?

48

49 DR. SCHROEDER: Do one more?

50

1 CHAIRMAN ADAMS: Do one more. Wait a
2 minute. Hold on. Where are we?
3
4 MR. KITKA: We didn't do it yet.
5
6 CHAIRMAN ADAMS: We didn't do it yet.
7 Okay. Is it time for a break?
8
9 DR. SCHROEDER: Let's finish this up.
10 And I think the food might be ready.
11
12 CHAIRMAN ADAMS: Okay. Where are we?
13
14 (Off record conversation)
15
16 DR. SCHROEDER: I don't believe we have
17 a motion on coyote. We don't have a motion on coyote.
18
19 CHAIRMAN ADAMS: We don't? That's what
20 I was trying to fine out.
21
22 DR. SCHROEDER: I think we're done with
23 comments and we need to get a motion on the floor and
24 then pass it.
25
26 CHAIRMAN ADAMS: Is that where we're
27 at?
28
29 DR. SCHROEDER: Yes, sir.
30
31 CHAIRMAN ADAMS: Okay. Sorry for my
32 confusion here. But we do need a motion on the floor
33 to accept this proposal. And then we can open up for
34 discussion, and then we can break for lunch.
35
36 MR. KITKA: Mr. Chairman.
37
38 CHAIRMAN ADAMS: Mr. Kitka.
39
40 MR. KITKA: Mr. Chairman. I move we
41 adopt WP07-11.
42
43 CHAIRMAN ADAMS: Thank you. Do I hear
44 a second.
45
46 MR. STOKES: Second.
47
48 CHAIRMAN ADAMS: Seconded by Mr.
49 Stokes. We are now under discussion.
50

1 Mr. Bangs, you can cover the five
2 points.
3
4 MR. BANGS: There are only four.
5
6 (Laughter)
7
8 MR. BANGS: Thank you, Mr. Chairman.
9 I'm going to support this proposal. I think it's a
10 very comprehensive draft analysis that they presented,
11 substantial evidence. And I think it plainly shows
12 that there's not a conservation concern. And I think
13 it will be very beneficial to subsistence users. And I
14 don't think it will have any effect at all on non-
15 subsistence users.
16
17 Thank you.
18
19 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
20 I was wondering if you guys were going to catch that
21 one. You did.
22
23 Any more comments.
24
25 (No comments)
26
27 MR. STOKES: Question.
28
29 CHAIRMAN ADAMS: The question's been
30 called. Mr. Kitka, roll call, please.
31
32 MR. KITKA: Dick Stokes.
33
34 MR. STOKES: Aye.
35
36 MR. KITKA: Patricia Phillips.
37
38 MS. PHILLIPS: Aye.
39
40 MR. KITKA: Mike Douville.
41
42 MR. DOUVILLE: Aye.
43
44 MR. KITKA: Harvey Kitka's aye. Bert
45 Adams.
46
47 CHAIRMAN ADAMS: Aye.
48
49 MR. KITKA: Donald Hernandez.
50

1 MR. HERNANDEZ: Aye.
2
3 MR. KITKA: Nick Davis.
4
5 MR. DAVIS: Aye.
6
7 MR. KITKA: Merle Hawkins.
8
9 MS. HAWKINS: Aye.
10
11 MR. KITKA: Joe Hotch.
12
13 MR. HOTCH: Aye.
14
15 MR. KITKA: Michael Bangs.
16
17 MR. BANGS: Aye.
18
19 MR. KITKA: Lee Wallace.
20
21 MR. WALLACE: Aye.
22
23 MR. KITKA: Mr. Chair, the ayes have
24 it.
25
26 CHAIRMAN ADAMS: Thank you. The motion
27 passes.
28
29 We're going to take a break for lunch.
30 1:00 o'clock?
31
32 DR. SCHROEDER: Yes. We have lunch,
33 and lunch is provided by Salvation Army by donation.
34
35 And I'd also like to remind people that
36 the Girl Scouts in Kake have been providing tea and
37 great goodies here, and I know you'll contribute
38 generously to support their activities.
39
40 Thank you.
41
42 MR. DAVIS: I'm going to run home.
43 I've got to make a few phone calls.
44
45 CHAIRMAN ADAMS: Okay. We're going to
46 reconvene at 1:00 o'clock folks. Thanks.
47
48 (Off record)
49
50 (On record)

1 CHAIRMAN ADAMS:your places.
2 We're going to get started here in a few minutes.
3
4 (Pause)
5
6 CHAIRMAN ADAMS: Okay. We've got a
7 couple of Council members gone. They went to the
8 store. I told them they only had 14 minutes, and they
9 said okay. That was 20 minutes ago.
10
11 (Laughter)
12
13 CHAIRMAN ADAMS: But we're going to go
14 ahead and get started. I want to make sure that we
15 don't have to rush things tomorrow. You know, we
16 always have a tendency, you know, to squeeze things at
17 the last day, and if we can avoid that, I'm going to do
18 that.
19
20 So we'll go ahead and get started.
21 We're on Proposal No. 12 now. And who's going to handle
22 that one? Dave Johnson.
23
24 Dave, I apologize for calling you Bob a
25 little while ago, but you did look like a Bob to me for
26 some reason.
27
28 MR. JOHNSON: Some of my best friends
29 are Bobs.
30
31 Mr. Chairman, Council. Dave Johnson.
32 We're looking at Proposal WP07-12.
33
34 Mr. Chairman, I would be remiss if I
35 didn't mention that the proposals that I have presented
36 both yesterday and today, Proposal WP07-05, and then
37 the other three that I'm presenting today, both Susan
38 Olridge and Dennis Chester, two wildlife staff for the
39 Forest Service, actually did the heavy lifting on these
40 analyses, and I'm just fortunate enough to be able to
41 do the presentation.
42
43 CHAIRMAN ADAMS: So you're going to do
44 the presentation and take all of the credit for all of
45 the hard work that they did. I know what that's like.
46
47 (Laughter)
48
49 MR. JOHNSON: Well, they deserve the
50 credit, because they did a great job in the analysis.

1 And the succinctness of each of the analyses is -- they
2 did a great job.

3
4 WP07-12 starts on Page 165 in your
5 booklet. And again this proposal is very familiar to
6 WP07-11 and similar in many other respects.

7
8 This proposal requests to extend the
9 Federal harvest dates for fox trapping.....

10
11 CHAIRMAN ADAMS: Excuse me, Dave. Cal,
12 is Doug and.....

13
14 MR. CASIPIT: Yeah, that was just the
15 State coming on.

16
17 CHAIRMAN ADAMS: Okay. Thank you.

18
19 MR. JOHNSON: Okay. WP07-12 requests
20 to extend the Federal harvest dates for fox trapping
21 season in Unit 5 by 21 days. And again currently the
22 season is December the 1st through February 15th, and
23 the proposed season would be November 10th through
24 February 15th. The intent is align the Federal
25 regulations with actions taken by the Alaska Board of
26 Game during the November 2006 meeting.

27
28 ADF&G recommended against extending the
29 State season initially, but the Board of Game adopted
30 this proposal for the State during their November
31 meeting, aligning the State fox season with that for
32 wolves and wolverines, again to address the issue of
33 incidental catches of foxes.

34
35 Further the State recommends that the
36 Federal Board either delete this Federal regulation or
37 take no action on the proposal, because the opportunity
38 for continued subsistence use of fox is provided in the
39 State regulations.

40
41 Although there does not seem to be any
42 significant issue of incidental catches in Unit 5 of
43 foxes, aligning Federal and State regulation would
44 reduce regulatory complexity.

45
46 So the recommendation is to adopt the
47 proposal. And again adopting this regulation would
48 align State and Federal regulations and allow
49 subsistence users additional opportunities to harvest
50 fox without impacting the fox population.

1 That concludes the presentation, Mr.
2 Chair.
3
4 CHAIRMAN ADAMS: Okay. For the benefit
5 of the people who came in late, we just started and
6 Dave was introducing Proposal No. 12.
7
8 So any questions to Dave for this
9 proposal. Mr. Hernandez.
10
11 MR. HERNANDEZ: I was just wondering
12 just how much knowledge there is on the fox population
13 in that area. You mentioned that I think you said
14 ADF&G was initially hesitant about adopting the
15 proposal. Was there some concern about fox populations
16 that you know of? Or what?
17
18 MR. JOHNSON: Mr. Chairman. Well,
19 there again, Mr. Hernandez, again based on the
20 information that is provided by the State, there is no
21 apparent conservation concern, and I would guess that
22 there's probably few foxes and/or coyotes in that area,
23 but I think the State would be the ones that can best
24 answer that question.
25
26 CHAIRMAN ADAMS: We'll finish, you
27 know, with your part of it, Dave, and then, Don, if you
28 want to address that to the State, we can do that at
29 that time.
30
31 Any other questions for Mr. Johnson.
32
33 (No comments)
34
35 CHAIRMAN ADAMS: Hearing none, we'll go
36 over to the State comments.
37
38 MR. D. LARSON: Thank you, Mr.
39 Chairman. This is Doug Larson.
40
41 To get right to the chase, this was
42 similar to the previous to the previous proposal where
43 our Department recommended to the Board that the season
44 not being changed for fox, just like we recommended not
45 change for coyotes. And the reason for that was not so
46 much a conservation concern, in response to Mr.
47 Hernandez's question. It was really more again having
48 to do with pelt quality. And we felt that, and
49 continue to feel, that having the season start later
50 rather than earlier allows for a better quality pelt to

1 be taken. And again we made that argument to the Board
2 of Game and the Board of Game respectfully concluded
3 that they thought it was more important for individuals
4 to have the opportunity to trap foxes starting in
5 November.

6
7 And so at this point, given that
8 recommendation, and what the Board of Game have put
9 into place on the State side, and in the interest of
10 having regulations that are consistent between the
11 Federal and the State, we support the proposed
12 regulation of having it for Unit 5 fox trapping, no
13 limit, with the season dates November 10 through
14 February 15.

15
16 And I don't know if we need to restate
17 the comments that you see on Page 169 of your Board
18 book in which we again, and Mr. Hilsinger and Mr.
19 Haynes have referenced the fact a couple of times now,
20 about the State feeling that there isn't necessarily a
21 need to implement Federal regulations when the State
22 regulations allow for a subsistence take of foxes in
23 this case in Unit 5.

24
25 But again, if the RAC decides to move
26 forward with a recommendation, then we certainly would
27 be in favor of having one that is consistent with both
28 State and Federal, in the interest of those users, and
29 trying to lessen confusion among those individuals.

30
31 And that's all I have, Mr. Chairman.
32 Thank you.

33
34 CHAIRMAN ADAMS: Thank you, Doug.

35
36 Any questions of the Council to Mr.
37 Larson.

38
39 (No comments)

40
41 CHAIRMAN ADAMS: Patty, you don't have
42 anything?

43
44 MS. PHILLIPS: No, sir.

45
46 CHAIRMAN ADAMS: No, sir. Okay. Let's
47 move on then. InterAgency.

48
49 MR. KESSLER: Would you like me to get
50 up?

1 CHAIRMAN ADAMS: For the record.
2
3 MR. KESSLER: Mr. Chairman and Council.
4 Good afternoon. No comments from the InterAgency Staff
5 Committee.
6
7 CHAIRMAN ADAMS: We knew that, but we
8 wanted you to do it over the microphone. Thank you.
9
10 Okay. Advisory.
11
12 (No comments)
13
14 CHAIRMAN ADAMS: Probably none.
15 Written comments, Dr. Schroeder.
16
17 DR. SCHROEDER: Mr. Chairman. No
18 written public comments.
19
20 CHAIRMAN ADAMS: Public comments.
21
22 (No comments)
23
24 CHAIRMAN ADAMS: Okay. Let's go into
25 Council deliberation. We need a motion and then we
26 will discuss it. Mr. Hernandez.
27
28 MR. HERNANDEZ: I move to adopt WP07-12
29 as written on Page 165 of the briefing book.
30
31 MR. KITKA: I'll second it.
32
33 CHAIRMAN ADAMS: Okay. Seconded by Mr.
34 Kitka. Now we are in discussion.
35
36 Mr. Hernandez, are you going to tackle
37 the six points that we've established here?
38
39 (Laughter)
40
41 MR. HERNANDEZ: We're up to six points
42 now on that? I'm going to go for four.
43
44 CHAIRMAN ADAMS: We'll accept four. Go
45 ahead. Thanks.
46
47 MR. HERNANDEZ: Thank you. I'll vote
48 in favor of this proposal.
49
50 The data presented shows that there is

1 no conservation concern with this proposal.
2
3 It would be to the benefit to all users
4 that State and Federal regulations are aligned.
5
6 And I think for those reasons we should
7 adopt this proposal.
8
9 CHAIRMAN ADAMS: Thank you, sir.
10
11 Any other comments.
12
13 (No comments)
14
15 CHAIRMAN ADAMS: I guess this is a no
16 brainer.
17
18 MR. DAVIS: Question.
19
20 CHAIRMAN ADAMS: The question's been
21 called for. Mr. Kitka, roll call.
22
23 MR. KITKA: Dick Stokes.
24
25 MR. STOKES: Aye.
26
27 MR. KITKA: Patricia Phillips.
28
29 MS. PHILLIPS: Aye.
30
31 MR. KITKA: Mike Douville.
32
33 MR. DOUVILLE: Aye.
34
35 MR. KITKA: Harvey Kitka votes aye.
36 Bert Adams.
37
38 CHAIRMAN ADAMS: Aye.
39
40 MR. KITKA: Donald Hernandez.
41
42 MR. HERNANDEZ: Aye.
43
44 MR. KITKA: Nick Davis.
45
46 MR. DAVIS: Aye.
47
48 MR. KITKA: Merle Hawkins.
49
50 MS. HAWKINS: Aye.

1 MR. KITKA: Joe Hotch.
2
3 MR. HOTCH: Aye.
4
5 MR. KITKA: Michael Bangs.
6
7 MR. BANGS: Aye.
8
9 MR. KITKA: Lee Wallace.
10
11 MR. WALLACE: Aye.
12
13 MR. KITKA: Mr. Chair, the ayes have
14 it.
15
16 CHAIRMAN ADAMS: Thank you, Mr. Kitka.
17 The motion does pass.
18
19 I don't have Proposal No. 13 and 14 in
20 my book.
21
22 MR. STOKES: I don't either.
23
24 CHAIRMAN ADAMS: Okay.
25
26 DR. SCHROEDER: Those are withdrawn.
27
28 MS. HAWKINS: They're withdrawn.
29
30 CHAIRMAN ADAMS: Okay. Hey, we're
31 almost done here, folks. Those are withdrawn.
32
33 So we're on Proposal No. 15. Larry, go
34 ahead.
35
36 MR. DICKERSON: Thank you, Mr.
37 Chairman. Again I'm Larry Dickerson, wildlife
38 biologist for the Forest Service in Craig.
39
40 Proposal WP07-15 was submitted by
41 Elijah Winrod, who resides in Klawock. And he requests
42 changing the Federal regulations for wolf trapping in
43 Unit 2 from November 15th through March 15 to November
44 16 through March 31st, which is adding about 16 days
45 onto that March season.
46
47 And for the Council, again I met with
48 Mr. Winrod once I received his written proposal, and I
49 tried to write that in a paragraph type thing as we see
50 here and presented that to Mr. Winrod for his review to

1 make sure that we have captured what he was requesting.
2 And he did say that that was correct.

3
4 In that discussion, Mr. Winrod
5 expressed his concerns that the Federal wolf trapping
6 regulations were not aligned with the State trapping
7 regulations. And Mr. Winrod feels personally that
8 increasing the season length will provide more
9 opportunity for a few number of local trappers to
10 manage wolf populations.

11
12 Once we get into this proposal, I will
13 say that this proposal does not align the wolf trapping
14 seasons, but it align the closure dates. The State
15 wolf trapping season closes March 31st and this request
16 would align the Federal trapping regulations to close
17 the same date. Also, all of the hunting regulations
18 close on December -- excuse me, March 31st also, both
19 State and Federal. So that, by passing this, all
20 closing dates would be March 31st. The opening dates
21 are somewhat different.

22
23 Really quickly and just to touch base
24 on the existing regulations, the existing Federal
25 regulations now say November 15th through March 15th.
26 However, the Federal regulations still require the
27 radius and ulna to be left attached to the left
28 foreleg.

29
30 The proposed Federal regulations would
31 expand the season, the same beginning, November 15th,
32 but through March 31st, and would drop the requirement
33 of the left foreleg attachment to the skin.

34
35 The existing State regulations are
36 currently from December 31st, and these are trapping,
37 through March 31st, and there is no requirement for the
38 attachment of the ulna and radius to the left foreleg.

39
40 And I did speak with the State
41 regarding this. They stopped that attachment I think
42 in the 2005/2006 season, or the year before, because
43 there's currently no ongoing nor proposed research
44 projects regarding wolves in the future. Therefore
45 they said there was no reason to continue that Federal
46 regulation, and it has already been dropped in the
47 State regulations. So this is just something that we
48 have amended that to catch that, which is important for
49 subsistence trappers.

50

1 Really quickly, the regulatory history
2 of wolf trapping is outlined on Page 172.

3
4 What I would really like to talk about
5 here is the harvest history which is displayed on Page
6 175 for the Council quickly to get an understanding. I
7 feel the table is very significant, because we now have
8 a quota on wolf harvest in Unit 2 and have since
9 1997/1998 season. And you do need to understand that
10 this quota involves both wolf trapping mortality and
11 wolf hunting mortality.

12
13 As you see by looking at the table on
14 that page, on the far right, beginning 1997 and 1998,
15 you'll see a 25 percent. And that means at that point
16 it was determined that with the quota, because the
17 wolves were petitioned for listing under the Endangered
18 Species Act I think in 1995, and there was a finding of
19 it was not warranted under the Endangered Species Act
20 by the Fish and Wildlife Service. But the Forest
21 entered into an MOU or an MOA and there were some
22 conservation measures that everyone agreed to do. And
23 this was one that it provides a regulatory mechanism to
24 protect so too many wolves will not be harvested.

25
26 Mr. Dave Person from Ketchikan led
27 research projects and collared wolves on the Island,
28 gathered the most extensive information regarding wolf
29 populations, and in 1994 estimated that there were 336
30 wolves in Unit 2. Or roughly 336 wolves.

31
32 So what this 25 percent mortality you
33 see was the preseason, I should say pre-harvest number
34 of wolves, and if you take 25 percent of that. And
35 there was -- it was an ability to protect over-harvest,
36 and so it would be watched. And so you can see two
37 years at 25 percent and then it goes to 30 percent
38 mortality. And that was because Mr. Person and others
39 looked into it and felt the compensatory mortality for
40 wolves in natural populations is closer to 30 percent;
41 therefore 30 percent of that total, let's see, pre-
42 harvest population could be harvested without adversely
43 affecting the wolf population.

44
45 So through those years, you can see how
46 that has changed. And to get to that, I guess we'll
47 answer some questions.

48
49 But mainly the effects of this proposal
50 -- supporting the proposal would increase the

1 opportunity for subsistence trappers to harvest wolves.

2

3

4 And I think the analysis supports that
5 there are regulatory mechanisms in place which can
6 prevent a conservation concern.

7

8 Those are two things that are existing
9 there if there is a conservation concern. Number 1,
10 that there is a 30 percent mortality quota from wolf
11 harvest either through hunting and trapping; and,
12 number 2, if that is reached, both the SEARAC here,
13 ADF&G and the Forest supervisor can have an emergency
14 closure upon wolf hunting and wolf trapping in Unit 2.

15

16 The one thing that works there is that
17 wolves in Unit 2, when they're hunted or trapped, those
18 hides have to be sealed within 30 days of harvest where
19 in other units throughout most of Alaska, it's within
20 30 days of the close of the season. So this way,
21 because of 30 days of harvest that every wolf has to be
22 sealed, as those wolves and those numbers are coming
23 in, so the sealers between ADF&G and the Forest can
24 keep track of the amount of wolf harvest.

25

26 So if you look at this, if you figure
27 there's 300 wolves roughly, and you can see that the
28 cap or the quota is 100 in the last six or seven years,
29 that's about 30 percent of 300. That's where that
30 number comes from.

31

32 So we feel that the conservation
33 concern, because of those regulatory mechanisms out
34 there, that this proposal really should not affect the
35 wolves, and therefore our preliminary conclusion is to
36 support this proposal with the modification that the
37 foreleg requirements be removed.

38

39 And as a background, real quickly, I
40 did meet before with six different wolf trappers and
41 talk about this table with most of them. And most of
42 them believe that it pretty well reflects accurately
43 what they believe is going on.

44

45 Also one wolf hunter that usually culls
46 and shoots wolves I met with, because you'll see in the
47 hunting, the shooting part on the far left column in
48 the Table 2 has really gone down over the last five or
49 eight years. And they quickly pointed out to me that
50 that really correlates with the number of loggers that

1 were in the woods. It was still kind of the heyday was
2 going on. We've really dropped down to about percent
3 of the logging on POW that used to occur. And these
4 people spent a lot of time in the woods
5 opportunistically with rifles with them. So you can
6 see that that number on shooting has really dropped
7 down over the last 5 or 10 years.

8
9 And therefore also they said some of
10 the old time trappers that always trap, six or eight of
11 them they gave me names of, are no longer trapping. So
12 therefore there's some new individuals trapping,
13 there's a few people trapping, but three or four people
14 can make a big difference on how the wolf harvest
15 occurs. And this year, for instance, there's been some
16 pretty bad weather. It's been hard to access areas and
17 I know for certain this year we've had a pretty low
18 wolf harvest to this point.

19
20 So anyway, that's some background
21 information, Mr. Chairman, and any questions.

22
23 CHAIRMAN ADAMS: Thank you, Larry.

24
25 Mr. Bangs, you've got a question.

26
27 MR. BANGS: Yes, thank you, Mr.
28 Chairman.

29
30 In that table that you have, the method
31 of harvest, the column other, with due respect to Mr.
32 Johnson, could that be road kill?

33
34 (Laughter)

35
36 MR. JOHNSON: Yes.

37
38 MR. BANGS: Thank you.

39
40 CHAIRMAN ADAMS: So that tells us that
41 Mr. Johnson is the cause of all of this mortality
42 that's taken on the wolf population?

43
44 (Laughter)

45
46 CHAIRMAN ADAMS: Any other questions.
47 Mr. Stokes.

48
49 MR. STOKES: This pertains mostly to
50 trapping, but what about those that are moose hunting

1 or deer hunting earlier and they shoot a wolf. Is it
2 legal?

3

4 MR. DICKERSON: Well, yes. Subsistence
5 hunters at this time can, if they're hunting deer, I
6 think September 1 is the date that wolf season opens up
7 for rifle season for subsistence hunters. And
8 therefore if they could take a deer (sic) during that
9 time and have it -- it would still have to -- excuse
10 me, a wolf during that time, and it has to be sealed.

11

12 For a non-subsistence hunter, that
13 season begins on December 1st if I'm correct. And so
14 they could take a wolf, but it has to be sealed. So
15 that mortality would be accounted for.

16

17 So it is legal if they're taking that
18 wolf during those open seasons for hunting.

19

20 MR. STOKES: Thank you.

21

22 CHAIRMAN ADAMS: Mr. Hernandez.

23

24 MR. HERNANDEZ: Thank you, Mr.

25 Chairman.

26

27 Is the Fish and Game Department still
28 operating on the assumption that there's about 300
29 wolves on the island, or have they changed their
30 estimate? A lot of people think the wolf population's
31 probably grown in the time that they came out with that
32 estimate. Would you know about that?

33

34 MR. DICKERSON: Mr. Chairman. Mr.
35 Hernandez. A very good question. In speaking with
36 Dave Person, we really could not make a genuine
37 reliable estimate since the population is not being
38 monitored now. The collars are gone. He and we are
39 assuming that the wolf population is steady. We do
40 realize that it goes up and down in certain specific
41 locations. In other parts the wolf population isn't
42 hit by trappers or hunters. In other places it does
43 get worked over pretty heavy. But pretty quickly it
44 does resume to its normal balance just because of
45 density dependence and other factors that are there,
46 plus the prey populations there. So my answer would be
47 we're assuming that that population has stayed fairly
48 normal to his 300 to 336 animals.

49

50 CHAIRMAN ADAMS: Okay. Maybe when we

1 get to the State part of it, Don, they might be able to
2 give an answer, too.

3
4 But any other questions of Mr.
5 Dickerson.

6
7 (No comments)

8
9 CHAIRMAN ADAMS: Hearing none, we'll go
10 to the State.

11
12 Thank you, Larry.

13
14 MR. D. LARSON: Thank you, Mr.
15 Chairman. This is Doug Larson with Fish and Game.

16
17 On this proposal, I would reference
18 Page 180 in your Board book for Fish and Game's
19 official comment. And you'll notice in there that the
20 comments really are more focused on policy level
21 elements as Mr. Hilsinger and Mr. Haynes have referred
22 to in past proposals and our comments on those. So
23 I'll leave those as they are for you to see.

24
25 The same concept is again laid out in
26 that with a fairly open and liberal season in place on
27 the State side, the feeling is there may not
28 necessarily be a need to do similar on the Federal
29 side. We've had the discussion, you've have that
30 discussion internally, so I'll leave that at that.

31
32 In terms of the proposal itself and
33 what we would suggest happens with it, I think aligning
34 the State and Federal season does make good sense.
35 Terry I think responded well to that question earlier.
36 We on the State side would like as much as possible to
37 make life easy for the users across the board so that
38 it minimizes confusion on those individuals who are
39 interested in using these resources.

40
41 And so to that extent, we would
42 certainly support the idea of going to a March 31
43 season ending. And as Larry's pointed out, that would
44 coincide with the State and Federal closures for the
45 hunting seasons, and then it would align both the State
46 and Federal trapping seasons.

47
48 The other piece of that, however, is
49 the starting date for trapping. And our only thought
50 there is that again and in anticipation of Mr.

1 Douville's comment about pelt quality, with a harvest
2 cap on there, we certainly would like to do the best of
3 our ability to ensure that those wolves that are taken
4 are taken at a time when they are in their best
5 condition. And while we've already had the discussion
6 about some of the variability in terms of pelt quality,
7 I think it's fair to say that wolves in general that
8 are taken later in the season, into the winter season,
9 are going to be somewhat better than taken earlier.
10 And so that's the reason that the State has gone with a
11 December 1 hunting as well as trapping season.

12
13 And I guess if there is in fact
14 interest in seeing them aligned, our recommendation
15 would be that not only would the season go until March
16 31, but that it would start a couple of weeks later and
17 begin on December 1st.

18
19 The other element that has been raised
20 is the leg bone. And just as a little explanation for
21 that, the Department did have a wolf study that was
22 ongoing in Unit 2 for several years, and as part of
23 that study which Dave Person undertook on our behalf,
24 together with Staff from the Forest Service, that leg
25 bone was kept in wolf hides as a way to determine pups
26 of the year -- distinguish pups of the year from adult
27 wolves. And the rationale for that was to get a sense
28 for what the age structure of the population of wolves
29 is or was at that point. And that has obvious
30 implications from a conservation standpoint, and a
31 better understanding of what the situation is relative
32 to a population when you look at young versus older
33 wolves.

34
35 That effort has been completed. I
36 think as Larry I think noted, the research that we had
37 going fairly intensively in Unit 2 is no longer going
38 on, and the radio-collared wolves that were in the area
39 are no longer collared. Either they died or their radio
40 collars have died, and so we really don't have an
41 ability to further pursue some of the information that
42 Dave was able to get through those efforts back when
43 that was in place.

44
45 But now with the project wrapped up, we
46 really don't have any need for those leg bones. And so
47 we would certainly support the modification to remove
48 that requirement from the Federal regulations just as
49 it's been removed from the State regulations.
50

1 So, Mr. Chairman, again the only thing
2 that we would suggest is in the interest of truly
3 aligning the State and Federal seasons, our
4 recommendation at this point would be that the season
5 dates be December 1st through March 31st.

6
7 Thank you.

8
9 CHAIRMAN ADAMS: Thank you, Mr. Larson.

10
11 Larry, have you got a response to that.

12
13 MR. DICKERSON: I do have, Mr.
14 Chairman, one more comment.

15
16 When speaking to the proponent, Mr.
17 Winrod, regarding the November 15th opening date for
18 Federal trapping regulations in alignment with the
19 State, versus extending for two more weeks into March,
20 Mr. Winrod suggested to me he, and he personally, would
21 be willing to give up that November 15th to November
22 30th if it was extended. And his reasoning was that he
23 felt at that time there was more potential for conflict
24 with people and dogs as there's a large number of
25 people hunting during the rut. It's a big time, of
26 course, for deer hunting on Unit 2. However, he was
27 very good to note with me that was his personal
28 reflections. He was not speaking for anybody else,
29 other subsistence users or non-subsistence users.

30
31 CHAIRMAN ADAMS: Thank you. Council,
32 questions for Mr. Larson.

33
34 (No comments)

35
36 CHAIRMAN ADAMS: Okay. InterAgency
37 Staff. It looks like Steve is going to say something
38 this time.

39
40 MR. KESSLER: Thank you, Mr. Chairman
41 and Council.

42
43 I do only have one comment. I'd just
44 like you to note that this proposal was a proposal to
45 change the trapping season. And as has been discussed
46 on Page 178, you can see that there's a proposal to
47 strike through language associated with keeping the
48 radius and ulna naturally attached to the hide. And I
49 just want to point out that that applies to both
50 hunting and trapping. So although this was a trapping

1 proposal, that piece of the regulation applied to both
2 hunting and trapping, and it would eliminate both of
3 those.
4
5 CHAIRMAN ADAMS: Thanks for that
6 clarification, Steve. Appreciate it.
7
8 Any other questions for Mr. Kessler.
9
10 (No comments)
11
12 CHAIRMAN ADAMS: Gunalcheesh.
13 Advisory.
14
15 (No comments)
16
17 CHAIRMAN ADAMS: We've never had any
18 yet.
19
20 Written comments, Dr. Schroeder.
21
22 DR. SCHROEDER: No written public
23 comments, Mr. Chairman.
24
25 CHAIRMAN ADAMS: Public comments.
26
27 (No comments)
28
29 CHAIRMAN ADAMS: Seeing none, we're
30 going to go into Council deliberation. We need a
31 motion and then discussion. Thank you.
32
33 MR. KITKA: Mr. Chairman.
34
35 CHAIRMAN ADAMS: Mr. Kitka.
36
37 MR. KITKA: I move that we accept WP07-
38 15.
39
40 MR. DAVIS: Second.
41
42 CHAIRMAN ADAMS: Second by Mr. Davis.
43 Thank you. We are now in discussion. And I'm going to
44 go back to the four points.
45
46 MR. DOUVILLE: Mr. Chairman.
47
48 CHAIRMAN ADAMS: Yes, sir. Mr.
49 Douville.
50

1 MR. DOUVILLE: Thank you, Mr. Chairman.
2 I'm not going to do the four points, but I will speak
3 in favor of the proposal.

4
5 The State mentions that wolves may not
6 be in their prime form, which is a possibility in
7 some cases. You see some variable all times of the
8 year as far as primeness and condition of hides. But
9 this is subsistence we're talking about and not
10 necessarily fur-oriented sort of thing. So a lot of
11 times the primeness is not a factor in subsistence
12 uses.

13
14 And as far as Mr. Winrod's personal
15 comment about exchanging one end of the season for the
16 other, it may apply in some places that he traps.
17 However, there are a lot of other places in Unit 2 that
18 you do not have any conflict at any time during the
19 season with other users.

20
21 Those are my comments for the moment.

22
23 CHAIRMAN ADAMS: Thank you, Mike. And
24 then Michael Bangs, are you going to cover the four
25 points?

26
27 MR. BANGS: Thank you, Mr. Chairman.
28 No, actually I was going to make a motion to modify or
29 to amend as recommended by Staff to remove the foreleg
30 requirement.

31
32 CHAIRMAN ADAMS: An amendment is in
33 order. Go ahead.

34
35 MR. BANGS: Okay. I move that we
36 support the proposal as written under the Staff
37 recommendation which removes the stipulation of the
38 removal of the foreleg requirement.

39
40 MR. STOKES: I'll second it.

41
42 CHAIRMAN ADAMS: Okay. It's been moved
43 and seconded. Discussion.

44
45 MR. DOUVILLE: Question.

46
47 CHAIRMAN ADAMS: The question has been
48 called. All in favor please say aye.

49
50 IN UNISON: Aye.

1 CHAIRMAN ADAMS: Opposed.
2
3 (No opposing votes)
4
5 CHAIRMAN ADAMS: Motion is carried.
6 Okay. We're now on the main motion, and we need
7 someone to take care of the four points.
8
9 MR. DOUVILLE: Mr. Chairman.
10
11 CHAIRMAN ADAMS: Mr. Douville.
12
13 MR. DOUVILLE: Thank you, Mr. Chairman.
14 I'm still not taking care of the four points, but my
15 comments apply to the previous proposal on coyotes
16 where primeness again was the focus, and that not all
17 subsistence users are looking for exactly that.
18
19 CHAIRMAN ADAMS: Thank you, Mike.
20
21 Any other comments. Please, somebody
22 or I'll raise it to five again. Don.
23
24 MR. HERNANDEZ: Thank you, Mr.
25 Chairman. I would vote in favor of this proposal with
26 the modification recommended by the Staff.
27
28 There's been a lot of study on wolves
29 in Unit 2. I think all the best information shows that
30 there are no conservation concerns.
31
32 I believe that this proposal would be
33 in the best interest of the subsistence users to
34 liberalize the season, and I don't see that that would
35 have any adverse effects on any other users.
36
37 CHAIRMAN ADAMS: Thank you, Don.
38
39 Other comments.
40
41 (No comments)
42
43 MR. BANGS: Question.
44
45 CHAIRMAN ADAMS: Okay. Mr. Bangs
46 called for the question. Let's do roll call. Mr.
47 Kitka.
48
49 MR. KITKA: Dick Stokes.
50

1 MR. STOKES: Aye.
2
3 MR. KITKA: Patricia Phillips.
4
5 MS. PHILLIPS: Aye.
6
7 MR. KITKA: Mike Douville.
8
9 MR. DOUVILLE: Aye.
10
11 MR. KITKA: Harvey Kitka votes aye.
12 Bert Adams.
13
14 CHAIRMAN ADAMS: Aye.
15
16 MR. KITKA: Donald Hernandez.
17
18 MR. HERNANDEZ: Aye.
19
20 MR. KITKA: Nick Davis.
21
22 MR. DAVIS: Aye.
23
24 MR. KITKA: Merle Hawkins.
25
26 MS. HAWKINS: Aye.
27
28 MR. KITKA: Joe Hotch.
29
30 MR. HOTCH: Aye.
31
32 MR. KITKA: Michael Bangs.
33
34 MR. BANGS: Aye.
35
36 MR. KITKA: Lee Wallace.
37
38 MR. WALLACE: Aye.
39
40 MR. KITKA: Mr. Chairman, the ayes have
41 it.
42
43 CHAIRMAN ADAMS: The motion passes.
44
45 Our next one is Proposal No.
46 18. Our last one. Remove two mountain goat closed
47 areas in Unit 6. Who's going to handle that one.
48
49 MR. DOUVILLE: Mr. Chairman.
50

1 CHAIRMAN ADAMS: Yes.
2
3 MR. DOUVILLE: I have a question about
4 this one as it -- I don't think it applies to our
5 region. Maybe it does somehow, but I haven't figured
6 it out.
7
8 CHAIRMAN ADAMS: Okay. Maybe Mr.
9 Kessler can clarify that for us. Steve, go ahead.
10
11 MR. KESSLER: Thank you, Mr. Chairman.
12 I also was a little curious why this was listed as a
13 cross over in here. And let me tell you what I think I
14 figured out. If you look on the bottom of Page 184
15 under the customary and traditional use determinations,
16 it says all rural residents can hunt for mountain goats
17 in Unit 6B. And I think it's because of that all rural
18 residents, whoever was putting this together looked at
19 who the other rural residents in the vicinity of Unit 6
20 are. And, for instance, Unit 5 is in the vicinity of
21 Unit 6, and so that just in case there are residents of
22 the Southeastern Alaska area, and Yakutat areas that
23 might be hunting in this area, I think that they
24 thought that they might want to let this Council have
25 an opportunity to comment on this proposal.
26
27 CHAIRMAN ADAMS: Thank you, Steve.
28
29 Does the Council want to comment on
30 this proposal. Mr. Kitka and then Mr. Hernandez.
31
32 MR. KITKA: Mr. Chairman. Being as
33 this is kind of out of our region, I would kind of move
34 to take no action on this.
35
36 CHAIRMAN ADAMS: Thank you, Harvey. Is
37 that a motion? That's a motion?
38
39 MR. KITKA: Yes, it is.
40
41 CHAIRMAN ADAMS: Is there a second.
42
43 MR. DOUVILLE: Could we wait just a
44 minute.
45
46 CHAIRMAN ADAMS: Sure, we could wait.
47
48 MR. DOUVILLE: Then your explanation
49 for this is that because there's no C&T determination,
50 it's open to all rural residents, right? Okay.

1 MR. KESSLER: That is correct. That is
2 why I assume it's in here. And we -- a lot of times
3 the Federal program has this situation where we're
4 taking an area from all rural residents and narrowing
5 it down to something less than all rural residents, and
6 then what Staff tries to do is figure out who are the
7 different -- which of the different Councils that may
8 have an interest in that narrowing from all rural
9 residents.

10

11 CHAIRMAN ADAMS: Follow up, Mike.

12

13 MR. DOUVILLE: Then we just did one of
14 these beaver ones in 1D which applies to all rural
15 residents, were they in turn given this proposal and
16 the others that we did where they're all rural
17 residents were qualified? Did they also get copies of
18 those proposals in their books.

19

20 MR. KESSLER: Mr. Chair. Mr. Douville,
21 as far as I know they did not. I think that this is
22 done only when the area in question is within the
23 vicinity of other Council areas. So in this situation,
24 Unit 5 directly is adjacent to Unit 6, and I think that
25 in this situation it was felt that to give the Council
26 an opportunity. Unit 1D, for instance, or Unit 4, is
27 far, far from any of the other Council areas, Council
28 regions, and as far as I know, none of the proposals
29 were given to any of the other Councils.

30

31 CHAIRMAN ADAMS: Okay. Thank you.

32

33 MR. HAYNES: Mr. Chairman.

34

35 CHAIRMAN ADAMS: Okay. Who was that on
36 line?

37

38 MR. HAYNES: Mr. Chairman. This is
39 Terry Haynes. If I could offer a point of
40 clarification.

41

42 CHAIRMAN ADAMS: Sure. Go ahead.

43

44 MR. HAYNES: The Federal customary and
45 traditional use determination for Unit 6C goats is
46 rural residents of Unit 6C and 6D. So it is not true
47 that all rural residents are eligible under the Federal
48 regulations for goat hunting in Unit 6C.

49

50 MR. KESSLER: The issue is 6B.

1 CHAIRMAN ADAMS: Thank you, Terry.
2
3 Go ahead, Steve.
4
5 MR. KESSLER: Yes, Mr. Chairman. I
6 just read that first part of the customary and
7 traditional use determination. This was just for Unit
8 6B. And you'll notice that this proposal applies to
9 6A, B, C and D.
10
11 CHAIRMAN ADAMS: All right. Thank you
12 for that clarification.
13
14 I think Mr. Bangs has been trying to
15 get my attention for a while now. Mike, go ahead.
16
17 MR. BANGS: Thank you, Mr. Chair. Has
18 Southcentral Region Council weighed in on this yet?
19
20 MR. KESSLER: Mr. Chair. Mr. Bangs.
21 No, they haven't. They don't meet for a couple more
22 weeks.
23
24 CHAIRMAN ADAMS: Don, go ahead.
25
26 MR. HERNANDEZ: Thank you, Mr.
27 Chairman. I think I'd be willing to defer to you as
28 Chairman who also are the representative from the
29 affective unit, Unit 5 that we're talking about. I
30 would leave it to your discretion as to whether or not
31 we wanted to consider this proposal.
32
33 CHAIRMAN ADAMS: I feel like most of
34 you that is kind of out of our region, and maybe we can
35 just take no action on it.
36
37 MR. HERNANDEZ: I would second the
38 motion to take no action that Harvey made.
39
40 CHAIRMAN ADAMS: Okay. Thank you.
41
42 Mr. Bangs, you've got a comment?
43
44 MR. BANGS: Yes, I was just wondering
45 if it would be appropriate to support the actions taken
46 by Southcentral.
47
48 CHAIRMAN ADAMS: Do you want to know
49 what action they are going to take first?
50

1 MR. BANGS: Yeah, that's why I asked.
2
3 CHAIRMAN ADAMS: Okay. Patty, go
4 ahead.
5
6 MS. PHILLIPS: Thank you, Chairman
7 Adams. Did the Wrangell-St. Elias take a position on
8 it?
9
10 CHAIRMAN ADAMS: Negative, I don't
11 remember seeing it, and I chaired that meeting. It's
12 not on there, Dr. Schroeder?
13
14 DR. SCHROEDER: (Shakes head
15 negatively)
16
17 CHAIRMAN ADAMS: Yeah. Negative.
18
19 MS. PHILLIPS: Thank you, Chairman
20 Adams. But we have in the past looked at proposals
21 from area 6B, because it is adjacent to Unit 5. But
22 I'm okay with tabling it also.
23
24 CHAIRMAN ADAMS: Any other comments.
25 Do you want to address Mike's concern about supporting,
26 you know, Southcentral and whatever action they take?
27 Mr. Bangs.
28
29 MR. BANGS: Thank you, Mr. Chairman. I
30 just was given -- what usually happens is -- what we
31 would put instead of taking no action is to defer to
32 home region.
33
34 CHAIRMAN ADAMS: That is definitely
35 appropriate. I would go for that, too.
36
37 DR. SCHROEDER: We do take no action.
38
39 CHAIRMAN ADAMS: We do take no action.
40 That's what we're doing actually.
41
42 Any other comments?
43
44 (No comments)
45
46 CHAIRMAN ADAMS: Hearing none, we'll go
47 ahead and vote on this action. Mr. Kitka.
48
49 MR. KITKA: Dick Stokes.
50

1 MR. STOKES: Aye.
2
3 MR. KITKA: Patricia Phillips.
4
5 MS. PHILLIPS: Aye.
6
7 MR. KITKA: Mike Douville.
8
9 MR. DOUVILLE: Aye.
10
11 MR. KITKA: Harvey Kitka votes aye.
12 Bert Adams.
13
14 CHAIRMAN ADAMS: Aye.
15
16 MR. KITKA: Donald Hernandez.
17
18 MR. HERNANDEZ: Aye.
19
20 MR. KITKA: Nick Davis.
21
22 MR. DAVIS: Aye.
23
24 MR. KITKA: Merle Hawkins.
25
26 MS. HAWKINS: Aye.
27
28 MR. KITKA: Joe Hotch.
29
30 MR. HOTCH: Aye.
31
32 MR. KITKA: Michael Bangs.
33
34 MR. BANGS: Aye.
35
36 MR. KITKA: Lee Wallace.
37
38 MR. WALLACE: Aye.
39
40 MR. KITKA: Mr. Chair, the ayes have
41 it.
42
43 CHAIRMAN ADAMS: The motion is carried.
44
45
46 That does it for our proposals unless
47 Dr. Schroeder has anything up his sleeve.
48
49 (Laughter)
50

1 CHAIRMAN ADAMS: But we're done with
2 proposals now. Let's take a break. Terry and Doug,
3 are you still going to be with us for the remainder of
4 the day?

5
6 MR. D. LARSON: Thank you, Mr. Chair.
7 I actually have another commitment that I need to go
8 do, but if there's a time certain that you would desire
9 to have me back, I would try and accommodate that.

10
11 CHAIRMAN ADAMS: Well, you're welcome
12 to go take care of your business, but you're also
13 welcome, you know, to join us again when you get back
14 or, you know, that's fine with us.

15
16 MR. D. LARSON: Well, Mr. Chairman,
17 thank you. And I will make an effort to get back. If
18 I don't, I just want to thank you, Mr. Schroeder and
19 others there that made it possible for us to tie in by
20 phone, and I apologize for not being there in person.
21 Other commitments just didn't allow it, but again I
22 really appreciate being able to participate by phone.

23
24 Thank you.

25
26 CHAIRMAN ADAMS: Okay. Doug, Dr.
27 Schroeder has an issue here that he would like to bring
28 to your attention before you leave.

29
30 MR. D. LARSON: Okay.

31
32 DR. SCHROEDER: Doug, I think you have
33 a copy of our meeting materials. If possible, it would
34 be probably useful for the Council when the Council's
35 discussing the Tongass land management resource
36 management plan amendment, which will take place
37 probably tomorrow morning, if you have observations or
38 comments that would be useful, it would be good to have
39 you on line at that time.

40
41 MR. D. LARSON: Okay. I do have
42 another meeting, but I might be able to slip in or out
43 of that and take part in that. Do you have any sense
44 at this point approximately even what time that would
45 be?

46
47 DR. SCHROEDER: I think we're likely to
48 have two main agenda items tomorrow. One concerns
49 Makhnati Island, which is up first, and then the other
50 would be this one. So my guesstimate would be 10 or

1 so.

2

3 MR. D. LARSON: Well, I'll make an
4 effort to be on line then at 10.

5

6 CHAIRMAN ADAMS: All right. We'll look
7 forward to that, Doug, and if we're, you know, in the
8 middle of some other issue, our agenda has been adopted
9 as a guide, so, you know, for the sake of being able to
10 participate, we'll probably pick up that particular
11 issue at that time. So we thank you for being here.

12

13 Terry, are you going to be still on
14 line here with us?

15

16 MR. HAYNES: Mr. Chairman. I will stay
17 on for the next two or three agenda items. I won't
18 have any contributions to make I don't believe, but in
19 the event that you have some questions that I could
20 take back to Staff regarding Unit 2 deer harvest
21 reporting or statewide Board of Game proposals. I'll
22 stay on line and listen to those agenda items, and then
23 I, too, will probably sign off to attend to some other
24 business. I have some more Council meetings to prepare
25 for.

26

27 But while I have the opportunity, I
28 share what Doug Larson said. We appreciate the
29 opportunity to take part by teleconference. We
30 apologize for not being able to be there in person.
31 We're having some staffing scheduling difficulties for
32 the Regional Council meetings, and appreciate the fact
33 that John Hilsinger is able to be there in person to
34 participate in your discussions of fisheries issues.

35

36 And I appreciate the Council's
37 understanding of some of the policies issues and
38 broader concerns that we have raised in our comments.
39 We're certainly doing our best to work in cooperation
40 with the Council's interests and concerns, and to the
41 extent possible, we want to support the Council's work
42 and the Council's positions on these wildlife
43 proposals.

44

45 So thank you again for the opportunity
46 to participate.

47

48 CHAIRMAN ADAMS: You get, Terry and
49 Doug. We appreciate your being able to and willing to
50 participate along with us, even though it's through

1 teleconference. It would be a lot better and easier,
2 you know, for us to have eyeball-to-eyeball contact
3 with you, but we're also glad that John is here in
4 person.

5
6 So we're going to take our break now,
7 and we'll reconvene here in about 10 minutes. Thank
8 you, and you guys have a good evening or afternoon.

9
10 (Off record)

11
12 (On record)

13
14 CHAIRMAN ADAMS: Good afternoon. We're
15 back in session.

16
17 Normally, you know, when somebody calls
18 for a 10-minute break, you know, it goes on for 15, 20,
19 sometimes even a half hour. I'm really trying to crack
20 the whip at this time, because so often, you know, we
21 always try to cram so many things in on our last day,
22 and I'm trying to avoid that.

23
24 So we're going to continue on with the
25 agenda now. Item number 10, Council composition, and
26 Dr. Schroeder said he was going to cover that for us.

27
28 DR. SCHROEDER: Perhaps I'll cover this
29 with Tom. Do you want to do the briefing, Tom, and
30 then I can pick up on Council actions.

31
32 CHAIRMAN ADAMS: All right. I didn't
33 want to see any, you know, hard feelings here either.
34 So, Tom, I'm sure that you'd be relieved, you know, if
35 someone else took it, but you'll do a good job.

36
37 (Laughter)

38
39 CHAIRMAN ADAMS: So go ahead.

40
41 MR. KRON: Mr. Chairman. Members of
42 the Council. In 2003 the Secretary of Interior amended
43 the Council charters to stipulate that Council members
44 would represent either subsistence or commercial-slash-
45 sport users, also to set a goal of 30 percent
46 representation of commercial and sport users on each
47 Council. It is noted that the goal was not an
48 absolute. Also to set Council membership numbers at 10
49 or 13 with this Council, Southcentral and Yukon-
50 Kuskokwim Councils at 13 members, and the rest, the

1 remaining 7 Councils at 10 members. And to allow three
2 years to complete implementation of that new system.

3
4 In August 2006 the court ordered the
5 Board to stop using the 70/30 system at the end of that
6 calendar year and to promptly begin developing a plan
7 for balanced membership that will meet both ANILCA and
8 the FACA requirements. The judge said that the Board
9 had not provided enough justification for choosing the
10 70/30 measure for balancing Council representation.

11
12 OSM promptly published a request for
13 public comment, a copy of which is included in your
14 book, and sent out news releases requesting public
15 comment.

16
17 And I guess I'll go back and point out
18 that the Council composition issue is included in your
19 books on Page 189, starting on Page 189.

20
21 So, again, OSM promptly published a
22 request for public comment, a copy of which is included
23 in your book, and sent out news releases requesting
24 public comment.

25
26 The Board is now seeking Councils'
27 official recommendations regarding Council membership.

28
29
30 As you develop your Council's
31 recommendations, consider the following. FACA says
32 that the points of view represented on the Council just
33 be balanced with the functions to be performed by the
34 Council. A list of Council functions is included in
35 your book with this briefing.

36
37 The court has said that a fairly
38 balanced Regional Council must include consumptive
39 users of fish and wildlife on public lands other than
40 subsistence users, because those users are directly
41 affected by the subsistence priority, and that not
42 every user group needs to be represented on the Council
43 to provide a balanced membership.

44
45 The court also said that while 70/30 is
46 one way of meeting FACA requirements, the Board should
47 consider other ways of achieving balanced membership on
48 the Councils. The judge said that if there was a
49 situation that called for thinking outside the box,
50 this is it.

1 The Board will develop its
2 recommendation to the Secretary at its April 30th
3 through May 2nd, 2007 meeting. So basically this
4 spring meeting.

5
6 This is your opportunity as a Council
7 to make recommendations to the Board.

8
9 On Pages 190 through 192 you will find
10 a summary of comments that were received by a variety
11 of entities. This Council choose to provide comments
12 earlier, and there's a summary there on those pages,
13 and I think the details are in the letter earlier in
14 the book.

15
16 So with that I will stop and see if Dr.
17 Schroeder has additional comments.

18
19 Thank you, Mr. Chairman.

20
21 CHAIRMAN ADAMS: Dr. Schroeder.

22
23 DR. SCHROEDER: Thanks a lot, Tom.

24
25 The Council has been involved with this
26 issue for quite a few years, and I think it's good to
27 have this focus right now to provide a good
28 recommendation to the Federal Subsistence Board.

29
30 The materials that Tom referred to are
31 on Page 189, 90, 91, 92 and 93.

32
33 I've also provided in your supplemental
34 book, starting on Page 50 and going through to about 85
35 are the full written out comments that are not
36 reproduced in the book. And so they provide a little
37 bit more detail on what the other 12.....

38
39 (Off record)

40
41 (Tape shut off)

42
43 (On record)

44
45 DR. SCHROEDER:this request for
46 comment that appeared in the Federal Register. Let's
47 see, I think the Federal Register notice is also
48 reproduced in the book starting on Page 194 and 195.

49
50 The other relevant information, you

1 have to look in a number of places for this stuff, is
2 in the minutes of our October 11th to 13 meeting
3 starting on Page 22 and continuing through to
4 somewhere, to Page 30.

5
6 So the way I would suggest that the
7 Council proceeds on this is to think of what is the
8 outcome that we want to come up with, and that is to
9 provide comments and recommendations to the Federal
10 Subsistence Board on what it should do with this
11 question of Council representation. So that's where we
12 want to get to. To get there, I think it would be
13 useful to review both the letters we wrote, that the
14 Council submitted this last November, and then one that
15 was submitted when Chairman Big Bill was leading the
16 Council in, let's see, was that 2002? In November
17 2002. So we have a couple of letters that are already
18 in there.

19
20 Perhaps a place to start out since
21 Patty Phillips has her letter here, perhaps Patty could
22 start us out on this discussion. And then I think it
23 would be really good to go through and just very
24 briefly see what the other 12 people -- excuse me, the
25 other 11 commenters all had to say and then you'll get
26 a feeling for what's on the table here.

27
28 So, Mr. Chair, could I ask Patty
29 Phillips to start us off?

30
31 CHAIRMAN ADAMS: Well, I will ask Patty
32 Phillips to start us off. Patty, go ahead.

33
34 MS. PHILLIPS: Thank you, Chairman
35 Adams. What did you have in mind, for me to read my
36 letter or what?

37
38 DR. SCHROEDER: Well, just what your
39 thinking was when you were addressing this. And then
40 we also have -- Bill Thomas has a letter in here, too.

41
42 MS. PHILLIPS: Okay. Well, I guess it
43 would just be easiest to read part of my letter.

44
45 The Secretary of Interior is required
46 by Public Law 96-487, ANILCA Section 801(5) to have an
47 administrative structure for the purpose of enabling --
48 enable, to make able, to provide with means,
49 opportunity, power, or authority to do something, to
50 make possible or effective, that's a dictionary

1 definition of enable --rural residents who have
2 personal knowledge of local conditions and requirements
3 to have a meaningful role in the management of fish and
4 wildlife and of subsistence uses on the public lands in
5 Alaska, in order to protect the priority preferences
6 taking of non-wasteful subsistence uses on public
7 lands. Section 805 states the Secretary shall
8 establish at least six Alaska subsistence resource
9 regions which, taken together, include all public lands
10 and a regional advisory council in each subsistence
11 resource region, emphasized, shall be composed of
12 resident of the, emphasized, region as a forum for the
13 encouragement of local and regional participation.

14
15 ANILCA, local and regional
16 participation. Where it is specifically stated in
17 legislation requires the authority of enactment and
18 compliance. The Federal Subsistence Program recognizes
19 this caveat and has adhered to ANILCA definitions and
20 implemented a policy of balanced representation on the
21 regional councils in accordance with the definition,
22 preference, and participation specified in ANILCA. The
23 70/30 rule should be repealed because it does not
24 satisfy the Secretary's responsibility set forth in
25 ANILCA.

26
27 CHAIRMAN ADAMS: Thank you, Patty. Dr.
28 Schroeder.

29
30 DR. SCHROEDER: Perhaps it would be
31 good if I just went through and we spent a little -- a
32 couple of minutes on each of the things different
33 people submitted.

34
35 Starting on Page 50 in your handout,
36 AHTNA Incorporated submitted a letter generally
37 opposing the 70/30 split. Looking through that letter,
38 they do suggest that there be two tribal members be on
39 each Council. And it isn't really clear how they get
40 this representation that FACA requires.

41
42 The second set of comments is from the
43 Alaska Department of Fish and Game, from the Officer of
44 the Commissioner. They have quite a few suggestions
45 that are very specific in here, and also a general
46 policy direction as well.

47
48 A couple of things that I'd highlight
49 there is that they believe that the current requirement
50 for membership, as you know because you've applied, is

1 that all members be knowledgeable about the subsistence
2 uses of the public lands in the region where they're
3 applying. And they would like that to be eliminated,
4 because they believe that someone could still be
5 knowledgeable about other uses of fish and wildlife in
6 the region, even if they didn't know about, or had only
7 a limited knowledge of subsistence.

8

9 They suggested that for some regions of
10 the state where commercial and sport fishing are
11 predominant uses of the resource perhaps a 50/50 or
12 60/40 representational split would be okay.

13

14 The suggest a possible alternative
15 approach following the Park Service subsistence
16 resource commission model, which I believe is
17 established in ANILCA itself as to how people get on
18 resource commissions. As an example, they show that
19 commissions are comprised of nine people, three
20 appointed by the Governor of Alaska, three appointed by
21 the Secretary of Interior and three appointed by
22 Federal Subsistence Regional Advisory Councils.

23

24 There is further discussion under there
25 saying that that would need to be modified by requiring
26 each nominating entity to nominate at least one
27 individual who actively participates in sport hunting
28 or guiding and one individual who actively
29 participates in sport, personal use or commercial
30 fishing, and one person that actively participates in
31 Federal subsistence hunting or fishing.

32

33 A second possible alternative, they
34 talk about perhaps a few seats on each Federal Council
35 be nominated from local fish and game advisory
36 committees.

37

38 They also would like Councils to be
39 structured such that if there's a non-unanimous vote
40 that the dissenting recommendations be presented to the
41 Board.

42

43 Further in their letter they would like
44 a reporting mechanism that would allow the Council and
45 its members to report back to the communities and user
46 groups in the region, a provision allowing local fish
47 and game advisory committees and appointing authorities
48 to recommend the removal of a RAC member, and a
49 providing for Secretarial consideration of such
50 requests should also be adopted.

1 So they have some very specific
2 recommendations.

3
4 The Kenaitze oppose the 70/30 rule.
5 They would support a 30 percent non-rural subsistence
6 user composition, and they were seeing someone --
7 they'd like 30 percent of the people on a Council to be
8 users who do not have a personal for profit interest in
9 the resource. So that would appear to say that if
10 you're a commercial fisherman or a guide that you
11 wouldn't be eligible for the Council.

12
13 I'm just sort of rather quickly
14 abstracting these.

15
16 The Native Rights Fund letter, found on
17 Page 57, mainly addresses the Kenai, setting up a
18 separate Kenai Peninsula Council.

19
20 Patty Phillips' letter is the next one.

21
22 The next letter is from a private
23 citizen who believe that animal protectionists should
24 be appointed instead of blacklisted. The gun wackos
25 seem to be the only people picked for any of these
26 spots. Obviously not a wacko.

27
28 Safari Club International is very
29 important, and so their comments are, along with Fish
30 and Game and possibly the Kenaitze Indians are likely
31 to be considered a great deal. The 70/30 rule arose at
32 a time when Safari Club International was litigating
33 issues with the Federal program and one of the issues
34 they were concerned about was representation on the
35 Councils.

36
37 Safari Club International supported the
38 70/30 split when it was initially introduced and
39 continues to support it right now. They do have some
40 concern about too many commercial fishermen getting in
41 there, because recreational hunters and fishermen may
42 not receive the required representation. They suggest
43 setting up separate hunting councils and fishing
44 councils for each region where both activities take, so
45 there would -- it appears their suggestion would be
46 that there would be two councils in Southeast, a
47 hunting council and fishing council.

48
49 They would like people who apply to the
50 Council to be vetted by -- that Staff should maintain a

1 list of interested regional and/or state organizations
2 that represent individuals of that particular group.
3 They provide examples of Safari Club International,
4 Alaska Professional Hunters, and the Alaska Outdoor
5 Council. And that if someone said they represented
6 hunters or guided hunters, that Staff would contact
7 each of these aforementioned groups and see if that was
8 true, so that you couldn't say that you were
9 representing those things if you didn't.

10

11 They'd also like Staff to contact the
12 Alaska Department of Fish and Game and appropriate
13 State and local advisory councils for confirmation of
14 the individual's ability to represent a particular
15 community of interest. That actually is something that
16 generally takes place when people are being evaluated
17 for our Regional Council.

18

19 They also along with the State of
20 Alaska would like minority reports or dissents to be
21 forwarded through to the Federal Subsistence Board, and
22 they believe that that's an essential part of
23 balancing, that if there's any dissent, that that be
24 put ahead.

25

26 They would like a Council member code
27 of ethics. They believe that there's been abuse and
28 intimidation of non-subsistence representatives, and
29 that that may be discouraging people from applying for
30 Council seats.

31

32 The Chair of the Western Interior
33 Regional Advisory Council made brief comments. He
34 really didn't support the idea of having a percentage
35 of seats assigned, but he could live with it. If we
36 have to do it, he'd prefer an 80/20 split rather than
37 the current one.

38

39 We just have a couple more letter.

40

41 The next letter from a Brian Simpson
42 who's a master guide. He wants to make sure that there
43 is a percentage or a representation of persons other
44 than rural subsistence users.

45

46 Mr. Thomas writes a letter believing
47 that -- he states, I have no issue with the pursuit of
48 the 70/30 makeup. I know deliberate care will be taken
49 during recruitment to ensure that prospective members
50 will come aboard with they need to remain in compliance

1 with existing language and intent of Title VIII of
2 ANILCA.

3
4 I think Bill is saying that if you stay
5 close to Title VIII, you will do a good job on the
6 Council.

7
8 Steve Vanek from Ninilchik is talking
9 about possibly a 50/50 split on the Council.

10
11 And YRDFA, the Yukon River Drainage
12 Fisheries Association has lengthy comments. They'd
13 like ANILCA to be amended to take it out of the realm
14 of FACA so that FACA wouldn't apply. And in the
15 absence, if that doesn't happen, they'd like an 80/20
16 split, and certainly no less than a 70/30 split. They
17 also didn't believe that there should be what they call
18 an arbitrary declaration of primary interest. And they
19 also wanted Councils to maintain a local composition.

20
21 Let's see, what else do I have here.
22 And I think that's the end of those comments.

23
24 The Council work on this goes back to a
25 letter that was submitted, once I find it, by Chairman
26 Thomas on Page 28, it's reproduced in your minutes.
27 And this was developed by a Council subcommittee at
28 that time, and the Council had just heard about the
29 possibility of a 70/30 rule, and basically thought that
30 the existing Council fairly represented subsistence and
31 other uses of fish and wildlife in our region, and is
32 balanced in terms of FACA requirements. And it did
33 talk about how the existing Council at that time had 10
34 of the 12 current members were commercial fishermen
35 then, 6 rely on commercial fishing for a major portion
36 of their livelihood. Four of the 12 were urban
37 residents not eligible, four members, et cetera, et
38 cetera. So the Council at that time was saying this
39 Council is representative, it does include a wide range
40 of people.

41
42 And it asked for some other things at
43 that time, mainly saying that there should be a
44 rulemaking should place if this was going to go
45 through.

46
47 The current letter was discussed. This
48 is found on Page 23, and following our Sitka meeting,
49 just at the end of the Sitka meeting we heard that this
50 request of comments was going out. It was published on

1 October 12. I think our meeting was over on October
2 11th or 12th. We had a teleconference meeting on
3 November 21st, and, let's see, there was a timing
4 issue. At that time comments could be submitted on the
5 October 12th rule, but they needed to be in -- for some
6 reason they needed to be in -- let's see what we have
7 here. The Council wanted to make sure that it had
8 comments in on this, and so we had a teleconference
9 meeting on November 21. Prior to that time, Chairman
10 Adams worked with Staff and Council members and sent in
11 the letter that's dated November 13th, 2006, and it
12 outlines the Council thinking on the 70/30 requirement.

13

14

15

16 The bottom line of that letter was to
17 say that at that time the Council was saying the way to
18 deal with this FACA representational issue was to
19 recruit well, to make sure that you had representative
20 people on the Council, apply to the Council. And
21 verifying that the Council was balanced would be a
22 matter of certification and demonstrating. So that --
23 this letter didn't want a quota. It wanted to say that
24 -- it wanted the designated Federal official or the --
25 someone else in the program to verify that it was
26 balanced, to show that it was balanced and to verify
27 that it was balanced.

28

29 This letter also requested that this
30 issue be subject to a formal rulemaking, stating that
31 the rulemaking should include public hearings in
32 affected communities in consultation with tribal
33 governments that have an interest in this regulation.
34 There are without doubt other viable alternatives that
35 also need to be considered in this rulemaking process
36 in addition to the ones mentioned in the October 12th
37 Federal Register notice. And so it would like this to
38 be a formal rulemaking as well.

39

40 Mr. Chairman, that's kind of a synopsis
41 of where we are, and the Council should consider where
42 it would like to go with this.

43

44 CHAIRMAN ADAMS: Thank you, Dr.
45 Schroeder.

46

47 And, you know, between now and the time
48 that you caught my eye, I know there's a big space
49 there. I know for me, sometimes if I don't get a
50 chance to respond right away, I'll forget what I have.
51 But, Tom, please, if you have -- if you still remember

1 what it was you wanted to say, fine.

2

3 MR. KRON: Yes, Mr. Chairman. I wrote
4 it down.

5

6 (Laughter)

7

8 MR. KRON: But I've been waiting
9 patiently. But thanks for coming to me.

10

11 Again, this is an action item for all
12 10 of the Regional Councils. Two of those Regional
13 Councils have met already. The Bristol Bay Council
14 supported the 70/30 split. The Seward Peninsula
15 Council made no recommendation. So that is what has
16 happened to date so far. But, again, it's before all
17 of the Councils, and it is an action item. And, you
18 know, we definitely want to hear what the Councils
19 think on this issue, and we've been asked to think out
20 of the box, so now is your opportunity.

21

22 Thank you, Mr. Chairman.

23

24 CHAIRMAN ADAMS: Thank you, Tom. I'm
25 kind of curious as to why Seward Peninsula didn't want
26 to take any action on this. It seems like it would be
27 important enough for them, you know, to do something.

28

29 MR. HAYNES: Mr. Chairman.

30

31 CHAIRMAN ADAMS: Yes. Go ahead.

32

33 MR. HAYNES: This is Terry Haynes in
34 Fairbanks.

35

36 CHAIRMAN ADAMS: Yeah, go ahead, Terry.

37

38 MR. HAYNES: I attended the Seward
39 Peninsula Regional Council meeting last week. And they
40 heard a presentation on this Regional Council
41 composition, and they just didn't seem to express too
42 much concern. There was, as I recall, a feeling that
43 things are working pretty well for them, that they do
44 have a mix of members currently, some of whom kind of
45 considered themselves multiple users, you know,
46 involved in subsistence, but also perhaps in commercial
47 fishing or guiding operations. So they didn't really
48 express any problems with the current system of the
49 70/30 approach. And other than that, I wouldn't want
50 to try to characterize their decision not to make any

1 recommendations.

2

3 Thank you.

4

5 CHAIRMAN ADAMS: All right. Thank you,
6 Terry. I was just kind of curious, you know, as to why
7 they were, you know going in that direction.

8

9 We, too, you know, our composition of
10 people from all of these different user areas. I use
11 myself as an example. I have a commercial permit. I'm
12 a charter boat captain. I'm also, you know, a
13 subsistence user. But, you know, this Council has
14 always felt, you know, that this arrangement, you know,
15 covers all of those areas, and that there wasn't any
16 need for any change.

17

18 But anyhow I think we need to decide
19 what we want to do at this -- with this issue, you
20 know, and so the thing is up for discussion. If you
21 have questions for Bob or Tom or anyone else, let's
22 thrash this around for a while and then make a
23 decision.

24

25 Okay. I'll go with Mike and Mike.

26

27 (Laughter)

28

29 CHAIRMAN ADAMS: You guys can decide.

30

31 MR. DOUVILLE: I don't have any problem
32 with the 70/30. We've always more than exceeded the
33 70/30 in our diversity.

34

35 The only thing that I want to ensure
36 down the road is that the guidelines laid out in Title
37 VIII for recruiting these places are followed as they
38 are in Title VIII and no deviation made from that.
39 It's done an excellent job so far, so why change it.

40

41 70/30 may not be the best thing for
42 Interior type of regions where there's no commercial
43 fishery or not much or things like that, so what may
44 work for us, it's never been a problem, may not apply
45 to other regions. We're not all the same, and we don't
46 all do the same thing. You know, when you're making
47 decisions like this, it doesn't apply to everybody.
48 You've got to have flexibility in it. That's what,
49 you know, I've -- we've always been very diverse in our
50 Board. We've always had representation from virtually

1 everybody that lives in Southeast.
2
3 CHAIRMAN ADAMS: And we do have the
4 best Board in the whole.....
5
6 MR. DOUVILLE: World.
7
8 CHAIRMAN ADAMS: The whole world.
9
10 (Laughter)
11
12 CHAIRMAN ADAMS: They look to us for
13 leadership from the other regions.
14
15 Tom, I'll let you respond, and then
16 we'll go to Mike.
17
18 DR. SCHROEDER: You have to agree with
19 the chair.
20
21 MR. KRON: Mr. Chairman. Mr. Douville,
22 you have a very good Council. And I think in order to
23 keep the family together, like we do with our kids, it
24 would probably be best not to say which one is best.
25
26 (Laughter)
27
28 MR. KRON: But you have a very
29 excellent Council, and I think everyone looks to you
30 for leadership. And again that is why we ask these
31 kinds of questions.
32
33 I just wanted to point out that the
34 70/30 is a goal, it's not a requirement. You know,
35 reality is in some of the remote regions of Alaska it's
36 been very difficult, you know, to get to the 70/30, you
37 know, because one of the requirements is that you live
38 in the region, and in some of the regions it's very
39 difficult to get applications from hunting guides,
40 sport fish interests, for example, that actually live
41 there, so it's been very difficult to get to that 70/30
42 split in some regions. In other regions, it's easier,
43 because you get more applications from that 30 percent.
44 But again it's a goal, it's not a requirement.
45
46 Thank you, Mr. Chairman.
47
48 CHAIRMAN ADAMS: Thank you, Tom. And,
49 Mr. Bangs.
50

1 MR. BANGS: Thank you, Mr. Chairman. I
2 have a couple things that I wanted to speak out on.

3
4 I'd have to agree with Mr. Douville.
5 We are a lot different than every other one, and I
6 don't think they can come up with a set split that
7 would for everyone. In my opinion I think that like
8 the scenarios for every region is different, and you'd
9 have to -- the make up of the Council would have to
10 reflect the area.

11
12 But one thing that I'm not real clear
13 on, I was under the impression that when you represent
14 or so-called represent a user group such as sport or
15 commercial, that the purpose of that was for a
16 perspective, and not representing them in a way that
17 you're defending commercial users, but in a sense that
18 you're here for subsistence. That's why I'm here.
19 It's not to defend commercial or sport interests, but
20 I'm here to give a perspective if there's, you know,
21 somebody that doesn't know anything about the
22 commercial part of it, might not understand what
23 effects they have by the decisions they make on the
24 commercial industry. So that was my interpretation.
25 In reading through some of these letters, it's the
26 requirements are such that they seem like they're
27 pointing towards the user groups designation is to
28 represent them. And I'm here to represent subsistence
29 users regardless of my background. And that's just
30 something that I'm not sure -- it just doesn't seem
31 plain to me what they mean by that.

32
33 Thank you.

34
35 CHAIRMAN ADAMS: Yeah. Thank you,
36 Michael. And if I was sitting beside Mr. Douville, I'd
37 be inclined to agree with him whether I agreed with him
38 or not.

39
40 (Laughter)

41
42 CHAIRMAN ADAMS: But anyhow, yeah,
43 you've got a good point there. The whole focus of this
44 Council is to deal with subsistence issues, and, you
45 know, we need -- even though there's going to be a
46 cross section or a percentage, you know, of sport and
47 commercial. That's what they have to come to this
48 table with that focus as well.

49
50 But it seems to me like the closest

1 that we can -- this is my opinion. We can meet that
2 goal as Tom was talking about is to do the 70/30 rule.

3
4 Did you have something, Mr. -- I've
5 almost forgotten your name. I must be getting.....

6
7 DR. SCHROEDER: Whoever I might be
8 here.

9
10 CHAIRMAN ADAMS: Mr. Schroeder.

11
12 DR. SCHROEDER: Well, I think the
13 Council in 2002 really didn't like the idea of there
14 being a 70/30 split at all. And this Council adjusted
15 to it and it has functioned quite well under this
16 current system.

17
18 What we do have right now is a court
19 decision that said, well, wait a minute, Federal Board.
20 You need to go back and look at this again. And the
21 court wasn't saying that you can't do 70/30, but it was
22 also saying that you need to think outside the box.
23 And then I must admit I sort of thought, well,
24 basically the only thing that should be discussed is
25 70/30, but then looking through the letters,
26 particularly the letters from Safari Club International
27 and from the State of Alaska, potentially other things
28 could occur at this time, this is -- once something's
29 on the table and in play and needs to satisfy court
30 requirements, we're not sure exactly what happens
31 there.

32
33 CHAIRMAN ADAMS: Tom, go ahead,

34
35 MR. KRON: Yeah, Mr. Chairman. And
36 maybe Bob can help me as well. But I think the way
37 things have worked is that, you know, the 30 percent
38 that would represent these other interests, you know,
39 they've provided perspective, and I think in all the
40 Councils where I've seen, you know, those members
41 participating, their heart is with subsistence, but
42 they're providing perspective. They're not, you know,
43 forced to only talk about a commercial interest or a
44 sport interest, you know. I think there's a request
45 for declaration, you know, for which seats they're
46 interested in, but again I think in reality the way
47 it's worked is, you know, they've operated as a member
48 of a team and, you know, provided perspective from
49 their experience.

50

1 Thank you, Mr. Chairman.

2

3 CHAIRMAN ADAMS: Thank you. Anyone
4 else want to talk about this?

5

6 (No comments)

7

8 CHAIRMAN ADAMS: I know it takes, you
9 know, maybe a year or two for people to get
10 comfortable, you know, into this situation and I know
11 it was that way for me. But I'm sure that, you know,
12 Mr. Hotch over there starts putting in his ideas, I'm
13 going to probably have to be, you know, limiting him
14 and all that, but, Joe, do you have anything that you
15 would like to say?

16

17 (Laughter)

18

19 CHAIRMAN ADAMS: I take that back. I
20 remember Big Bill used to stop me every now and then.

21

22 MR. HOTCH: Thank you, Mr. Chairman,
23 members of the Council. I would like to give you my
24 thoughts for our future as a Council. I don't agree
25 with sending a messenger to some place on our behalf.
26 I'm saying this, because I would like to see our
27 president, chairman here, meet with the Governor on our
28 behalf, not send somebody else to tell the Governor
29 that this is how the Council feels. I want our
30 chairman, whether it's Bert or somebody else, to go
31 there and meet with the Governor. That's one thought
32 that I have.

33

34 And the other thought that I have, any
35 time one of our native people break the law, I would
36 like to see that person make a choice of having his or
37 her case in the state court or in the tribal court.
38 There has to be that choice for us. We cannot be taken
39 to a state court all the time. We need a choice. And
40 this is my proposal to this committee.

41

42 And I'm sure that's enough. Thank you.

43

44 CHAIRMAN ADAMS: What I was asking you,
45 Joe, is if you had any thoughts about this 70/30 rule
46 that we are discussing right now. Do you have any.....

47

48 MR. HOTCH: That's it. That's my
49 70/03.

50

1 CHAIRMAN ADAMS: That's your 70/30.
2
3 (Laughter)
4
5 CHAIRMAN ADAMS: Okay. Dr. Schroeder,
6 do you have something.
7
8 DR. SCHROEDER: Well, the Council does
9 have a letter that it sent in on this rule. And that's
10 the long letter that starts on Page 23. It kind of
11 works up to the paragraph where it's saying some very
12 specific things. It is the third paragraph on Page 26,
13 and this starts out, I recommend dropping, and perhaps
14 I should -- so that's what the Council has said at this
15 time. So if we want to do that, the Council could
16 simply reaffirm this, or it could do something
17 different. So perhaps I should read that paragraph,
18 Bert?
19
20 CHAIRMAN ADAMS: Sure, go ahead, Dr.
21 Schroeder, read that paragraph.
22
23 DR. SCHROEDER: So this is what the
24 Council voted on on November 21.
25
26 CHAIRMAN ADAMS: And the reason that
27 that's in there is because we felt that we were
28 fulfilling all the requirements just as the make up of
29 the Council is right now. And I think that would also
30 align, you know, with what Seward Peninsula has also
31 done. They took no action on it.
32
33 But go ahead, Dr. Schroeder, and read
34 that paragraph if you will. And you can all read along
35 with us if you want.
36
37 DR. SCHROEDER: I recommend dropping
38 the quota system for Council seats. My brief internet
39 review of other FACA committees did not indicate that
40 hard-wired quotas are typically used to insure balance
41 on FACA committees, but that agencies were required to
42 have an understandable plan or explanation for how they
43 would comply with the FACA guidelines for balance. I
44 would propose that we beat the guidelines of FACA
45 through expanded outreach to encourage diverse
46 applicants to apply; (2) by revising applicant
47 evaluation criteria to encourage the desired diversity;
48 and (3) by requiring the Designated Federal Official or
49 other FACA officials to report on how balance has been
50 achieved on their Councils. I would also note that

1 balance should consider age, gender, ethnicity, income,
2 education, geographic residence and other factors that
3 are important in terms of the points of view
4 represented and the functions to be performed. I
5 believe that this approach would meet FACA's fairly
6 balanced requirement by insuring that a diversity of
7 interests are represented on each Regional Advisory
8 Council.

9

10 So in this letter the Council didn't
11 like the 70/30. It said this is what you should do,
12 those three points. So the Council could continue with
13 that approach, modify it or support 70/30 or do
14 something different.

15

16 CHAIRMAN ADAMS: Mr. Hernandez.

17

18 MR. HERNANDEZ: Thank you, Mr.
19 Chairman. I think the Council should stick to its
20 previous position on opposing the 70/30 rule. I think
21 we laid out some pretty good reasons originally why we
22 would oppose it, and I don't think any of that has
23 changed. I think probably what -- one of the things
24 that sums up our position quite well I think is
25 something I saw in the comments from the Native
26 American Rights Fund, which is found on Page 191 in the
27 booklet. And it says that the system should assess
28 Council nominees on their user experience relevant the
29 functions and tasks to be performed by the Councils
30 pursuant to Title VIII of ANILCA. While Council
31 decisions may impact other uses, Council functions are
32 confined to matters relating to subsistence uses of
33 fish and wildlife. Therefore, a single-interest
34 representation of commercial and sport uses finds no
35 support in the functions of the Councils.

36

37 And I think the part of that which is
38 relevant to what Dr. Schroeder just read is the system
39 should assess Council nominees on their experiences.
40 And we have a system. FACA kind of lays out a system
41 for a balanced Council, and we are in compliance with
42 all FACA requirements, and I think that should suffice
43 in this situation.

44

45 CHAIRMAN ADAMS: Thank you, Don. That
46 point is well taken.

47

48 Any other comments. Patty, I was
49 wondering when you were going to get my attention.

50

1 MS. PHILLIPS: Thank you. Time to get
2 out my handy-dandy ANILCA book. Section VIII. I mean,
3 the whole reason why this, you know, legislation is
4 here is so that we can provide the continuation of
5 opportunities for subsistence uses by rural residents
6 of Alaska, both native and non-native. And if we start
7 to broaden it too far, then we start to dilute, we
8 start to dilute those customary practices, you know, we
9 were trying so hard to keep alive. And if we do as
10 some of these letters propose, then that's just exactly
11 what's going to happen is we're doing to dilute the
12 ability to pass on this traditional knowledge that we
13 have within us to our family, to our neighbors, you
14 know, within our communities. And that was not the
15 intention of ANILCA.

16
17 And I really think we're spending a lot
18 more time on this than we really should be, but I agree
19 with Don that we should stick to our guns on our --
20 what did you say, reaffirm our position. And I also
21 agree with Mike Douville. I guess we could live with
22 the 70/30 rule because we're already balanced in that
23 way. But I guess I would have a fear that that 30
24 would start to somehow try to dilute that traditional
25 knowledge we're trying to keep alive. And it certainly
26 would with some of the proposals that were submitted in
27 written comments.

28
29 So I vote to reaffirm our position, and
30 if anybody wants to amend that, they can. I move to.

31
32 CHAIRMAN ADAMS: Okay. The motion is
33 to reaffirm our position to keep the Council as it is.
34 Do I hear a second.

35
36 MR. HERNANDEZ: Second.

37
38 CHAIRMAN ADAMS: Seconded by Don
39 Hernandez. Like Patty said, we have spent a lot of
40 time on this already. Do we need to discuss it any
41 further. Mr. Douville.

42
43 MR. DOUVILLE: Excuse me. Thank you,
44 Mr. Chair. I support Patty's motion, but I'll say
45 again that the recruitment of these new members must
46 follow the guidelines laid out in Title VIII. And
47 those recruited must follow the rules and regulations
48 laid out in Title VIII in their actions. As long as we
49 stick to Title VIII and its intent, we'll be fine.
50

1 CHAIRMAN ADAMS: And that's well said,
2 Mike. I agree with you 100 percent on that as well.
3
4 Any other comments.
5
6 MS. PHILLIPS: Mr. Chairman.
7
8 CHAIRMAN ADAMS: Patty.
9
10 MS. PHILLIPS: We could amend the
11 motion or just I could drop the motion and request that
12 we reaffirm our position, adding that recruitment must
13 follow ANILCA and recruited must follow ANILCA.
14
15 CHAIRMAN ADAMS: Okay. So what you're
16 doing is you're taking away your first motion, but you
17 need an agreement with the second in order for you to
18 do a new one. Is that okay with you, Don?
19
20 MR. HERNANDEZ: (Nods affirmatively)
21
22 CHAIRMAN ADAMS: Okay. Go ahead. Do
23 it over again, and then we'll get a second.
24
25 MS. PHILLIPS: I move to reaffirm our
26 previous positions on the 70/30 ruling and also include
27 that the recruitment of Council members will follow the
28 guidelines of ANILCA and the recruited Council members
29 must follow ANILCA as the guideline.
30
31 CHAIRMAN ADAMS: Thank you, Patty. I
32 think that covers that pretty well.
33
34 Do I hear a second.
35
36 MR. KITKA: Second.
37
38 CHAIRMAN ADAMS: Seconded by Mr. Kitka.
39
40
41 Further discussion. Mr. Douville.
42
43 MR. DOUVILLE: Just for the record, I
44 want to point out the Staff in its efforts to replace
45 members on this RAC have done an exceptional job even
46 before anybody thought of FACA. They've always been
47 very diverse without even realizing that they were
48 probably, but we have always been -- more than exceeded
49 any of the FACA requirements, you know.
50

1 CHAIRMAN ADAMS: And we'll put a star
2 right beside Staff on that, because they have done an
3 excellent job. I agree.
4
5 Any further discussion.
6
7 (No comments)
8
9 CHAIRMAN ADAMS: If not, are we ready
10 to vote.
11
12 MR. STOKES: Question.
13
14 CHAIRMAN ADAMS: The question's been
15 called. Mr. Kitka.
16
17 MR. KITKA: Dick Stokes.
18
19 MR. STOKES: Aye.
20
21 MR. KITKA: Patricia Phillips.
22
23 MS. PHILLIPS: Aye.
24
25 MR. KITKA: Michael Douville.
26
27 MR. DOUVILLE: Aye.
28
29 MR. KITKA: Harvey Kitka votes aye.
30 Bert Adams.
31
32 CHAIRMAN ADAMS: Aye.
33
34 MR. KITKA: Donald Hernandez.
35
36 MR. HERNANDEZ: Aye.
37
38 MR. KITKA: Nick Davis.
39
40 MR. DAVIS: Aye.
41
42 MR. KITKA: Merle Hawkins.
43
44 MS. HAWKINS: Aye.
45
46 MR. KITKA: Joe Hotch.
47
48 MR. HOTCH: Aye.
49
50 MR. KITKA: Michael Bangs.

1 MR. BANGS: Aye.
2
3 MR. KITKA: Lee Wallace.
4
5 MR. WALLACE: Aye.
6
7 MR. KITKA: The ayes have it, Mr.
8 Chair.
9
10 CHAIRMAN ADAMS: Thank you.
11 Unanimously.
12
13 Okay. What's next on the agenda, Dr.
14 Schroeder.
15
16 DR. SCHROEDER: Mr. Chair, our next
17 agenda item we've already done, Unit 2 deer harvest
18 reporting.
19
20 I do believe Larry Nickerson --
21 Dickerson, excuse me, did have a handout to accompany
22 his presentation. We didn't give him a chance to give
23 out his handouts, so I'd request that he does
24 distribute that to you, but I think we dealt with that
25 issues.
26
27 Our next issue is State Board of Game
28 proposals, and an update on those from Mr. Johnson.
29
30 CHAIRMAN ADAMS: Okay. Let's take a
31 break. Let's take a 10-minute break, and then we'll
32 pick this up after that.
33
34 (Off record)
35
36 (On record)
37
38 CHAIRMAN ADAMS: Okay. Ladies and
39 gentlemen, please take your places. We're going to get
40 going here in a few minutes.
41
42 (Pause)
43
44 CHAIRMAN ADAMS: For the Council's
45 information, Mr. Kookesh and Mr. Davis are in there
46 going over the Chatham Strait report. And then they'll
47 give their report sometime today, probably after we
48 take care of a couple other items that's on the agenda
49 here.
50

1 So right now we'll do item number 12,
2 Dr. Schroeder.
3
4 DR. SCHROEDER: Yes, that would be
5 good.
6
7 CHAIRMAN ADAMS: We're going to do item
8 number 12. Mr. Johnson.
9
10 Don, go ahead.
11
12 MR. HERNANDEZ: Thank you, Mr.
13 Chairman. I had written in in my agenda here that at
14 some point we wanted to discuss Bob's replacement. Did
15 we want to do that at this point?
16
17 CHAIRMAN ADAMS: You know what, I do
18 remember you talking about that, and then I put that
19 under Council -- right after Council composition. So
20 this would be a good time to do that.
21
22 Do you want to start the conversation,
23 Don.
24
25 MR. HERNANDEZ: Actually that was Mr.
26 Bangs that had mentioned that. I just noticed it here
27 and thought I'd point that out.
28
29 (Laughter)
30
31 CHAIRMAN ADAMS: Passing the buck. Mr.
32 Bangs, I know that you brought that up as an issue,
33 too. So why don't you go ahead and introduce it to us,
34 please.
35
36 MR. BANGS: Thank you, Mr. Chairman.
37 The reason I brought that up is because I was just
38 wondering if the Council had any input into the
39 selection or what the protocol was for replacing a very
40 vital position.
41
42 CHAIRMAN ADAMS: I think Mr. Kessler
43 will be able to answer that question for us. Steve.
44
45 MR. KESSLER: Thank you, Mr. Chairman
46 and Council and Mr. Bangs. Of course, it's with a
47 heavy heart that we have to replace Bob.
48
49 DR. SCHROEDER: I didn't die.
50

1 (Laughter)
2
3 MR. KESSLER: He's still alive. And we
4 know Bob's going to have an awful lot of fun in
5 retirement. And we are thinking about, you know, sort
6 of what the next steps are for replacing the Council
7 coordinator position. We have not come to terms sort
8 of yet as far as what exactly we're going to do. You
9 know, ideally we would look for a replacement just like
10 Bob, someone who could fill the Council coordinator
11 position, the region's anthropologist position.
12
13 CHAIRMAN ADAMS: They clone people now,
14 you know.
15
16 (Laughter)
17
18 MR. KESSLER: Really?
19
20 CHAIRMAN ADAMS: Yeah.
21
22 MR. KESSLER: That would be wonderful.
23 But we haven't decided exactly that that's the
24 direction that we want to take. And if you want to
25 provide some input, that would be fine.
26
27 We have serious funding problems. And
28 it may very well be that what we try to do is to refill
29 the work that Bob does by using people who are already
30 on Staff. The cost of, you know, potentially moving
31 somebody is quite a bit. And then figuring out how
32 we're going to deal with all the budget shortfalls.
33
34 Just for your information this year
35 we're spending about \$250,000 less in FIS than what we
36 spent last year. We started the wildlife WIS program.
37 We're not doing any new funding of WIS this year.
38 That's because of the funding situation also. So there
39 are all these funding situations that are sort of part
40 of this and what we would like to do is maintain our
41 programs as best as we can.
42
43 So we have to take a look at the Staff
44 that we have, what Staff does, and balance the best
45 approach here. That said, sort of options are still
46 open. We haven't made any decisions at all. We're
47 just sort of laying out some options, and we're going
48 to have to decide what route to go. And we'll be
49 consulting with my boss and then the Regional Forester
50 also on the approach to take.

1 But if you would like to provide some
2 advice, then that would be fine. I do not anticipate
3 the Council actually participating in the selection,
4 although I wouldn't be adverse to having maybe some
5 discussion with the Chair prior to making that final
6 selection.

7

8 CHAIRMAN ADAMS: Go ahead, Mr. Bangs.

9

10 MR. BANGS: Thank you, Mr. Chairman. I
11 would like to see if the Council would entertain the
12 idea of going on record as giving some basic
13 recommendations that possibly the person that takes
14 that position would be from our region so they would be
15 more aware of our local issues. And I think that if we
16 didn't replace Bob with a person that had that job, we
17 would lose a lot of our effectiveness as far as being
18 able to deal with the issues, if we had someone that
19 just had other jobs as well. I think it wouldn't be to
20 our advantage to not replace him with a full-time
21 person.

22

23 Anyway, I don't know how the Council
24 feels on it, but I would really like to see someone
25 from our region take that position.

26

27 Thank you.

28

29 CHAIRMAN ADAMS: Thank you, Mike.

30

31 Any other comments from the Council.
32 Mr. Douville.

33

34 MR. DOUVILLE: I agree with Mr. Bangs.
35 It would be my recommendation that we have somebody
36 that's familiar with the Tongass and its people and
37 resources. It would be of great benefit in the
38 continuation of the effectiveness of this RAC, which I
39 think has done a pretty good job with the help Bob has
40 provided in the past years.

41

42 CHAIRMAN ADAMS: Thank you. Anyone
43 else.

44

45 (No comments)

46

47 CHAIRMAN ADAMS: From this person's
48 perspective as Chair, I fully agree with the ideas that
49 both Mr. Bangs and Mr. Douville has related to us. But
50 the success of that position really is going to depend

1 a lot on -- well, let me see. The success of the
2 Chair's position is going to depend a lot on what kind
3 of person that we have in this position. You know,
4 when Fred Clark left, we said, boy, who's going to do
5 that job, you know. And then when Bob -- you know, we
6 saw Bob struggle through the first year or two, and
7 then he blossomed and has done an excellent job. If it
8 weren't for his research and Staff's input, I would
9 never have been able to go to the Federal Subsistence
10 Board and testify the way I have, you know, without
11 that technical help.

12

13 And that's the kind of person that we
14 need. Someone who has that -- I don't know whether it
15 be an anthropology background or a biologist, or, you
16 know, someone that knows the fish and game issues
17 particularly in our region. So, you know, that narrows
18 it down to our region.

19

20 And then to be able to put together the
21 information that the Chairman needs to be effective in
22 his dealing with the Federal Subsistence Board and
23 other agencies. To me that's, you know -- and I never
24 realized that until I got into this position. I
25 remember Dolly, you know, saying that this job is going
26 to involve a lot of work. And I never realized how
27 much work until I actually got into it, and it was
28 frequent calls from Dr. Schroeder that helped me to
29 step up to the plate and force myself to learn, you
30 know, and be prepared for going before the Federal
31 Subsistence Board especially. And that's the kind of
32 person that I think the Chairman would need, whoever
33 that person is, in order to be effective in their job
34 responsibilities.

35

36 Patty.

37

38 MS. PHILLIPS: We request that you
39 defer to the home region on any appointments to -- or
40 applications for that, to replace Mr. Schroeder.

41

42 I would like to comment that under Mr.
43 Schroeder, Dr. Schroeder, that as a corporate body that
44 we've been able to come to a higher level of thinking
45 because of some of the questions that he prompts us
46 with, as well as Staff, you know, other Federal Staff,
47 but working in concert or in collaboration with Dr.
48 Schroeder and his networking with Federal Staff and
49 State Staff and then providing materials that we have
50 from which to, you know, study from and deliberate

1 from. Part of our effectiveness is being able to take
2 that information and regurgitate it and bring it out at
3 a level that's higher than many of us -- when we get
4 back home, we just sort of go, wow, we did that. But,
5 you know, it took all of us working together, but it
6 also took our coordinator coordinating it on our
7 behalf. So thank you.

8

9 CHAIRMAN ADAMS: And just to add to
10 that, you know, the Chairman doesn't have time to do
11 all of the research and, you know, bring forth all of
12 the technical stuff that needs to be before him or her,
13 you know, when they have to represent this Council.
14 We're not paid. We're volunteers. And to me, you
15 know, I place high value on that coordinator, because
16 Dr. Schroeder has made notes for me that I was able to
17 use in my testimonies before the Board. And, of
18 course, you know, I was only a messenger of the
19 Council, but this gentleman here was able to put
20 together the information so that I could use it and be
21 more effective in those presentations.

22

23 Being able to put things down in clear
24 concise words. Even word choice is important. And I
25 was approached, you know, by a couple of the Board
26 members about even use of words. You know, you've got
27 a -- and this individual has to be very highly
28 qualified for this job. Highly qualified. Highly
29 qualified.

30

31 MR. KESSLER: I got it. I agree.

32

33 CHAIRMAN ADAMS: Yeah, go ahead, Floyd.

34 Oh, by the way, welcome, Floyd.

35

36 MR. KOOKESH: Thank you. I was kind of
37 reading and I didn't follow the discussion all the way,
38 but I believe we were talking about looking for a
39 coordinator, the qualities of the person that -- the
40 qualities in a person that we seek?

41

42 CHAIRMAN ADAMS: Yes.

43

44 MR. KOOKESH: One of the things I've
45 known from sitting here is I like to believe that when
46 we have a regional coordinator that this person is a
47 neutral person, that this person does not have -- well,
48 he's probably willing to move us forward if anything on
49 Title VIII for sure, but I really like somebody that
50 would stay to the center with us, because we can't be

1 compromising our values for the commercial interests,
2 we can't be compromising for the sport fishing
3 interests. I believe that our role is a rural
4 preference, and I like to believe that we should have a
5 coordinator that stays neutral and doesn't lean to the
6 side of anybody other than to focus on subsistence
7 being our highest priority. I know that for what we're
8 doing, we're not the most popular people in town. In
9 kake we are.

10

(Laughter)

12

13 MR. KOOKESH: Yeah, you resemble that
14 remark. We resemble that remark.

15

16 But I really want us to have someone
17 that's very neutral and that stays focused on our
18 issues. We can't be compromising our subsistence
19 values and letting commercial interests override us.

20

21 And I do have to say though that from
22 reading Dr. Schroeder's material, and for the quality
23 of work that goes into his letters, they're very well
24 done. I did note that.

25

Thank you.

27

CHAIRMAN ADAMS: Thank you, Floyd.

29

Anyone else.

31

(No comments)

33

34 CHAIRMAN ADAMS: So we can submit
35 something that would show that we would like to see, or
36 did you take notes enough to be able to relay that, or
37 would you like something from this Council?

38

39 MR. KESSLER: Mr. Chairman. I took
40 some pretty good notes. I think that -- I took some
41 sort of key words as you went along or what you're
42 looking for.

43

44 CHAIRMAN ADAMS: Highly qualified, for
45 instance? Highly qualified.

46

(Laughter)

48

49 MR. KESSLER: Let's see where that is.
50 It's here, that's here and that's here.

1 CHAIRMAN ADAMS: All right.
2
3 MR. KESSLER: And actually what I would
4 like to do is maybe get together with you before the
5 meeting's over and discuss some of this.
6
7 CHAIRMAN ADAMS: Sure. Yeah, we should
8 do that.
9
10 MR. KESSLER: All right. Thank you. I
11 really appreciate your input.
12
13 CHAIRMAN ADAMS: Thank you, Steve. I
14 think unless there's any other questions or comments,
15 you know, Mr. Kessler has his walking orders and we
16 expect to hear from him and work closely with you.
17
18 Like I said, okay. We're going to do
19 12, and, Mr. Johnson, is that your call?
20
21 MR. JOHNSON: Thank you, Mr. Chairman.
22 The item number 12 was inserted as an agenda item
23 partly as a result of the proposals that were submitted
24 by the Southeast Regional Advisory Council for this
25 cycle. And we wanted to keep it as an agenda item in
26 the future for things that come up either with the
27 Board of Game or Board of Fish that may be important to
28 the Council.
29
30 I can tell you that the current Board
31 of Game schedule and the road map and the proposals
32 that are coming before the Board of Game from what I
33 could see in reading through there, I didn't find
34 anything that really pertains to Southeast.
35
36 I guess if Terry Haynes is still on the
37 line, he may want to comment with regards to that, but
38 it seems that most of the issues before the State are
39 in the area just to the north of us.
40
41 CHAIRMAN ADAMS: Terry, are you still
42 on line?
43
44 MR. HAYNES: Yes, Mr. Chairman.
45 Regarding the State Board's matters of business, I
46 might just call to your attention the Joint Boards of
47 Fisheries and Game will be meeting in the fall, October
48 4th through the 7th or 5th through the 8th I believe,
49 and they will be taking up proposals that pertain to
50 the fish and game advisory committees. And there will

1 be as I recall, I can pull up the book if necessary,
2 but I believe there are some proposals pertaining to
3 the structure of fish and game advisory committees in
4 Southeast Alaska as well as in other parts of the
5 State. And that may not necessarily be an agenda item
6 for the Regional Council, but certainly some of your
7 members may have an interest in proposals that affect
8 the local fish and game advisory committees.

9
10 Beyond that, I think Mr. Johnson is
11 correct. There is a Board of Game meeting coming up in
12 Anchorage next month, but there are no proposals for
13 Southeast Alaska on that agenda.

14
15 And I'll be happy to try to answer any
16 questions you all might have regarding State Board of
17 Game matters or Joint Board matters. And John
18 Hilsinger would be in a better position if you had
19 questions regarding State Board of Fisheries business.

20
21 Thank you.

22
23 CHAIRMAN ADAMS: Thank you, Terry.

24
25 Does anyone have any questions of Terry
26 or John. Patty.

27
28 MS. PHILLIPS: Thank you, Mr. Chairman.

29
30
31 CHAIRMAN ADAMS: To whom would you like
32 to address?

33
34 MS. PHILLIPS: Mr. Haley.

35
36 CHAIRMAN ADAMS: Pardon?

37
38 MS. PHILLIPS: The guy on there.

39
40 CHAIRMAN ADAMS: Oh, Mr. Haynes.

41
42 MS. PHILLIPS: Mr. Haynes. You said
43 there's a structure of fish and game advisory committee
44 make up will be discussed at the Joint Board October
45 5th through 8th. Is there something out there that
46 could be studied about it, like a proposal or
47 something?

48
49 MR. HAYNES: Through the Chair. Ms.
50 Phillips, yes. If you have access to the internet,

1 there is a proposal book that is on line on the
2 Department of Fish and Game web site. And you would
3 just look under the Department of Fish and Game Boards
4 Support Section. And under that program you can find
5 the -- an icon to get Joint Board meeting booklet for
6 next October. And if you don't access to the internet,
7 we can certainly make arrangements to get that material
8 to you.

9

10 MS. PHILLIPS: Thank you.

11

12 CHAIRMAN ADAMS: Okay. Thank you,
13 Terry.

14

15 Anyone else have a question or a
16 comment.

17

18 (No comments)

19

20 CHAIRMAN ADAMS: Okay. We're done with
21 that, so let's move on to item number 13 then. Mr.
22 Cal.

23

24 MR. CASIPIT: Thank you, Mr. Chair.
25 This is kind of the normal time of the winter meeting
26 when I come to the table and talk to the Council about
27 proposal to change subsistence fishing regulations that
28 we know of that have already come in or soon to come
29 in, and also solicit ideas or solicit concerns or areas
30 where Staff could work with Council on helping with
31 Council-sponsored fisheries proposals for the next
32 cycle.

33

34 Staff does know of two proposals that
35 are already either in or soon to be submitted.

36

37 One of them deals with -- well, as the
38 Council may know, the Stikene River fisheries have been
39 going now for a couple, two or three years. Very
40 successful. People are participating, and we do have a
41 proposal in from a user on the Stikine River who would
42 like to see -- well, as you know, we had the season
43 broke up into a chinook fishery in the early part of
44 the season, a sockeye salmon fishery in the middle part
45 of the season, and then a coho fishery towards the end
46 of season. Well, there's a period of two weeks,
47 basically August 1st to August 15th or 14th where
48 there's no fishery at all authorized under Federal
49 regulation. And there's a proposal in that basically
50 would start the coho fishery two weeks earlier so that

1 there's uninterrupted -- there's an opportunity to fish
2 on the Stikine throughout the summer. And so that
3 proposal is in and we'll be analyzing that. So that
4 one has been submitted.

5
6 Another proposal that will be submitted
7 very soon, or maybe has been submitted already while we
8 were here, I would welcome Mr. Bob Larson to come up
9 and help me if there's additional questions from the
10 Council, but that proposal is a joint proposal between
11 the Organized Village of Kake and the State of Alaska
12 to basically lift the closure to non-Federally-
13 qualified users at Kutlaku, Bay of Pillars. Again,
14 that proposal has been submitted or soon will be
15 submitted, and we'll be analyzing that through the
16 process.

17
18 I would like to say that a part of that
19 is a commitment that we as Federal Staff has made to
20 folks that, you know, if you remember way back when,
21 there was quite a bit of concern about when that
22 closure was put in place of issues of basically sport
23 fishermen complicating the subsistence fishing
24 activities in that location in terms of, well,
25 competition and people getting in the way of the nets
26 and that sort of stuff.

27
28 One of the things that the Organized
29 Village of Kake asked us to look at, and we have
30 committed to do this, is somehow working with
31 Department of Fish and Game to put together a short
32 brochure, or a very easy to understand, a couple
33 paragraphs that can be used to explain to sport
34 fishermen, especially non-resident sport fishermen of
35 the importance of subsistence fishing activities to the
36 people of Southeast Alaska, the importance of that
37 activity in terms of putting food on the table, and the
38 cultural significance of those activities, and that
39 instead of sport fishing -- sport fishermen sometimes
40 being jealous or somehow not accepting of that activity
41 to maybe gain some appreciation that when sport
42 fishermen from other places are seeing this kind of
43 activities, that they should be thankful that these
44 kind of activities are still occurring, that the
45 cultural things related to subsistence fishing is
46 important and they need to be protected as ANILCA says,
47 and that this is part of the way things have gone on in
48 Southeast Alaska and Alaska in general since time
49 immemorial.

50

1 So we're just now starting along those
2 lines to work with the State to put together some such
3 brochure along those lines. And although it came up in
4 conversations with OVK in the particular instance of
5 Kutlaku, I think it has application at least Southeast-
6 wide, maybe even statewide. But anyway that's a
7 discussion that's continuing.

8
9 Other than that, we are not aware of
10 any other fisheries proposals that are there or --
11 well, we're not aware of anything more than that that
12 have come in or will be coming in.

13
14 At this point I would be happy to
15 volunteer Staff to work with the Council on any other
16 fisheries-related proposal that the Council would like
17 to submit for the next cycle. We do have a couple more
18 weeks, three weeks left in the proposal period, so we
19 still have time to put in Council-sponsored proposals.
20 So I'd be happy to take notes and assign staff as
21 needed to work with the Council on those kind of
22 things.

23
24 CHAIRMAN ADAMS: Thank you, Cal.

25
26 Mr. Hernandez.

27
28 MR. HERNANDEZ: Thank you, Mr.
29 Chairman.

30
31 Yeah, Cal, I was kind of interested to
32 hear about putting together a brochure there. Would it
33 be possible to, seeing as how you're working with Fish
34 and Game on this and Sport Fish and Subsistence to
35 maybe also include some background and suggestions and
36 information on implications for rockfish and how
37 sensitive they are and important to subsistence users
38 and such thing, or is it pretty much just directed
39 towards Kutlaku Lake fishing?

40
41 MR. CASIPIT: Well, the intent was to
42 deal with the issue of -- it only came up in the
43 context of salmon fishing and, you know, subsistence
44 fishing, and the competition with sport fishing.

45
46 As far as rockfish goes, that's kind of
47 beyond the ANILCA program of Federal jurisdiction. We
48 can certainly facilitate work with the Council and the
49 Department as far as, you know, working on rockfish
50 issues, but I'd have to defer to our State people here

1 as far as dealing with that, since it is beyond our
2 jurisdiction. But I'd be happy to facilitate and help.

3
4 MR. HERNANDEZ: All right. When you
5 mentioned that you were going to work with Fish and
6 Game on this, I was thinking, you know, as a sport fish
7 situation there it might be possible, but I'll leave
8 that up to you.

9
10 CHAIRMAN ADAMS: Okay. Does the
11 Council wish to do a little work on this? Cal has
12 offered to volunteer his Staff, his paid Staff and
13 assist us with any proposals. Don't want to do
14 anything?

15
16 (No comments)

17
18 CHAIRMAN ADAMS: Bob Larson, you've got
19 a.....

20
21 MR. R. LARSON: No, I just.....

22
23 CHAIRMAN ADAMS: You're just going to
24 whisper in his ear. Okay.

25
26 (Pause)

27
28 MR. CASIPIT: Thankfully Bob reminded
29 me, and this is probably something that the Chair may
30 be interested in. But we do have a situation in
31 Yakutat in our regulations where people are prohibited
32 from subsistence fishing 48 hours prior to and 48 hours
33 after a commercial fishing period. This makes sense
34 under State regs. It came from the State regs. And I
35 believe the intent was to separate subsistence fishing
36 from commercial fishing in time and space so that you
37 don't get mixture of subsistence catches into
38 commercial sold catches.

39
40 Under Federal jurisdiction I'm not sure
41 that that particular clause is very germane to the
42 issue, because there is quite a bit of spacial
43 distribution between where the commercial fishing
44 occurs in salt water and where our jurisdiction is in
45 fresh water. So with the consent of the Council and
46 the chair, I'd be happy to have Staff basically delete
47 that part of the federal regulations so that we don't
48 have potential for people to be cited for fishing 48
49 hours to or 48 hours after a commercial period when
50 they're way away from where the commercial fishing is

1 actually occurring. So with the consent of the Chair
2 and the Council, I'd be happy to direct Staff to work
3 that up.

4

5 CHAIRMAN ADAMS: Yes. Sure, that will
6 be fine. But let me just give you how this works in
7 Yakutat. Subsistence fishing takes place 48 hours
8 after the closure, which is I think around noon on
9 Wednesdays for the sockeye season. So then, you know,
10 24, 48 hours after that, so Thursday or Friday you can
11 begin your subsistence fishing. Then you have to stop
12 48 hours before the opening, which is about noon on
13 Monday.

14

15 There is a period of time when the
16 escapements have been met that they keep the
17 subsistence fisheries open, you know, along with the
18 commercial. And that's, you know, the issue that I
19 think that you're wanting to address.

20

21 MR. CASIPIT: (microphone not on)

22

23 REPORTER: Cal. Cal.

24

25 MR. CASIPIT:Federally-qualified
26 users who are using Federal permits. And we'd just
27 like to take that confusion away from our regs so that
28 folks will know that they're legal.

29

30 CHAIRMAN ADAMS: All right. You know,
31 with the Council's concurrence, you know, we'll allow
32 you to go ahead and pursue that.

33

34 MR. CASIPIT: Thank you, Mr. Chair.
35 And thanks to Mr. Larson for bringing that up.

36

37 CHAIRMAN ADAMS: Anything else. Patty.

38

39 MS. PHILLIPS: Thank you, Chairman
40 Adams. It probably isn't a fisheries proposal but Dr.
41 Garza brought to our attention that the First Nations
42 of Canada has representation on the, I believe, it's on
43 the Panel of the Pacific Salmon Treaty and she
44 requested that we have -- you know, that perhaps there
45 be representation either by the Council or by Native
46 groups on that panel.

47

48 I'm not sure, do you guys remember
49 that, I'm not sure.

50

1 CHAIRMAN ADAMS: I do recall that. Mr.
2 Bangs, do you have something -- this gentleman over
3 here, I think, might be able to respond, too, but we'll
4 get you first Mr. Bangs.

5
6 MR. BANGS: Thank you, Mr. Chairman. I
7 just recalled that we had talked about it and she had
8 requested that Mr. Stokes and myself somehow apply or
9 try to attend the meetings, or I'm not sure exactly
10 what she had in mind but we did talk about it.

11
12 Thank you.

13
14 CHAIRMAN ADAMS: Okay, thank you. I
15 forgot your name again but you want to make a comment.
16 If you'd introduce yourself, I'll write down your name
17 and won't forget it after this.

18
19 MR. THORSTENSON: Sure. Thank you.
20 Bob Thorstenson. I'm the president of United
21 Fishermen's of Alaska and executive director of the
22 Southeast Alaska Seiner's Association. I live in
23 Juneau. And I've also been for the past 13 years a
24 member of the Northern Panel of the Pacific Salmon
25 Commission in negotiating with Canada.

26
27 Under the Knowles Administration, the
28 Governor -- Governor Knowles determined it was
29 important to designate a subsistence designated seat,
30 this was actually prior to the Federal joinder of
31 management that occurred after 1999, the first member
32 who sat in that seat was Andy Obona (ph), who I'm sure
33 most of you know. When the Murkowski Administration
34 came in they determined to select a gentleman from
35 Hydaburg, John Carlyle, so currently John Carlyle sits
36 in the subsistence seat for the Pacific Salmon
37 Commission for the Northern Panel and he's a sharp
38 articulate young fellow and I think he's doing a good
39 job representing that seat. His term is up in 2009 and
40 I think perhaps some either interaction -- the place
41 we're at in the negotiations leads me to believe that
42 there's not going to be a lot of participation from
43 either the vast majority of commercial or subsistence
44 users. We've got a couple hang ups still in the Taku
45 and Stikine, we've still got some hang ups with the
46 Lower 48 on chinook negotiations, but our participation
47 is being much more limited. The ball's been sort of
48 kicked into a higher court now. But I believe we'll
49 have a 10 year arrangement sometime in the next 12 to
50 18 months that will take us to the year 2018.

1 So, Mr. Carlyle, I think, is doing a
2 good job representing the subsistence seat on the
3 Northern Panel. And if there's a desire to have a
4 further integration and understanding and appreciation
5 of the Pacific Salmon Treaty Northern Panel, I'm sure
6 he'd be pleased to have a meeting or have some type of
7 a forum where he could interact with this organization,
8 or this Council or with members of the Council.

9
10 REPORTER: Bert.

11
12 (Laughter)

13
14 CHAIRMAN ADAMS: It's getting late. I
15 think it would be worth it, you know, to have him come
16 to these meetings and give us a report on what's
17 happening with the subsistence issues on that Council
18 so if you can relay that message to him but I think was
19 it, you, Patty, that brought up what Dr. Garza was
20 saying. Was her intent to have a member of this
21 Council to be on that as well, and how would that
22 happen if this Council should desire it.

23
24 MR. THORSTENSON: His seat will not
25 expire until, I believe it's October of 2009 and so you
26 would -- if you didn't believe he was either
27 appropriate to represent the interests of this Council
28 or if you believe you wanted to integrate him somehow
29 to this Council and have him join you so he could be a
30 dual role, the Secretary of Commerce -- the Governor
31 submits names to the Secretary of Commerce, the
32 Secretary of Commerce would then appoint that seat, so
33 it's going to be a few years here.

34
35 CHAIRMAN ADAMS: Thank you for that
36 information. Mr. Douville and then Mr. Bangs.

37
38 MR. DOUVILLE: Thank you, Mr. Chairman.
39 I think Dr. Garza was encouraging attendance of these
40 meetings, but I can't remember her saying that they
41 wanted to be on the council, I don't think that was it,
42 but she thought that this Council should be informed
43 and have people at those meetings, not, you know,
44 replacing John. I didn't even know John was on there
45 and I know him, personally, really well, you know, but
46 in any case I think she wanted somebody in attendance.

47
48 CHAIRMAN ADAMS: Mr. Bangs, go ahead.

49
50 MR. BANGS: Thank you. I just wanted to

1 clarify exactly what he was saying, thank you.

2

3 CHAIRMAN ADAMS: Okay, thank you. And
4 it was you and Mr. Stokes here that was designated by
5 this Council to attend those meetings. I recall that
6 now. Okay, go ahead.

7

8 MR. THORSTENSON: Just for
9 clarification, the next -- I believe the next meeting
10 we'll have within the Alaska section would be sometime
11 in October and then most likely another meeting in
12 December. Both those meetings would take place in
13 Juneau. And the annual meeting is in January and
14 February, occur during the second week of January this
15 next year will be in Portland, and then in the second
16 week of February right around Valentine's Day will be
17 in Vancouver. It would be a good interaction and I'd
18 recommend that anyone who has an opportunity to join us
19 would be very welcome to be there.

20

21 CHAIRMAN ADAMS: Thank you. I think we
22 do need to follow up with Dr. Garza's concern that we
23 need to have a couple people from this Council attend
24 those meetings, whether it be one or two, I think the
25 representation would be worthwhile for us. And then we
26 need to have Mr. Carlyle, you know, come to our
27 meetings as well and keep us informed of what's
28 happening.

29

30 MR. THORSTENSON: The next opportunity
31 for Mr. Carlyle to join the Council for a meeting, for
32 an informational visit would be when?

33

34 CHAIRMAN ADAMS: It will be in Haines,
35 what's the date, sometime next fall.

36

37 MR. DOUVILLE: In late September.

38

39 CHAIRMAN ADAMS: Late September in
40 Haines.

41

42 MR. THORSTENSON: Thank you.

43

44 CHAIRMAN ADAMS: And we'll be dealing
45 with fisheries.

46

47 MR. THORSTENSON: Okay, thank you.

48

49 CHAIRMAN ADAMS: Thank you. Patty, go
50 ahead.

1 MS. PHILLIPS: Thank you. And, you
2 know, for reminding me of what Dr. Garza was saying,
3 but I also believe she wanted Cal Casipit to
4 participate along with RAC members. So, you know,
5 you're offering your help, keep us reminded about that.

6
7 CHAIRMAN ADAMS: And that's correct, I
8 do recall that so, you know, we need to be reminded
9 quite often, you know, for our memories but we also
10 need to keep it on record so that we can look at those
11 and be reminded.

12
13 Cal, were you going to say something.
14 Okay, Mr. Stokes, first.

15
16 MR. STOKES: Thank you, Mr. Chair. Dr.
17 Garza's comments are on the bottom of Page 49 and the
18 top of Page 50.

19
20 CHAIRMAN ADAMS: For the benefit of Bob
21 over there, I'll read what Dr. Garza's comments were.

22
23 Dr. Garza raised the issues of
24 reorientation of the Council and of
25 subsistence issues at the next Trans-
26 Boundary Panel meeting. This meeting
27 is the place where Stikine River
28 allotments will be discussed. The
29 number of fish allocated to the Stikine
30 River's subsistence fisheries should be
31 raised to reflect subsistence need and
32 demand.

33
34 The Council voted unanimously to
35 support Mike Bangs and Dick Stokes to
36 represent the Council and subsistence
37 interests at this coming meeting. Cal
38 Casipit will also track this issue for
39 the Council.

40
41 So, you know, it's in our minutes and
42 did we have anyone go to the last meetings.

43
44 MR. STOKES: No.

45
46 CHAIRMAN ADAMS: Cal.

47
48 MR. CASIPIT: The reason there was no
49 attendance at the meeting is there were no proposals in
50 the Federal system for coordination with the Trans-

1 Boundary Panel so that's why there was no need for
2 attendance.

3

4 But I think -- you know, I think what
5 Dr. Garza was trying to get across is that we need to
6 have a presence, at not only the Northern Panel but at
7 the Trans-Boundary Panel as well, and, in fact, I
8 recall somewhere back there where she had actually
9 requested that we make some request to have either Mr.
10 Bangs or Mr. Stokes as a subsistence representative on
11 the Trans-Boundary Panel and I believe we did make some
12 inquiries with the State and found out that, you know,
13 we had missed the boat as far as requesting the
14 Governor appoint either Mr. Bangs or Mr. Stokes.

15

16 So that's kind of where we're at now.
17 I mean I guess we have to wait until the next open
18 period, open seat. I'm really not familiar with this
19 Trans-Boundary, you know, this whole Northern Panel
20 Trans-Boundary issue. I think individuals behind me
21 with the State probably have more information on how
22 all those appointments work. But I think the point is,
23 is that somehow before these seats come open we need to
24 somehow get word to the State or the Governor's office
25 that we have these two individuals in mind as far as
26 membership on the Trans-Boundary and Northern Panels.

27

28 CHAIRMAN ADAMS: Okay, thanks. Okay.
29 I think we've exhausted that enough, haven't we and we
30 can move on.

31

32 MS. PHILLIPS: Yes.

33

34 CHAIRMAN ADAMS: Okay, what's next.

35

36 DR. SCHROEDER: Just go to Chatham
37 Strait.

38

39 CHAIRMAN ADAMS: Okay, why don't we go
40 ahead Councilmen Kookesh and Davis, are you prepared to
41 give us a report on the Chatham Strait issue. Cal, why
42 don't you stay up there, get another chair.

43

44 (Pause)

45

46 CHAIRMAN ADAMS: Mr. Kookesh.

47

48 MR. KOOKESH: Mr. Chairman. First I'd
49 like to say that to be in Kake, to me, is part of our
50 job and that I wanted to let everybody know that I

1 really appreciate it, the fact that the Council is
2 here, to me, it means a lot because these are our
3 constituents and we should sacrifice a little bit of
4 ourselves and this is -- in order to serve them best.

5
6 I note that we're also in the church of
7 God here, so I guess there is hope for us.

8
9 CHAIRMAN ADAMS: Let me just comment on
10 what you just addressed to us.

11
12 MR. KOOKESH: Yeah.

13
14 CHAIRMAN ADAMS: I remember reading
15 your comments in the minutes from last year and you
16 expressed that and I think you've done it before, that
17 every effort needs to be made to hold our meetings, you
18 know, in these small communities and, you know, it was
19 a challenge coming over here but we're here and we're
20 happy that we're here and we've got some participation
21 from the people in Kake, and so we're following closely
22 your desires as we can, Mr. Kookesh. So thanks for
23 reminding us of that again.

24
25 MR. KOOKESH: And hopefully my desire
26 is the same as our Council's, that it's our job to
27 represent broadly and fairly those that we serve in
28 these 18 communities in Southeast Alaska.

29
30 But one of the things I wasn't going to
31 do, I did not have plans to be here because I've taken
32 a position with Douglas Indian Association and I was
33 going to let this document ride on its own, but for
34 some reason I have to be here, so -- and to represent
35 us.

36
37 But I would like to say, before I start
38 my presentation, since I did not have the opportunity
39 of the floor until now, that one of the things that I
40 always remind the Council and I think is very important
41 is that we're bound by Title VIII of ANILCA and Title
42 VIII of ANILCA says that subsistence is our highest
43 priority, it's not my highest priority, it's our
44 highest priority, and I want this Council to believe
45 that we have to focus and stay focused on that. I know
46 there's been issues out there, I've heard it before in
47 different meetings, if we do this the commercial
48 fishermen are going to be mad at us, but I get over
49 that. But I want to tell this Council that we serve
50 the rural area, and that as a Regional Council member

1 you represent more than your community that you're
2 from. You represent Angoon, you represent Hoonah, you
3 represent those communities that are do not have places
4 at this table with us. And I'd like you to know that
5 when you speak, make sure that you're speaking for
6 everybody and not just for your community. You can
7 use, as the gentleman from Yakutat -- the Chair would
8 use, you can use Yakutat as an example when you talk
9 about your community, but make sure you represent
10 Southeast. I feel that it's important that we
11 represent Southeast.

12
13 CHAIRMAN ADAMS: Exactly, Mr. Kookesh.
14 And we're happy that you're here, you know, to make
15 this presentation on the work that you and Mr. Davis
16 and who was the other person -- Frank Wright, who
17 wasn't able to be here, and, of course, with the help
18 of Mr. Casipit.

19
20 You know we had high school kids come
21 here, they came to the meeting yesterday and again
22 today and we really impressed upon them the importance
23 of them learning this process early because you and I,
24 we're not going to be here in the next few years,
25 somebody else is going to step in and it's the younger
26 people who are going to have to pick up the ball and
27 run with it and I was happy that they were here and I
28 think we got their attention and interest. So, you
29 know, we need to do that in every community we go to
30 and I support your, you know, encouragement of us doing
31 that.

32
33 So Gunalcheesh, Gunalcheesh, Mr.
34 Kookesh.

35
36 MR. KOOKESH: And one more comment. As
37 a Native people we always know that they have a
38 quarter-blood quota in front of us, you know, if you're
39 a quarter Indian, you're eligible for a lot of
40 services. And what's good about this rural preference,
41 it doesn't address that, so it doesn't cycle out, we
42 don't become an eighth rural, we don't -- I'm sure
43 we'll never be totally urban, but a fact that we're not
44 going to cycle out because there's a rural preference
45 and it's strong.

46
47 But Mr. Chairman, I think that we need
48 to start our report. I have two gentlemen here, one is
49 Cal Casipit and Nick Davis. Frank Wright was also one
50 of our Council's -- you had a question?

1 CHAIRMAN ADAMS: I was going to say go
2 ahead and start with your report.
3
4 (Laughter)
5
6 MR. KOOKESH: Okay, I'll go ahead and
7 start with my report.
8
9 Mr. Chairman. We had the opportunity
10 to -- we were invited, actually, to attend a meeting in
11 Juneau. There was, as you can see, those of you who
12 have read the report, I don't know if you want me to
13 belabor it and read it for word for word, but one of
14 the things I would like to do is hopefully you've all
15 read it and absorbed it, but I would like to speak to
16 -- give you my report, based on what transpired.
17
18 There was a gentleman there from (In
19 Native) Corporation, his name is Pete Nalrose (ph),
20 I'll do some introductions there, and Pete Nalrose, his
21 position was they have a co-management agreement with
22 the Forest Service for Kanalku and Mitchell Bay
23 basically. And being a stakeholder, we invited him to
24 attend also, he was one of the people that was there.
25 I believe that the Southeast Seiner's Association was
26 represented also by Dennis Aimes and Sonny Enlow and I
27 believe also there's a gentlemen there, I don't know if
28 he was with the Seiner's, Ed Hanson, but we also had
29 Dennis Aimes from Southeast Seiner's to name a few,
30 aside from Cal and Ben VanAlen. I was hoping that, for
31 what we're doing here, I was hoping that Ben VanAlen
32 would have made this meeting because I take a lot of
33 stock in Ben's concerns and Ben's biological
34 background, it seemed to compliment why we're sitting
35 here. And it's unfortunate.....
36
37 CHAIRMAN ADAMS: Excuse me.
38
39 MR. KOOKESH: Yeah.
40
41 CHAIRMAN ADAMS: Dr. Schroeder, was Ben
42 Vanalen invited to be here or was he going to do
43 teleconference.
44
45 MR. CASIPIT: He's here. Ben's on
46 there, Dave?
47
48 MR. JOHNSON: Ben, are you on line.
49
50 CHAIRMAN ADAMS: I know Cal checked a

1 little while ago and he wasn't but I wonder if he knew
2 the time, well, probably not.

3

4 MR. CASIPIT: I gave him the
5 teleconference information so I'm sure.....

6

7 CHAIRMAN ADAMS: Okay. Maybe he'll pop
8 in a little bit later on, I hope, but go ahead.

9

10 MR. KOOKESH: Okay. Anyway this
11 meeting we conducted was an all day meeting. We didn't
12 break for lunch, we stayed at the meeting because we
13 felt we could accomplish, we'd probably accomplish more
14 just staying there and taking care of business.

15

16 I will say from being at the meeting,
17 it was a lot different than what I'm reading in our
18 final report. There is some differences in it.

19

20 One of the things that I will say was
21 that we -- and I'm being up front up with you, I've
22 always been up front with you, going to the meeting was
23 like we came bearing roses and somebody came bearing
24 guns. It was actually a hostile environment but we
25 recognized that the issue was greater than our
26 personalities. And one of the things that that we did
27 gather from our meeting was that this was about -- on
28 Comm Fish's part, this was about managing for
29 abundance, and we went there as a body looking to
30 manage the fishery for escapement so that we were able
31 to sustain our fisheries in the Chatham Straits area.

32

33 So it's unfortunate that there was a
34 hostile environment on the part of the State, we didn't
35 expect that, but then we didn't rise to that level, we
36 just stayed focus on the issue and we want to address
37 it properly, we want to fix this conservation concern,
38 as they would say. On our part we have a conservation
39 concern for Chatham Straits.

40

41 It's evident from our -- speaking from
42 someone who's from Angoon, it's evident from my tech
43 (ph), you know, that we have a problem out there. And
44 from our meeting, Mr. Chairman, I gathered that there
45 was not going to be a concession, that this was not
46 about concessions, this was not about reconciling our
47 differences, this was about sticking to each other's
48 agenda's -- or one's agenda and not allowing the issue
49 to move forward.

50

1 But there are good action points in
2 here that we need to address one by one.

3
4 And like I said, one of the things is,
5 I hope that this document can speak for itself. A few
6 things have happened since that meeting, Mr. Chairman,
7 that have occurred. One, the other day, we were
8 emailed an article, I believe from United Fishermen of
9 Alaska, that said that Southeast seine fishermen are
10 being scrutinized -- or are under scrutinization or
11 something to that effect. So the meeting did make the
12 news, the United Fishermen of Alaska, I believe -- I
13 don't have the date on it. I actually hadn't planned
14 on coming and I just left it in my printer, so I was
15 going to print copies and bring it.

16
17 And the other thing was that a letter
18 did go out addressing an overview of the meeting and
19 this was a letter that was addressed -- for those of
20 you who I was able to make copies for, this was a
21 letter that was sent to the Governor, and it concerned
22 the meeting, and there's a lot of issues -- a lot of
23 the material that was talked about in there needed to
24 be brought out. And apparently what -- excuse me, what
25 Kootznoowoo had been hoping for is -- our Native
26 Village Corporation out of Angoon was hoping for, was
27 that the Governor would respond or that Denby Lloyd or
28 somebody would respond to the letter and we could have
29 some kind of a -- start moving this process forward
30 because there was some very valid issues in there.

31
32 Apparently this letter was also -- from
33 my looking at it -- I had to pry this from the general
34 manager of Kootznoowoo, by the way, he wouldn't give it
35 to me, I had to fight for it, he wasn't going to give
36 it to me because he wanted to -- he wanted some
37 feedback from the Governor and he didn't get it -- his
38 day -- his day in the sun, because I -- but I guess her
39 plate is full, but whose isn't. But if you read the --
40 read the -- read the -- read the letter, it speaks very
41 -- it's very well done and it addresses our meeting the
42 way -- the way it was looked at and in the right
43 context.

44
45 Letters were sent to Senator Kookesh,
46 who hasn't responded. I believe we've seen our
47 Representative Bill Thomas has responded with articles
48 supporting Comm Fish, and.....

49
50 CHAIRMAN ADAMS: Do you have any

1 influence with Senator Kookesh.

2

3 MR. KOOKESH: I try not to exercise
4 that option.

5

6 (Laughter)

7

8 MR. KOOKESH: When we're in the arenas
9 that we are, when we have dinners we have dinners. We
10 just -- well, we're a family, we don't bring up our
11 public -- people like you can have those and maybe
12 they'll work but.....

13

14 CHAIRMAN ADAMS: But I respect that,
15 too, because when my children come to my house there's
16 five children, five boys, they like to talk politics,
17 you know, and when we have them over dinner I say, no
18 politics, because we could be here all night and I want
19 to enjoy my dinner.

20

21 (Laughter)

22

23 CHAIRMAN ADAMS: So I respect your
24 policy on that, too, Mr. Kookesh.

25

26 MR. KOOKESH: Yeah. Well, a lot of us
27 believe, too, that politics is the art of the possible
28 so -- and things do happen with politics.

29

30 One of the things I will say that on
31 these seven action items, these things can be -- can --
32 can work toward resolution, but it certainly --
33 certainly needs to be done on the parts of both
34 parties. This is not a one-way street. This is not --
35 we've heard -- give you examples, in the meeting, we've
36 heard that subsistence zones were established 35 miles
37 away from -- from subsistence fishing areas, like --
38 like -- like Basket Bay. And as -- as an example, I
39 asked Cal, I said, Cal, if you establish a 35 mile zone
40 from, you know, no fishing zone from -- from -- from
41 Basket Bay, how long does it take a salmon to -- to
42 swim that far, and I believe the answer was one day, so
43 -- so that's how far we are away from these zones.

44

45 And we did note that, in talking to Ben
46 Vanalen that -- that -- and when the State does manage
47 for abundance, we did note too that that -- that the
48 technology that we have today is -- on a commercial
49 seiner is so -- I mean they've -- they've -- they've
50 man -- I mean men have disappeared from seine boats

1 because the technology that goes into the blocks and
2 everything has basically made crews smaller and -- and
3 -- and with the -- with the digital equipment for
4 sonars has made the boats more -- more better killing
5 machines. And then the same time for the -- for the
6 subsistence user who lives in the rural areas, that
7 hasn't occurred, we still use the beach seine with the
8 little motors and -- and now days we have tilt -- tilt
9 -- we have tilt on our -- on our -- on our motors so we
10 can lift our engines up while we're coming to the
11 beach, which is -- and -- probably one of our best
12 technological improvements that we've ever had, saving
13 our out drives and costing us less money in that
14 regard.

15

16 CHAIRMAN ADAMS: Excuse me, Floyd, I
17 understand that we have Ben Vanalen on line now. Are
18 you there Ben.

19

20 MR. VANALEN: Yes, I am.

21

22 CHAIRMAN ADAMS: All right. Welcome
23 Ben. Right now Mr. Kookesh and his panel are giving a
24 report on the Chatham Strait sockeye information so
25 we'll probably be calling on you for some input on
26 this. So right now, Mr. Kookesh is addressing us.

27

28 MR. KOOKESH: So -- so Mr. Chairman,
29 I'll conclude right here and I'll -- I'll give the
30 floor over to the other two gentlemen here because that
31 -- this was not -- this is not my show all the way
32 here, this is for all of us. It does concern Chatham
33 Straits only, so.....

34

35 CHAIRMAN ADAMS: Thank you, Floyd. Mr.
36 Davis.

37

38 MR. DAVIS: Thank you, Mr. Chairman.
39 I'm new at this and I'm a commercial -- well, I was a
40 commercial fishermen just until a matter of a couple of
41 years ago.

42

43 CHAIRMAN ADAMS: And that's why you're
44 doing this.....

45

46 MR. DAVIS: Yes.

47

48 CHAIRMAN ADAMS:because you've
49 got information that we don't.

50

1 MR. DAVIS: And, you know, in looking
2 at some of the issues, I kind of look at it as a
3 commercial fishing point of view, but I have to remind
4 myself that I am representing my village, my people,
5 and all of Southeast. And sometimes other people
6 remind me and I appreciate it.

7
8 But Mr. Kookesh has covered everything
9 here in detail so much better than I would have since
10 I'm new at this.

11
12 But, anyway, I do agree with what he
13 has said. I know what we need to do. And I don't know
14 how I can say it any better than Mr. Kookesh just did,
15 so, anyway, I'll let Cal go ahead and take over.

16
17 CHAIRMAN ADAMS: Thank you, Nick.

18
19 MR. CASIPIT: Well, I'm just going to
20 try to cover a couple of highlights here, I'm not going
21 to go through this whole thing. I would invite Ben to
22 chime in, too, if I miss something that's important in
23 his perspective and invite him to chime in.

24
25 A couple things, and, you know, when
26 this whole issue came up, it came up a couple years ago
27 in an annual report that this Council sent to the
28 Federal Subsistence Board and at the time they were
29 very concerned about interceptions of sockeye in the
30 Northern Chatham Straits fishery and they wanted
31 Federal Staff to work with the Department of Fish and
32 Game to try to flesh out this issue and provide
33 information and kind of start the ball rolling as far
34 as cooperatively working to a solution to provide
35 escapement and subsistence harvest and Kanalku. And
36 down at the very end of that part of the annual report,
37 the Council said if this doesn't work then we would
38 like Federal Staff to assist us with a petition for
39 extraterritorial jurisdiction.

40
41 And I'll have to say that good or bad,
42 right or wrong, those last two sentences took over -- I
43 mean people got so concerned about this petition for
44 extraterritorial jurisdiction, that it kind of, you
45 know, it was -- it permeated everything else we did.

46
47 I also want to say that I think the
48 effort on the part of Federal Staff of the Forest
49 Service, Ben VanAlen especially and the Department of
50 Fish and Game working on this report that was discussed

1 at this meeting, this January 22nd meeting, I'll have
2 to say that all the data that went into it, I mean I
3 think we all agreed about the data that went into it, I
4 think that where the discussion comes and the debate
5 comes, is the interpretation of that data. Quite
6 frankly, Mr. VanAlen, and he can correct me if I'm
7 wrong, based on that data that was presented in this
8 report, he believes that there is some interception of
9 Kanalku bound sockeye in that commercial catch. I
10 think the Department, if I remember the words right,
11 the individuals said, there are no Kanalku sockeye
12 being caught in the commercial fishery based on the
13 same data.

14

15 So, you know, I have to say that the
16 data is what it is and there obviously is different
17 interpretations about that data. And I'll leave it at
18 that.

19

20 One of the other issues that was
21 mentioned -- and I'm not going through everything here,
22 I'm just trying to hit some of the ones that I think
23 Federal Staff have some sort of influence over, and,
24 for instance, the issues of purse seine management
25 plans and that sort of thing, you know, that's beyond
26 our jurisdiction, Federal Staff, really, quite frankly,
27 you know, doesn't get involved in those things.

28

29 One of the things listed here in the
30 action items is looking at the fish passage obstacles
31 at Kanalku and perhaps doing something at that falls to
32 improve passage and improve effective escapement to the
33 lake. When I say, effective escapement, is that, you
34 can get fish to the falls, if they don't get over the
35 falls and they don't get up to the lake they really
36 don't count as escapement.

37

38 And some radio-tagging work that Ben
39 VanAlen did at the falls last summer leads me to
40 believe that we may have a problem with the fact of
41 escapement getting over those falls. We, as the Forest
42 Service, can do something about that and we are, part
43 of the plan is for fisheries staff to look at the falls
44 and to start doing some work as far as improving
45 passage conditions in there in terms of, you know, fish
46 paths, or whatever, whatever needs to be done there.
47 So we are working on that from our perspective as to
48 for providing for escapement.

49

50 One of the other things that was

1 mentioned also is stock assessment work. And we are
2 continuing stock assessment at Kanalku through the FIS
3 program, as the Council is well aware we've been
4 running a mark and recapture project at Kanalku in
5 cooperation with Department of Fish and Game Commercial
6 Fisheries Research, the Angoon Community Association
7 and Forest Service, Juneau Ranger District -- well,
8 it's Ben VanAlen because he has, not only
9 responsibility for Juneau Ranger District but also
10 Admiralty, so we're working on those stock assessments.
11 You know the whole issue of a conservation issue at
12 Kanalku came about because of this early stock
13 assessment work and basically finding very low numbers
14 of spawners in the lake and that basically ringing the
15 alarm bell.

16

17 What we've got planned for the next
18 three years, instead of a mark and recapture we're
19 doing a complete weir and a complete count, so we've
20 basically upped the amount of money that we're spending
21 in that location because weirs are expensive and they
22 do take more staffing and more work. And thankfully
23 Angoon Community Association has agreed to work with us
24 on putting that weir in.

25

26 In final closing on this, and I don't
27 mean to be disrespectful on this to anybody but I
28 think, in a way, through all this, that somehow Federal
29 Staff was somehow put between Department of Fish and
30 Game and the Council and the community, and as far as
31 I'm concerned I think there needs to be direct
32 communication between this Council, the community and
33 the Department and we shouldn't be -- we, as Federal
34 Staff, really shouldn't be asking as intermediaters,
35 we're part of the solution, we're part of the
36 conservation, but I don't think we should be treated as
37 intermediaters and somehow everything gets funneled
38 through us to each side. I just want to make a pitch
39 for some broadened communication and some direct
40 communications between all involved here.

41

42 That's about all I have to say. I'd
43 ask Ben to add anything he has and, you know, the
44 Council may be interested in hearing from the
45 Department as well on this. So with that, i'd ask Ben
46 if you have anything to add, please, do. I'm certainly
47 not as involved with the data end of things as Ben is
48 and he certainly can do a better job of explaining
49 those issues to you than I can.

50

1 CHAIRMAN ADAMS: Okay, Ben, you have
2 been asked to do a better job, so you're on the line.

3
4 (Laughter)

5
6 MR. VANALEN: Thank you for letting me
7 call in and listen to this. Basically I'm personally
8 quite pleased that this discussion is occurring that
9 we're working, I guess, with the Department and all
10 interested folks to look at the relationship, inter-
11 relationship between fishing that occurs in Icy and
12 Chatham Strait and the terminal abundance of sockeye
13 that are important to subsistence users in the area.
14 And I think we still have a fair bit of work to go. I
15 think we need to make sure we have the best estimates
16 of escapement into Kanalku and Cal just mentioned the
17 weir plan for the next three years, that's very
18 important. I think we still need to do more work, see
19 what the passage success is of sockeye at the falls at
20 Kanalku, see if that is, indeed, a substantial barrier
21 to migration or not. It would certainly be nice to
22 know what the terminal abundance is. So the total
23 number of sockeye that make it back to Kanalku is, like
24 to the bay or to the stream, but, anyway, I'm trying to
25 figure out how to do something like that for the coming
26 year.

27
28 I was just at Fish and Game actually
29 until a few minutes ago helping with the project that
30 will happen at Kanalku and hopefully some of that will
31 pay out.

32
33 On the analysis and on the report, it's
34 -- I consider it definitely a work in progress.
35 There's little in the report that actually is data or
36 information of what's available that reflects the
37 timing of the fishery, timing of stocks, say in the
38 terminal area, or through a weir, or in the fishery
39 end. And little information, or it's not presented, if
40 there's been changes over time and how hard we fish and
41 where we fish, this would be subsistence, sport and
42 commercial, and I think these are all pieces of
43 information that are, indeed, available, and much of it
44 has actually been incorporated into one of the
45 PowerPoints put together. And I think between now and
46 the fall Regional Council meeting there'll be more work
47 or more instruction for us to continue work on coming
48 up for a consensus on the inter-relationship between
49 how hard and where commercial seine fishing occurs and
50 what the likely impact is on these sockeye runs.

1 And it's not only -- it's not only
2 Kanalku, it certainly has an affect on other locations
3 including Sitkho to some degree and Kook Lake as well
4 as could be others. And so I guess my interest has
5 been in the big picture to have some sort of a
6 management plan out there that does a -- recognizes the
7 need to maintain terminal abundances of the sockeye in
8 these locations. And as some specific actions in the
9 regulation or in management that do a reasonably good
10 job of maintaining them and so I think we're just
11 starting down that road.

12
13 I do echo Cal's concern that I feel
14 like we're kind of caught in the middle here. I think
15 we need good cooperation amongst us to do a good job at
16 this and I think it's unfortunate that we basically
17 don't have good communication on this subject and so
18 it's kind of comes to head where it really shouldn't.
19 And I think some of the actions could be taken are
20 relatively minor and will not result in dramatic
21 changes in the ability to harvest the target species,
22 these pink salmon, we're not quite there yet.

23
24 And, you know, so I actually think
25 there's a lot more work that we can do, not only with
26 the data we have but with the data that we're going to
27 get.

28
29 Thanks.

30
31 CHAIRMAN ADAMS: Thank you, Ben. The
32 work never ends, does it.

33
34 MR. VANALEN: Nope.

35
36 CHAIRMAN ADAMS: Okay. Any questions
37 of the Council to these gentlemen -- Floyd, you want to
38 finish up.

39
40 MR. KOOKESH: Mr. Chairman. I'll make
41 a reference because, you know, one of the issues that
42 we're dealing with here is the State of Alaska. And
43 when -- for those of us that are politically bound or
44 imbedded, one of the things we do is we always like to
45 believe that we see -- say like for example, Tony
46 Knowles and Sarah Palin, when these people were doing
47 their campaigns you saw -- you saw people with -- that --
48 that -- that -- you sensed hope that something better
49 was down the road with these people, whoever they were,
50 and -- and one of the things if you look at

1 Kootznوو's letter and probably even newspapers, let
2 alone -- probably just need -- pick up a newspaper, but
3 one of the things Sarah spoke about in her campaign was
4 to -- was to be focused on abundance, but yet make --
5 make their decisions based on good science, that was
6 one of her campaigns. And then sitting here as a RAC,
7 we always ask, you know, we talk about amounts
8 necessary for subsistence, are your needs being met and
9 speaking for Angoon, and this is an issue that covers
10 Angoon and I also believes it covers Kake and Hoonah
11 also so -- but are your needs being met, your sockeye
12 needs being met, and the simple answer is no.

13

14 And we -- we allude to -- there's a
15 page in here that says that voluntary closure by
16 community and no change in the purse seine regulations
17 is opposite of the policy of the State of Alaska and
18 it's Constitution, and which subsistence is deemed to
19 have a priority over the commercial fishery, we haven't
20 seen that. We're wondering why -- why there has to be
21 a voluntary closure on -- on one party only and -- and
22 the other one is not willing to concede anything and
23 managing for commercial fisheries is the highest
24 priority of Comm Fish, understandably so but -- but
25 when we -- when Cal and I -- when Cal -- when Cal and I
26 talked about this -- the -- the State's subsistence
27 regulations covered like two pages and our Title VIII
28 of ANILCA's only a -- a little section, you know, the
29 State has a bigger and more detailed statute or
30 regulation that covers subsistence than ours, but we
31 are -- there is a conservation concern here and we're
32 wondering why it wasn't being addressed by the local
33 area manager which is, you understand, that the
34 Chairman of the Federal Subsistence Board delegates
35 every year in-season regulatory authority to the local
36 managers and -- and yet there's -- there's a
37 conservation concern there in Kanalku -- Kanalku and at
38 the same time Comm Fish is handing out community
39 permits which is -- which -- where -- even though there
40 was a concern, just -- just something to note.

41

42 Mr. Chairman, I'd like to know if the
43 Council or the committee and Cal has anything more to
44 add, if we can move into the action items unless
45 there's questions.

46

47 CHAIRMAN ADAMS: Sure. Nick, or Cal,
48 do you have anything more to add?

49

50 MR. DAVIS: No.

1 MR. CASIPIT: No.
2
3 CHAIRMAN ADAMS: Mr. VanAlen, do you
4 have anything you'd like to say before we go into the
5 action items?
6
7 MR. VANALEN: No, I guess I'm just a
8 little confused with Floyd's comments on restrictions
9 on the seine -- the subsistence fishery.
10
11 CHAIRMAN ADAMS: Did you get that,
12 Floyd, that he was confused?
13
14 MR. KOOKESH: On?
15
16 CHAIRMAN ADAMS: Would you repeat that,
17 Ben, please.
18
19 MR. VANALEN: Yeah, sorry. Just a
20 little confused, and maybe I didn't hear it right, but
21 on the restrictions to the subsistence fishing
22 activities at Kanalku the past five years have been
23 voluntary closure or last year was a delayed opening
24 and reduced harvest limit, that was done basically by
25 the State and the Federal in-season fishery manager, in
26 this instance, doesn't have too much of a play or a
27 part in this taking, you know, what might be
28 conservation action, just that -- such a small portion
29 of any subsistence take would occur on Federal -- up in
30 fresh water. So, anyway, I'm just a little bit
31 concerned that I think the bulk of the ones for
32 management in complying with the subsistence priority
33 still, in this case, falls with the State.
34
35 CHAIRMAN ADAMS: Do you want to reply
36 to that Floyd.
37
38 MR. KOOKESH: Maybe I can pick up on
39 what I sense he's saying.
40
41 See, what I saw was that they're not
42 working together, the one hand doesn't know what the
43 other hand does and something dies. The Federal and
44 the State, there's no -- there's no working
45 relationship and you go out and give community permits
46 for fish that are -- that exceed the permit
47 stipulations and there's no -- there's no -- there's no
48 dialogue. One sees -- the Federal guys -- Federal
49 people see on the Federal hand hardly any fish there
50 yet -- yet permits -- community permits were being

1 handed out. We never heard of community permits until
2 we got to the meeting, by the way.

3
4 I don't even know if you knew what one
5 is, Mr. Chairman. Hopefully.....

6
7 MR. VANALEN: We're talking about,
8 were, indeed, issued by the State so both the
9 subsistence permits as well as the community permits
10 were issued by the State. As far as I'm aware there
11 hasn't been folks fishing on a Federal permit at that
12 location.

13
14 CHAIRMAN ADAMS: Okay, thanks you.
15 Thanks for your reports. We do appreciate it. Does
16 the Council have any questions of any of these
17 gentlemen at this time.

18
19 Patty, go ahead.

20
21 MS. PHILLIPS: Thank you, Chairman
22 Adams. I apologize that I have to leave in 10 minutes
23 so I'm going to try and put some questions out.

24
25 On Page 3 of 6, on the working draft
26 dated February 16th, 2007. It says, development of
27 sustainable escapement goals will be difficult without
28 some idea of total returns and estimation of commercial
29 catch, contributions is a critical data gap that
30 provides any further assessment of production of these
31 stocks. That's the second paragraph about near the
32 bottom of it. I mean so there's some critical data
33 needed there.

34
35 And is there a plan in place to try and
36 get that data?

37
38 (No comments)

39
40 MS. PHILLIPS: Okay. Then I'll go down
41 two more paragraphs, it starts Federal Staff, but the
42 last sentence is, if the Council decides that it's
43 necessary to develop a petition to the Secretaries
44 requesting extraterritorial jurisdiction, Federal Staff
45 will provide technical assistance in preparing the
46 Council petition. Is that our intention? I mean is
47 there preliminary research being conducted? Is it too
48 premature to say that?

49
50 CHAIRMAN ADAMS: Dr. Schroeder, do you

1 have a response to that?

2

3 DR. SCHROEDER: The first -- what
4 you're looking at, Patty, is that this item came up in
5 an annual report, and so the Council expressed -- heard
6 from Mr. Kookesh and Ben VanAlen concerning the Chatham
7 Strait sockeye issues, and then basically put in the
8 annual report, we're very concerned about this and
9 these are things that we want to have happen. And what
10 you're reading from is the Federal response to the
11 Council. And so the Federal Board responded to the
12 Council and it said the actions it had done, and then
13 it's last line which was one Cal referred to a little
14 bit earlier, was that we will provide technical
15 assistance to the Council if the Council wants to do a
16 petition of extraterritorial jurisdiction.

17

18 Now, that sort of had a lot of flags go
19 up when that came through. In fact, what the Board is
20 required to do is if the Council wants to do something,
21 the Board's required to provide technical assistance,
22 that's what ANILCA's about.

23

24 I think a little bit further in here,
25 maybe Floyd was going to get to what the action items
26 are, and I think the conclusion of the Council members
27 was that, didn't want to do that right now.

28

29 MS. PHILLIPS: Mr. Chair, thank you.
30 If you go to the next paragraph down, it says, the
31 Council went before the Board of Fish in fall 2006 to
32 request that a working group be established to address
33 Chatham Strait sockeye issues, the Board of Fisheries
34 was not willing to do this, but said that the existing
35 Southeast Seiner's Task Force would do this.
36 Subsistence does not have a designated representative
37 on this task force.

38

39 Has there been any movement to have --
40 request a subsistence presence on that task force and
41 has there been any movement towards having the
42 Southeast Seiner's Task Force address this issue?

43

44 CHAIRMAN ADAMS: Who wants to answer
45 that?

46

47 MR. VANALEN: This is Ben.

48

49 CHAIRMAN ADAMS: Okay, Ben.

50

1 MR. VANALEN: Let's see, I attended the
2 Seine Task Force meeting this year in Petersburg and
3 presented, yet, another updated information on this.
4 Also I believe it was two, maybe three members from
5 this task force were at the meeting that was held with
6 Fish and Game, or at Fish and Game, when was that
7 January -- I can't remember exactly the date, 22nd or
8 something like that.

9
10 Anyway, so the work that's been done is
11 to basically have a separate task force or work group
12 established that basically has representatives from,
13 you know, the Council as well as the Southeast Seiners,
14 there's also gillnet representatives there, anyway, and
15 Department and Forest Service biologists. Out of that
16 comes the report, the initial report, I believe
17 there'll be more -- there ought to be more, so, anyway,
18 that's all that's been done. I don't think there's
19 been any effort to get subsistence representation on
20 the Purse Seine Task Force.

21
22 MS. PHILLIPS: Mr. Chair. I'm just
23 going to work right through my comments.

24
25 CHAIRMAN ADAMS: Go ahead. But what
26 I'd like to do, you know, if we can is start working
27 toward these action items, and I think a lot of our
28 concerns, you know, will be addressed as we go through
29 them. There's about seven action items on this
30 document. But I'll give you an opportunity to comment
31 right now, Patty, but then after that I'd like to start
32 working in that direction.

33
34 MS. PHILLIPS: Thank you, Chairman
35 Adams. As you know I will not be here during those
36 deliberations so I thank you for this opportunity to
37 comment.

38
39 During the discussion there was talk,
40 you know, about the different interpretation of data
41 and that, you know, once -- and I really am troubled to
42 have to say this, but one side says it's interpreted
43 one way and the other side says it's interpreted the
44 other. Well, it's not very productive to be able to
45 come to some consensus about a resource that is
46 important to, not only Kanalku system, the Angoon, the
47 community of, but also to the salmon fleet that makes a
48 livelihood off of it. It would be more productive if
49 you guys could come together and hash through these
50 issues rather than come before us and expect us to hash

1 it out for you. But we do appreciate being a part of
2 the process.

3

4 This issue has been ongoing.

5

6 I appreciate that I'm hearing that
7 Federal Staff is going to go in with a weir and do a
8 weir count to get some stock assessment numbers and
9 that they're going to look at the falls for some sort
10 of fish passage improvements.

11

12 We've known about this for the last
13 five years. I sat in on a Department teleconference
14 trying to determine what were going to be the
15 subsistence harvest levels allowable for systems
16 throughout Southeast five years ago. And it was
17 brought to our attention then that Kanalku was not
18 productive and that the citizens of Angoon were going
19 to go on to voluntary closure at that time and here we
20 are five years later saying, we're going to go in with
21 fish passage improvements and we're going to do some
22 stock assessments, we're five years too late, we've
23 missed a whole cycle, and we're going to miss another
24 cycle if we don't get it together here.

25

26 And at the expense of creating more
27 hostilities between user groups, that's not the way it
28 should be.

29

30 Finally, somebody said some hope, well,
31 I hope -- I really hope that, you know, we could get
32 there. You feel just as strongly about the need to do
33 some extraterritorial protections, well, you know, I do
34 support subsistence too but we have to do it in a way
35 that it's scientifically-based, and it can't be based
36 on emotions. So if you can get us there,
37 scientifically-based, where the interpretation of the
38 data is a consensus of the interpretation of the data
39 rather than one side versus another then I will work
40 with you guys do to that.

41

42 So, thank you.

43

44 CHAIRMAN ADAMS: Thank you, Patty. And
45 we understand that you have to go and take care of a
46 teleconference, a class that you're taking, so good
47 luck.

48

49 MS. PHILLIPS: Thank you.

50

1 CHAIRMAN ADAMS: Okay. What I think
2 that what we'll do now is start working towards these
3 action items unless the Council has any questions, you
4 know, for the gentlemen here and Ben VanAlen, we'll go
5 ahead and do that.
6
7 (No comments)
8
9 CHAIRMAN ADAMS: No more questions,
10 we'll excuse you, you can come back to your places, Mr.
11 Kookesh and Mr. Davis.
12
13 (Pause)
14
15 CHAIRMAN ADAMS: We'll have Dr.
16 Schroeder, you know, introduce the action items and go
17 from there.
18
19 Thank you.
20
21 DR. SCHROEDER: Mr. Chairman. The
22 seven action items came out of the meeting. I met with
23 Mr. Kookesh, Wright and Nick Davis after the meeting
24 and we had a number of meetings and put drafts around
25 to try to come up with which items -- now that -- well,
26 perhaps kind of mirroring this meeting where people
27 feel very strongly about issues concerning sockeye in
28 Chatham Strait and there are quite a few things going
29 on out there, so what the three Council members wanted
30 to do, along with Ben and I, were to identify some
31 really specific things that the Council could weigh in
32 on and request action on. And so that's where these
33 seven action items come from.
34
35 The first one is.....
36
37 CHAIRMAN ADAMS: Excuse me, Dr.
38 Schroeder.
39
40 DR. SCHROEDER: Yes, sir.
41
42 CHAIRMAN ADAMS: I only count six
43 action items here. The number 7 that you pointed to me
44 on the bottom there.
45
46 DR. SCHROEDER: Six, seven.
47
48 CHAIRMAN ADAMS: Okay. Okay.
49
50 DR. SCHROEDER: So the first action

1 item is probably one that in some ways is the most
2 important because we got into the situation where
3 Forest Service, Fish and Game and as well as Council
4 members were looking at, or considering or worried
5 about a petition for extraterritorial jurisdiction.
6

7 And so the first action item which is
8 on Page 10 of your handout talks about that and the
9 suggestion was that at this time this would premature
10 on the part of the Council to pursue that option. That
11 option is provided under ANILCA, it is something the
12 Council can do if it feels is needed. This is a major
13 step and it was the view, if I'm representing the
14 Council members correctly, that this step wasn't
15 warranted at this time.
16

17 Since the Council did raise this with
18 the Board, if the Council is not going to proceed with
19 this, it's a good idea to inform the Board, as well as
20 the Department, that this is not something that's going
21 forward at this time.
22

23 So that's the first action item. And
24 perhaps we should do these in order, Mr. Chairman, and
25 I don't know that there needs to be the necessary
26 discussion, but perhaps the Council could act on each
27 action item and discuss them one at a time.
28

29 CHAIRMAN ADAMS: Okay. That's how
30 we'll handle it. So we're on action item number 1 at
31 this point, so what's the Council's wish on that.
32

33 MR. HERNANDEZ: Mr. Chairman.
34

35 CHAIRMAN ADAMS: Mr. Hernandez.
36

37 MR. HERNANDEZ: Thank you, Mr.
38 Chairman. I guess I'm not sure exactly how to word
39 this, but I would move that the Council accept the
40 recommendation of the committee in regards to action
41 item one and inform the Federal Subsistence Board and
42 State of Alaska that a letter of petition is not being
43 submitted at this time.
44

45 CHAIRMAN ADAMS: You handled that
46 perfectly, Don, so is there a second.
47

48 MS. HAWKINS: Second.
49

50 CHAIRMAN ADAMS: Seconded by Merle.

1 Discussion. Mr. Kookesh.
2
3 MR. KOOKESH: When did we vote not to
4 move on this, did we just make an assumption that we
5 weren't going to proceed with the -- that it's
6 premature, who made that decision, we did?
7
8 CHAIRMAN ADAMS: Well, I don't know who
9 made the decision.
10
11 MR. KOOKESH: That's what I was
12 wondering, because I just heard it like that. I'm just
13 wondering we all of a sudden decided that we weren't
14 going to initiate -- I don't have any problem, I just
15 want to know where it came from.
16
17 CHAIRMAN ADAMS: Dr. Schroeder, do you
18 have an answer for that?
19
20 DR. SCHROEDER: Mr. Chair. Floyd.
21 What we're working through is your draft report on Page
22 10, and so this is the draft that the three Council
23 members went through with Ben and I to try and come up
24 with the action items that should be before the
25 Council. And so at that time neither you, nor Mr.
26 Wright, nor Mr. Davis thought that that was something
27 that you wanted to do. If you wanted to do it then
28 we're open for discussion, we've got a motion on the
29 floor.
30
31 CHAIRMAN ADAMS: Okay, Floyd.
32
33 MR. KOOKESH: Uh-huh.
34
35 CHAIRMAN ADAMS: All right. Any
36 further comments.
37
38 (No comments)
39
40 CHAIRMAN ADAMS: Okay, we got a motion
41 on the floor, what's the wish of the Council.
42
43 MR. KOOKESH: One more remark.
44
45 CHAIRMAN ADAMS: One more remark.
46
47 MR. KOOKESH: Since there was no other
48 --nothing was carried further. I'm hoping that the
49 fact that we're initiating this, hopefully, as Patty
50 mentioned earlier that they're coming to the -- that

1 they're going to come to the table and we're going to
2 have some concessions. I'm hoping that by doing this,
3 that we're not putting it further out the door and
4 keeping it -- keeping it away from ourselves. I'd like
5 to see some -- I'd like to see the State come to the
6 table because it's all of our issues, so.....

7

8 MR. DOUVILLE: Mr. Chairman.

9

10 CHAIRMAN ADAMS: Mike, go ahead.

11

12 MR. DOUVILLE: Thank you, Mr. Chairman.

13 No 1 is extraterritorial jurisdiction, and I think that
14 should be one of the last things that should be on the
15 list. I would like to hear how the State is going to
16 address some of these other things farther down on the
17 list before I made a decision on No. 1.

18

19 I think we need to discuss these and
20 not try to take action on them in a list because I'm
21 not satisfied of the information that I have yet.

22

23 There's a request for the Fish and Game
24 to inform the Council on provisions of the management
25 plan concerning interception of these fish, I haven't
26 heard nothing from them. It's just to take action on
27 some of these things is a little bit premature, you
28 know, I'd like to hear what they're going to do in
29 addressing these problems.

30

31 And, furthermore, none of these things
32 are really taking care of the real problem, you know,
33 some of it does. The improvements, fish passage,
34 counting the fish is a good thing, it's not solving the
35 problem. Obviously there's some interception of these
36 fish that's going on in the commercial fishery, there's
37 no question about that, I mean the argument here about
38 Mr. Ben VanAlen's analysis that's being disputed, but I
39 know he did an analysis but did the ADF&G do one also
40 and a couple other people offered their opinion, Mr.
41 Frank Wright and Dennis Aimes didn't think so, well,
42 how did they base their analysis. What scientific data
43 do they have. You know there's quite a few things here
44 that -- just the procedure we're using is what I'm
45 questioning.

46

47 CHAIRMAN ADAMS: Mike, we do have a
48 motion on the floor, we could table this one and then
49 pick it up at the very end if you want and go through
50 the others, you know, that would be appropriate, I

1 believe.

2

3 MR. DOUVILLE: So moved then.

4

5 CHAIRMAN ADAMS: It's been moved to
6 table this action item. Is there a second.

7

8 MR. BANGS: Second.

9

10 CHAIRMAN ADAMS: It's been seconded.
11 All in favor say aye.

12

13 IN UNISON: Aye.

14

15 CHAIRMAN ADAMS: Opposed, same sign.

16

17 (No opposing votes)

18

19 CHAIRMAN ADAMS: You know, there's
20 something that I would like to do here and I failed to
21 do it before we went into this, but I wanted to know if
22 John or Bob would have any comments to make in regards
23 to this issue.

24

25 MR. HILSINGER: Thank you, Mr.
26 Chairman. Appreciate it. And I am somewhat new to
27 this issue, although I have had long discussions with
28 both David Bedford, who's the deputy commissioner and
29 Scott Kelley, who's the regional supervisor, so knowing
30 that I was coming here I did the best job that I could
31 to get up to speed on this issue.

32

33 I think that our Staff felt pretty good
34 about that last meeting that occurred. I don't think
35 that they considered it a hostile interaction. I think
36 they're very pleased with the progress. There's the
37 joint ADF&G, Forest Service report on all the data and
38 agreement on all the data and what the data is so that
39 everybody's working off the same sheet of music. It's
40 in draft form still but I think that's a final draft so
41 it's ready, I think, or close to being ready to be
42 finalized. They've also prepared a joint PowerPoint
43 presentation that explains the fishery and some of the
44 issues.

45

46 The State was very concerned about the
47 threat of extraterritorial jurisdiction. And whenever
48 we hear that issue raised, it does concern us, and I
49 think it should concern subsistence users as well
50 because when the Federal government goes into

1 extraterritorial jurisdiction, they don't have the
2 authority to distinguish user groups. So if you close
3 an area to non-Federally-qualified uses, you're closing
4 it to sport, commercial, subsistence, everything closes
5 and so these actions have the potential to impact many
6 people in both subsistence and commercial users. So
7 they can be an important issue in terms of the economy
8 and well-being of the local people.

9

10 I know that the State's, and of course
11 the users along with that and the Board of Fisheries
12 have gone to extraordinary measures in the management
13 of this fishery to try to reduce harvest on those
14 sockeye stocks. The fishery's managed extremely
15 conservatively during late June and early July.
16 There's only about 15 percent of the area that's open
17 and it's only open about 15 percent of the time. And
18 those areas that are open are either terminal areas or
19 they're areas that appear to be 30 to 40 miles away
20 Kanalku and that's done in an effort to reduce the
21 harvest on those stocks, early. When the fishery gears
22 up and gets going at a faster pace, those fish are
23 virtually all in the river, and most of the subsistence
24 harvest has already taken place.

25

26 And it's my understanding that the
27 seine fleet went along with those restrictions. And so
28 I guess in that sense you might think of those as kind
29 of voluntary or, at least, supported by the fleet in
30 order to help reduce that harvest.

31

32 I think there are some data information
33 needs and clearly good escapement information is
34 important and the stock ID, and Fish and Game has
35 submitted a proposal to the Fisheries Information
36 Service at OSM to get a proposal -- fund a proposal to
37 look at the stock ID and look at the feasibility of
38 stock ID.

39

40 And basically the issue is the way that
41 these genetic stock ID programs work, you have to have
42 --in your baseline you have to have samples from all
43 the potential stocks because when you -- say you go out
44 and sample the commercial fishery, the -- the
45 scientific process that they use allocates that catch
46 to the stocks that are in your baseline. So if you're
47 missing a stock from your baseline, all of those fish
48 from that stock will get allocated to one of the other
49 stocks. So it's real important to have a very complete
50 baseline. Then you have the issue of the power or the

1 test. And this is what this funding is, is to see if
2 they have enough power in their test to detect these
3 sockeye stocks. And basically the issue there is that
4 when you allocate fish to different stocks it's not 100
5 percent accurate. If you take a fish from a stock like
6 Kanalku that you know is from Kanalku and you run it
7 through the allocation process, you're lucky if you get
8 90 percent of the fish allocated correctly back to the
9 stock that you know they came from. And if you get 95
10 percent, that's considered extremely good. So you're
11 going to get about at least one fish out of 10 that you
12 know is from a certain stock is going to misallocate.
13 And sometimes it's not that good, but that's kind of
14 the standard, if they can't get 90 percent then they
15 don't use the technique.

16

17 And so you have to find out, you have
18 to get all the baselines from all the stocks that might
19 be included in the fishery and then you have to see if
20 you have the power to test it because you've got --
21 some of these are fairly small stocks. And out of a
22 large harvest, if you have a small stock, well, I'll
23 just give you an example. Let's say you have a
24 thousand of one stock and 10 of another, well, when you
25 test that thousand fish of the one stock, if 10 percent
26 of those misallocate that's 100 fish. So now you've
27 got 100 fish that misallocate and they may misallocate
28 into that stock that's 10 fish or 100 fish, so you
29 could estimate that there were twice as many of those
30 fish as there actually are just because of the
31 misallocation of the larger stock.

32

33 So that's why when the letter went to
34 Denby Lloyd, when he was director, he said that, you
35 know, not only is it a funding problem but it's a
36 problem with the technology. So that's what this
37 proposal, to FIS, would do, is to see if they have the
38 power and can set up a sampling scheme and actually
39 make it work and I think that's a really important
40 point.

41

42 The other thing I think that's really
43 important is to pursue work at the falls to see if more
44 fish can get up into the lake. And one of the
45 questions that I had, which I didn't hear addressed
46 earlier was what percentage of the fish do make it into
47 the lake. And I think, you know, the big question then
48 is, is that the bigger problem or is it actually the
49 harvest in the fishery. And I, you know, I can't speak
50 to what the Comm Fish staff may have said in the

1 meeting, but my impression is the correct answer about
2 how many Kanalku fish, for example, may be harvested in
3 that fishery, is we really don't know. We know that
4 it's probably extremely small. And, you know, we don't
5 even know if it's detectible given the genetics
6 technology that we have right now. So I think it's
7 real important to find that out.

8

9 I looked through a lot of the action
10 items and I don't want to get ahead of the Board, but I
11 think a lot of them are good points. I think that it's
12 a good idea not to pursue the extraterritorial
13 jurisdiction at this time because of the potential
14 impacts to both commercial and subsistence users and
15 the absence of good data. I think we probably do need
16 better assessment of the subsistence needs as in action
17 item No. 2. I think we need to continue work on the
18 report, we need to finalize it and we obviously need to
19 work on the interpretations.

20

21 And as I said, I wasn't at the meeting,
22 but I can't imagine that anyone would say, fall out,
23 that there are no Kanalku fish caught in the seine
24 fishery. I just -- that would surprise me and I would
25 want to talk to people to get a better sense of that
26 because you've probably talked to a lot of fishery
27 biologists in your time and you know they hardly ever
28 say anything -- they always say maybe and gee and I
29 don't know and so.....

30

31 MR. DOUVILLE: Are you a biologist?

32

33 MR. HILSINGER: Yeah, I am a biologist.

34

35

36 (Laughter)

37

38 MR. HILSINGER: And I say the same
39 thing and it's because, you know, there's so much
40 variation from year to year. Stocks run at different
41 times, the fishery occurs in different areas, the
42 different run strengths vary and so I think that's a
43 very complex issue and it's one we really need to delve
44 into and then see if there are some patterns and see if
45 there are some things that we can do.

46

47 MR. DOUVILLE: May I ask a question,

48 Mr. Chairman.

49

50 CHAIRMAN ADAMS: Sure, go ahead, Mike.

1 MR. DOUVILLE: Thank you, Mr. Chairman.
2 I guess what I wanted you to respond to, was you know
3 what these problems are, you have a pretty good idea,
4 and you're coming up with a plan for the purse seine
5 management, do you have, in this plan, anything that
6 addresses, directly, these escapement problems for
7 these systems?

8
9 MR. HILSINGER: Mr. Chairman. I think
10 it's my understanding, anyway, that that whole plan,
11 the early part of it is written to address those
12 problems. That's why the closures are in place and
13 that's why the fishing time is reduced and, you know,
14 that is the plan to help make sure that those early
15 stocks get through the fishery.

16
17 CHAIRMAN ADAMS: Do you have a follow
18 up, Mike.

19
20 MR. DOUVILLE: Has any -- this
21 committee, had access to this plan that's for 2007
22 fishery to see if -- how it's been addressed?

23
24 CHAIRMAN ADAMS: Mr. Kookesh.

25
26 MR. KOOKESH: Mr. Chairman. The answer
27 is no, not that I'm aware of. I did have some
28 questions, too, when he was done.

29
30 CHAIRMAN ADAMS: Have you got some more
31 that you want to share with us.

32
33 MR. HILSINGER: Mr. Chairman. I just
34 would finish up and say that, you know, when the
35 management plan is completed and I don't know what
36 their timing is and I'm familiar with other areas of
37 the state, in the spring we kind of lay out the plan
38 and we've got the new dates and when fisheries will
39 open and what areas will be open and we submit that to
40 the public and so as soon as that's ready it'll be out
41 for review.

42
43 Again, on No. 6, as I said, I think
44 that looking at the fish passage is real important.
45 And, you know, maybe a huge piece of the puzzle, and,
46 again, I don't know what proportion of the fish that
47 make it through all the fisheries and into the river
48 actually get up into the lake to spawn.

49
50 So I'd be happy to try to answer any

1 questions I can.

2

3 CHAIRMAN ADAMS: I think Floyd had a
4 question of Mr. Hilsinger, did you have, Floyd.

5

6 MR. KOOKESH: I wanted to hear from
7 Ben.

8

9 MR. CASIPIT: Ben, did you hear that,
10 Floyd wanted to hear from you.

11

12 MR. VANALEN: Yeah, I think it's -- I
13 guess there's -- what we hear from the Department is
14 that -- and it's true they have had for many years,
15 closed waters there, they don't allow seine fishing,
16 particularly near Basket Bay and Sitkho Bay and
17 recently we're advised that the similar closed waters
18 are near the entrance to Mitchell Bay in the Angoon
19 area.

20

21 All I know is that we had the first
22 project to look at escapements of sockeye in Kanalku
23 Lake. In 2001 the escapement was estimated to be 229
24 fish and it raised a concern amongst the community, the
25 Department and all involved that that size of
26 escapement wasn't adequate. We needed to pass more
27 fish into the escapement if we want to maintain the --
28 you know, any subsistence fishery in the area.

29

30 At that time, in 2001, a voluntary
31 closure was put in, it looked like it might be working
32 in 2002 with an escapement of about 1,600, then 2003 we
33 had 275 fish in there, and since then we've had about a
34 thousand fish a year in the lake with -- with very
35 little, hardly any subsistence take occurring. And now
36 -- and so the restrictions have been put on the
37 subsistence users and so we must look and see what
38 other actions have been taken. There's been no actions
39 in the sportfisheries, that's a very minor harvester of
40 sockeye in the area, so that isn't a great concern. In
41 the commercial seine fishery, over these recent years,
42 this is 2002, 2003, 2004, 2005 there was, indeed,
43 healthy runs of pink salmon in those years and a
44 corresponding and appropriate increase in effort to
45 target on those pink salmon. But no real
46 considerations that I can find, either in discussions
47 or in their reports, this would be in the seine
48 management plans, you know, from 2000 to now, in the
49 reports to the Board of Fisheries and other discussions
50 about any specific actions taken regarding a need to

1 protect or pass more sockeye, in this case,
2 particularly to Kanalku.

3
4 And so in looking at actual actions in
5 the fishery I'm, you know, a bit -- basically they
6 hadn't fished along the Admiralty Island shore north of
7 Angoon for about eight or nine years, yet in 2003 they
8 began fishing relatively in earnest there, 2003, 2004
9 and 2005 they began fishing there, that's the area
10 that's essentially closest to Kanalku and the timing of
11 the fishery includes openings in July as well as
12 through early August and mid-August, at times when
13 clearly there are Kanalku sockeye passing through. So
14 it's kind of an awkward thing to me to hear that
15 there's been actions taken in the commercial seine
16 fisheries management to address Kanalku sockeye. Maybe
17 I'm overstating that. But what I see there's actually
18 been no actions at all. And I would be looking for
19 some consideration and some actions in the future,
20 given that we now have had substantial restrictions on
21 subsistence take there at Kanalku for five years. I
22 think we now -- and we're seeing that it's not really
23 boosting the escapement as we had hoped.

24
25 I think we need to now look at other
26 sources of harvest of these fish and that would be, in
27 particular, the closest seine areas in terms of when
28 and where those sockeyes are likely to be migrating
29 through.

30
31 To decide on that is the -- if a
32 fishery is restricted or constrained, say, mostly in
33 July at that point, I don't think it will result in a
34 real foregone harvest of the target species, that'd be
35 pink salmon, that the fish could be -- fisheries could
36 be directed at those fish closer to where they're going
37 and this would be off the, you know, the entrance to
38 Hood Bay and Chike (ph) and Whitewater and Seymore, so
39 it's not necessarily a foregone harvest and that's just
40 a -- I guess, just to come out and say it, that's the
41 kind of things that concern me.

42
43 And, again, like I said, in the draft
44 of the report that's available before us now, that
45 information is really not in there, in terms of when
46 and where the fishery is occurring and any changes over
47 time, and I think that will be needed in future
48 reports, or whatever.

49
50 MR. DOUVILLE: Chairman Adams.

1 CHAIRMAN ADAMS: Thank you, Ben. Mike
2 Douville.
3
4 MR. DOUVILLE: Thank you, Mr. Chair.
5 I'd like to ask him a couple questions.
6
7 CHAIRMAN ADAMS: Ask him a couple
8 questions.
9
10 MR. DOUVILLE: I'd like to ask you, in
11 the past, if you have any -- if there's any record of
12 past returns to this system, going back years to get a
13 better idea of what the average may have been when the
14 stocks were considered more healthy is one. And maybe
15 we could start with that.
16
17 MR. VANALEN: Yeah, unfortunately there
18 hasn't been any real stock assessments activities at
19 Kanalku prior to our FIS funded project in 2001. Not
20 with adult salmon anyway. And there really isn't much
21 for historical harvest record as you might find like at
22 Klawock or at some other locations. We do have the
23 reported subsistence take at Kanalku and it is
24 interesting that there was kind of an increase --
25 particularly through years '96 through 2001 in that
26 subsistence take that the -- you know, the State
27 subsistence fishery, and those were indeed the years
28 where the commercial seine fishery was not open in that
29 area north of Angoon.
30
31 But anyway that's really all the
32 information we have in a historical sense. But now we
33 have the six years of escapement indices and coming
34 this year we'll turn those indices hopefully into
35 estimates of escapement.
36
37 CHAIRMAN ADAMS: You have a follow up,
38 Mike.
39
40 MR. DOUVILLE: Yes. Do you have any
41 insight as to what direction these fish might come
42 from, whether they come through Icy Straits or up
43 through Chatham Strait and I guess I'm curious as to
44 how long the Hidden Falls fishery has been in operation
45 and I know that's a terminal fishery and I also know
46 that they allow these fishermen -- I know it opens
47 earlier than normal, before the July 1 normal seine
48 fishery. And also I believe that they're allowed to
49 fish up and down the shore from Hidden Falls and is
50 there any sockeyes intercepted when this is taking

1 place.

2

3 MR. VANALEN: Yeah, just in terms of
4 general migration route, I think, if you queried
5 biologists and those fishermen and what not, I think
6 the general pattern is in through Icy Strait and then
7 down Chatham for those stocks that are in the northern
8 Chatham area, that'd be -- that would include, you
9 know, Kook and Kanalku, although there are a portion of
10 those runs, small arrows, I would call it, you know,
11 that do return through, you know, Peril Strait and then
12 up around Omni and up from southern Chatham, but the
13 big arrow, most of the fish probably migrate in most
14 years, in most times of a run up through Icy and down
15 Chatham. So that's a general migration route of those
16 fish.

17

18 And regarding the Hidden Falls seine
19 fishery, hatchery harvest area, fishery, that fishery
20 isn't a terminal fishery, it does indeed extend a
21 couple miles out into Chatham Strait and up and down
22 from these release -- from six miles either direction,
23 so it clearly is a fishery that's directed at fish
24 returning to the Hidden Falls facility but do indeed
25 catch many sockeye, chum, pink salmon, whatever, that
26 are bound for other runs in the area.

27

28 The average harvest over all the years
29 is some -- I think it approaches 6,000 sockeye a year
30 are caught in this, quote, terminal hatchery harvest
31 area, there are no sockeye released from there or that
32 are really in that area immediately. So they are
33 indeed coming from many locations. They come from
34 Sitkho and Kook, Kanalku, Hassleburg as well as there's
35 probably some sockeye that are bound for inside, more
36 mainland systems, that could be the Lynn Canal, Taku
37 areas, really we don't know what all the stocks
38 contribute, all we know is that basically the closer
39 you fish to where and when a stock is going, the likely
40 -- you know, you're going to catch more of them. So
41 it's probably a fairly substantial portion of those
42 fish do come from the sockeye stocks in that -- in the
43 Chatham Strait area, including Kanalku and yes, the
44 timing of that Hidden Falls fishery, it's often some of
45 the earliest openings but timed early -- as well as
46 like the Point Augustus seine fishery is, anyway, that --
47 that -- the timing of the fishery broadly overlaps the
48 timing of sockeye returning to Kanalku. It looks to me
49 and from observations last year that the Kanalku
50 sockeye run is indeed early as compared to like Kook

1 Lake, which has a much more protracted run where a
2 couple years ago we had over half the fish escape after
3 August 25th or 24th, when basically the seine fishery
4 was kind of wrapping up for the year. But Kanalku does
5 seem like an early run with most fish in there by early
6 August.

7

8 But we really don't know and those are
9 the fish that made it. In other words, those are the
10 fish that passed through the fishery and we know that
11 there's a -- not a gauntlet, but there is a -- the
12 migration route puts these fish passing through the
13 Augustus seine fishery, the Hawk Inlet Shore fishery
14 and this re -- well, the fishery along the Admiralty
15 Island shore there as well as other fisheries in the
16 area including straight across Basket Bay shore and
17 Hidden Falls, we would suspect that not many of them
18 are caught in the fisheries that mostly start in August
19 that are -- that -- those are the fisheries that open
20 up in southern Chatham Strait. I'm sure a few are but
21 not as many.

22

23 MR. DOUVILLE: One more.

24

25 CHAIRMAN ADAMS: One more, and then I'd
26 like to move on. Go ahead.

27

28 MR. DOUVILLE: We are moving on.

29

30 (Laughter)

31

32 CHAIRMAN ADAMS: What I meant is I'd
33 like to get to the action items but go ahead and get
34 one more in there Michael.

35

36 MR. DOUVILLE: In order to take
37 significant action we always have to have really good
38 data and I would like to ask Mr. VanAlen if he has any
39 suggestions as to how we could achieve the data we need
40 to address some of these issues, without it we would
41 have a very difficult time dealing with any of the
42 parties involved without it. And I would like to know
43 best how we could accomplish this, and knowing --
44 having -- if we knew that, well, then maybe we could
45 help a little bit farther.

46

47 CHAIRMAN ADAMS: Floyd, did you
48 have.....

49

50 MR. KOOKESH: I got a question for Ben.

1 CHAIRMAN ADAMS: You have a question
2 for Ben, go ahead -- okay.

3
4 MR. VANALEN: Yeah, it's not easy to
5 get estimates of fishery contributions of these
6 basically small -- relatively small sockeye producers.
7 And the best method I would know is through genetics.
8 It has a lot of development that still needs to be done
9 on it just like John was saying, that we need to make
10 sure that our baselines are complete and stable and
11 that we can, indeed, classify the fish in the mixed
12 stock fishery to the appropriate stock of origin.
13 There's a lot of work that needs to be done on that, a
14 lot of trial and error, and, in fact, not a lot of
15 great success of actually applying genetic stock ID in
16 a mixed stock fishery example. And the best we have in
17 our area is in the northern boundary area with
18 Canada/U.S. and that's been great but it's a work in
19 progress and I don't think it's going to be any time
20 real soon that we're applying the method to come up
21 with estimates of the contribution but at the same time
22 there is the proposal turned in, I think it will
23 probably get some good support and I'd say, hopefully,
24 funded so that we'll begin to be able to see how viable
25 a genetic stock ID would work.

26
27 At the same time, personally, I think
28 at all it is needed. I think it's quite an expenditure
29 of funding that we don't need to make because we're not
30 doing that, what I call, rocket science management, for
31 these small sockeye runs, we're basically managing on
32 generalizations. In other words, if we observe that
33 the terminal abundance is not so good and not so good
34 for a few years, then that directs feedback for us to
35 make some changes to reduce fishing where and when
36 we'll likely have the greatest impact on those fish and
37 initially it was the greatest impact on the subsistence
38 fishery but I think we now need to look out a little
39 bit farther than that especially given our subsistence
40 priority mandate, both the State and Federal one.

41
42 So I think it's from good information
43 on estimates of escapement that's really helpful and
44 knowing what the subsistence take and need is is
45 another piece of important information because that's
46 essentially what we're managing for.

47
48 And in terms of establishing escapement
49 goals or targets, I don't think we're ever in the mode
50 of doing a full spawner recruit run reconstruction on

1 these relatively small sockeye runs because we're not
2 actively managing for them and we never will be. But I
3 think we can with enough years of observations be able
4 to establish like a sustainable escapement threshold or
5 at least a management target that we want to manage
6 for, you know, through all the fisheries for a -- an
7 escapement of at least so much and then of a
8 subsistence take of at least so much. And then that's
9 be something that the managers would then manage for
10 and I think they'd be quite successful in doing that.
11 But that's -- we're not there yet.

12

13 CHAIRMAN ADAMS: Okay, thank you, Ben.
14 Floyd, did you have something.

15

16 MR. KOOKESH: Mr. Chairman. I know
17 that we did make these action items, but I have to say
18 that when we created these we were probably inside the
19 box and it was enlightening to hear what Mike said,
20 that for us to be putting off this extraterritorial
21 jurisdiction until some later date for no cause
22 certainly becomes questionable because I think there's
23 some requirements that need to occur or else that will
24 happen. After reviewing it I don't know if it's worth
25 it to go point by point, but he is right, why are we
26 addressing this issue first, we should -- it should be --
27 it should be -- it should be that -- it should be the --
28 you put the last nail in the coffin thing. If -- if
29 we don't start seeing some sort of action this is what
30 that end product is, I mean the end result, excuse me,
31 is demanding or requesting for extraterritorial
32 jurisdiction. Somebody needs to come to the table and
33 I think that Mike is right, that somebody needs to come
34 to the table and we just can't be conceding on
35 ourselves and saying, we're going to hold off. I think
36 that he's right, why are we conceding first when we
37 haven't even -- when they're not even going to do
38 anything. Because I was at the meeting and you weren't
39 there, right, you weren't there?

40

41 MR. HILSINGER: No, I was not.

42

43 MR. KOOKESH: It was hostile. I mean,
44 you know, you have to understand that you weren't there
45 so you can't speak to that and to make that statement
46 here doesn't have its place, so -- but the idea of
47 saying that we are going to affect non-Federally-
48 qualified users, to place the onus on us when the
49 inaction on the part of the State is creating that
50 effect, to say that because of us it's going to --

1 we're going to impact, no, it's because of the State
2 not doing their part that this is occurring. That's --
3 that's the way I look at. You know we come from
4 different sides of the fence apparently, but that's
5 what it's -- your create -- you created it, you started
6 it, all we're asking for is to manage for escapement.

7

8 And I did see some things in here that
9 I thought we should address, Mr. Chairman, I don't know
10 if we're still in this mode of going action by action,
11 one action item at a time or if we're just going to
12 compile supposedly a list and send it out and say this
13 will occur, if this doesn't occur, I -- I don't know,
14 I'm just one speaking so.

15

16 CHAIRMAN ADAMS: Okay, thank you,
17 Floyd. Yeah, I would like to discuss the action items
18 but I will give you an opportunity to respond but then
19 I would like to get some comments from Bob over there
20 as well.

21

22 MR. HILSINGER: Thank you, Mr.
23 Chairman. It seems to me like, number 1, obviously
24 this is a really frustrating situation, and it's a real
25 significant and important situation and nobody in the
26 Department of Fish and Game minimizes that. But from
27 everything I've heard we don't really know what is
28 going on and we don't know, necessarily that it is the
29 harvest of sockeye salmon in the seine fishery that's
30 causing this problem. Runs go up and runs go down and
31 sometimes runs are very poor and -- and they may not be
32 harvested or that harvest may not be the reasons that
33 these runs are so poor.

34

35 We just went through three years of
36 fisheries disaster in the Arctic Yukon-Kuskokwim region
37 which you probably may have read about, it was
38 terrible. The worst runs in history. And it wasn't
39 related to the harvest of those fish in some other
40 fishery and there's no other fishery that we could have
41 adjusted to have changed that situation of fish simply
42 didn't survive and didn't come back. And now we do
43 have good runs again and I'm not proposing that that's
44 necessarily what will happen here. But I think it's
45 important to kind of know what the problem is in order
46 to try to solve it and to try to focus your efforts,
47 and if it is a fishery problem then you can focus your
48 efforts. But, you know, if it's based on speculation
49 about run timing and where the -- which the way the
50 fish are coming in and where they might be harvested

1 and where they may not be harvested, you know, I think
2 we could do a better job if we had the data to know
3 where the fish were being taken and you could target
4 closures and be effective.

5
6 I mean the one thing I think we don't
7 want to do is we don't want to make a lot of closures
8 and add a lot of expense on to the fleet, which is in
9 difficult economic times already and then find out that
10 none of that -- that that wasn't the problem and that
11 doesn't solve the problem. So, you know, I mean that's
12 just my perspective, and I appreciate having a chance
13 to present it to you.

14
15 Thanks.

16
17 CHAIRMAN ADAMS: Thank you, John. And
18 I'd like to hear, you know -- stay there if you would
19 please.

20
21 MR. HILSINGER: Oh, sure.

22
23 CHAIRMAN ADAMS: And, Bob, would you
24 please come up and share your views with us.

25
26 MR. THORSTENSON: Thank you. Again,
27 I'm Bob Thorstenson. And I guess I'd like -- one thing
28 we kind of missed on this and I think it would be very
29 relevant to one of the action items on here. Mr.
30 VanAlen, you're still on with us?

31
32 MR. VANALEN: Yes, I am.

33
34 MR. THORSTENSON: And you did a tagging
35 study and a radio-telemetry study this past summer to
36 determine the sockeye salmon that are entering the
37 stream, Kanalku, and the ones that made it to the lake
38 and what percentage made it to the lake?

39
40 MR. VANALEN: We radio-tagged 35 fish
41 below the falls and only four, that'd be 11 percent
42 made it into the lake. And I don't feel it was the
43 best study, I think that we might have been putting
44 radio tags in fish in the pool below the falls that had
45 -- been having a hard time making it up the falls and
46 were likely never going to make it up the falls, so I
47 propose or am interested in doing a study where we go
48 down stream and try to be putting these radiotags on
49 new fish entering the stream. But I think this is
50 definitely a worst case estimate of only 11 of -- you

1 know, 11 percent of the fish making it into the lake.

2

3 But regardless of that, it does appear
4 the falls is, indeed, a fairly serious impediment to
5 the up stream migration of fish. It's always been the
6 case, probably, and so that's just -- you know, we
7 factor that in -- would need to factor that in, you
8 know, that it's a natural situation and -- but at the
9 same time there is interest on the Forest Service end
10 to study it again. We have a plan to -- we're trying
11 to figure out for this coming summer and there's
12 interest to maybe do some fish pass work or whatever,
13 I'm not really involved with that piece of it. There
14 is interest by the fish path folks to take a good look
15 at the falls area this summer and hopefully improve the
16 passage of fish to the lake.

17

18 MR. THORSTENSON: So this obviously, it
19 looks like a worst case scenario, you probably had fish
20 that came in later in the run, were these August fish
21 then or they came in like late July.

22

23 MR. VANALEN: I don't know if you got
24 the hand out I did. They were basically tagged between
25 July 9th and August 10th. And, you know, was trying to
26 spread the tagging out through the run there.

27

28 And the fish that made it all into --
29 were in that area below the falls around the 20th of
30 July, if I remember, and so they were some of the
31 earlier fish that we had put tags in.

32

33 MR. THORSTENSON: Everything you tagged
34 in August died or didn't make it to the lake at least?

35

36 MR. VANALEN: That's correct. Ended up
37 somewhere below the falls, either right below the falls
38 and -- or some of the tags were out in the -- out in
39 Kanalku Bay itself.

40

41 MR. THORSTENSON: And do we have main
42 stem spawners in that creek or are they all lake
43 spawners?

44

45 MR. VANALEN: Yeah, I'd imagine that
46 those fish are really trying to make it back to the
47 lake. That's what it appeared that they were trying to
48 do. We don't really observe many spawners or nests or
49 reds or anything like that in the stream.

50

1 MR. THORSTENSON: So it seems like this
2 unquestionably -- regardless of whether there are other
3 issues that have not been able to have been brought to
4 bear and agreement between the Department and the U.S.
5 Forest Service biologists, certainly this is an area
6 that is ripe for production. I mean using -- this
7 looks like it's got to be an extreme case because there
8 can't -- this year there were approximately how many
9 fish in the lake, 1,200?

10
11 MR. VANALEN: Yes, something like that.
12

13 MR. THORSTENSON: So if you were to
14 just directly extrapolate that 11 percent then that
15 would mean that -- it would take 13,000 sockeye to
16 enter the stream in order to get 1,200 spawners in the
17 lake, now that's -- we all know that that's an absurd
18 calculation but if you had to take a WAG guess, the WAG
19 guess, since we don't have better numbers right now,
20 you would at least assume that more than 1,200 fish
21 entered the stream and attempted to make it to the lake
22 this year, right, I mean perhaps 2,000, perhaps 3,000,
23 perhaps even 4,000, but certainly not 13,000?

24
25 MR. VANALEN: Yeah, I tend to agree
26 with you. I don't know maybe, you know, something like
27 -- I actually don't have any idea but I'm thinking at
28 least half the fish probably make it and so the
29 terminal abundance of the number of fish there at the
30 base of the falls was probably, you know, a couple
31 thousand fish at least, this last year and probably not
32 a whole bunch more than that though.

33
34 MR. THORSTENSON: But this seems like
35 it would bear fruit and it would be worth the effort
36 between both the Forest Service and the State because
37 the State certainly can't -- the State can't shirk its
38 responsibility in trying to help the stock to thrive.
39 So, you know, we'll be very encouraging with that from
40 the State side as well as with folks you work for, Ben.
41 You know, this looks like an area that's ripe for a lot
42 of fruit for us.

43
44 One thing I think I -- I don't mean to
45 disagree with you but -- because I do understand the
46 general nature of mixed stock fisheries and that we
47 can't micro-manage every stock and we can't micro-
48 manage and get every tag or piece of data, but as you
49 and I worked together in the Pacific Salmon Commission
50 for nearly a decade, you can understand my reluctance

1 to the State of Alaska going down a policy of changing
2 major management corridors without even a single tag or
3 even a single scale sample from a specie.

4
5 The people I represent feel that the
6 Department of Fish and Game has done a very poor job in
7 Comm Fish in representing the commercial fishermen
8 because we actually have huge bubbles and huge
9 shoreline restrictions and I think maybe why it's not
10 showing up in the annual purse seine management report,
11 you could get all the old ones on line, I think 2007's
12 might be out now, but Frank Wright, who's a seiner,
13 isn't here to join us today, but, Nick, as you would
14 know, there's just traditionally huge areas that become
15 closed and the season starts out very slow except for --
16 with Hidden Falls, notwithstanding, but there is a
17 protective bubble around Basket Bay until it's assumed
18 that the vast majority of those fish get into the bay,
19 and then even so there's traditional areas, there are
20 purse seine areas that have been closed along the
21 Basket Bay shoreline and we don't get to fish north of
22 Little Basket Bay and some of Dennis Amies' favorite
23 hookoffs, north of Basket Bay like the sand spit, even
24 though there's never been a single tagged sockeye or a
25 single scale sample to determine that a sockeye that
26 was harvested going past that area was at Basket Bay;
27 we've just made these assumptions.

28
29 And so I'm likely -- although I realize
30 it's not going to happen any time in the next 12
31 months, or 18 months, it may take several years, but
32 I'm very much in favor of this work group and I hope
33 that -- I wasn't able to attend but if there was
34 animosity or if there was any type of -- if the seiners
35 were there -- and it wasn't Ed Hanson, actually John
36 Berry, Sonny Enlow from Sitka and Dennis Aimes, who
37 used to reside in Angoon were there, I believe with
38 you, Floyd and Nick Davis and Frank Wright from this
39 Council, and if there was some type of ill treatment or
40 some type of disrespect paid to you, Mr. Kookesh or to
41 you, Mr. Davis, I'll -- please discuss it with me and
42 if it had to do with, especially with the people that
43 represented Southeast Seiners, you know, Sonny
44 Enlow.....

45
46 MR. KOOKESH: (Shakes head negatively)

47
48 MR. THORSTENSON:or Dennis, I
49 mean if it's on behalf of the State, you know, we'll
50 talk to those people as well because this gentleman,

1 it's not his fault, he just got this new job last week
2 so he wasn't their boss during the meeting but I'm sure
3 he'll be reporting it back to them.

4
5 But, you know, this working group, I
6 think, is really where we need to focus. If we got a
7 falls that possibly 10 to 40 percent of the fish are
8 making it up the falls, that's a huge problem. If we
9 don't have any scale samples, we don't have any tagging
10 studies at all and we've already got huge shorelines
11 that are de facto closed and have been so for several
12 decades, I don't see us closing more shorelines without
13 actual scientific proof, scale samples and tagging
14 studies.

15
16 And I guess, you know, Ben, I guess
17 there's got to be a slight lag when these fish show up,
18 the last fish you tagged at the falls were the 10th of
19 August, but the last -- the normal harvest pattern at
20 Kanalku, does that show a harvest generally well into
21 August or is it traditionally a harvest that takes
22 place -- that starts to slow down pretty heavily by the
23 fourth week of July.

24
25 MR. VANALEN: Yeah, we actually have no
26 idea, what we have is the timing of the subsistence
27 fishery and that has been closed on the permit by, you
28 know, at the end of July. It's just open June and
29 July. So we don't really know if the run extends
30 beyond that point. And it was interesting and just my
31 observations this year that it did appear that the run
32 really petered out there right at the end of July. And
33 so that would put Kanalku, that's different than Kook,
34 different than Falls, different than Neva, different
35 than Klawock, different from all these other places
36 that we basically see the actual run often extending
37 well into August and September.

38
39 So, anyway, that is -- that gives us
40 some comfort, more management flexibility to pass these
41 fish through -- in other words, moderate or be
42 conservative or when in doubt, err on the side of
43 caution in terms of how hard we fish in this migratory
44 corridor, particularly in July. And so that's it. I
45 really don't think we will be in the mode of closing
46 whole shorelines and that kind of thing, I think it's a
47 much more, whatever, shaping, or whatever than that,
48 and I think it could be done without great disruptions
49 and the ability to target and harvest, literally the
50 processor capacity of pink salmon.

1 That's my thinking on it.
2
3 MR. THORSTENSON: Thank you, Ben.
4
5 CHAIRMAN ADAMS: Okay. I'm going to
6 take control here now.
7
8 (Laughter)
9
10 CHAIRMAN ADAMS: Just stay right there.
11 I've been letting them go back and forth here but I've
12 been focusing on the action items. And I want to ask
13 Ben, and it just needs to be a yes or no, you're
14 familiar with the action items that this committee did,
15 you were a part of it, do you think that the action
16 items that have been identified in this document is
17 going to solve all of the problems that we have been
18 putting forth on the table here today?
19
20 (Laughter)
21
22 MR. VANALEN: Absolutely.
23
24 (Laughter)
25
26 CHAIRMAN ADAMS: Okay, thank you.
27
28 MR. VANALEN: Actually everything's a
29 work in progress. I think it probably helps, it gets
30 discussion going, it's very constructive. But, you
31 know, I don't know what to say, I think there's some
32 parts of them that are important, more important right
33 now, but, anyway.
34
35 CHAIRMAN ADAMS: Okay, thank you, Ben.
36 And to you, John, do you feel that these action items
37 will, you know, help a little bit more cooperation
38 between the Feds and the State here?
39
40 MR. HILSINGER: Mr. Chairman, yes. I
41 think as I said, some of these I think are very good
42 and I think we can all only gain from more cooperation
43 and a better understanding of all the data and the
44 fishery and everything else.
45
46 CHAIRMAN ADAMS: Okay, thank you. And,
47 Bob, I think I heard you allude to the fact that you
48 think that it was a good working group, so do you think
49 that these action items will help in solving a lot of
50 issues that we talked about here.

1 MR. THORSTENSON: Mr. Chairman. I can't
2 speak for action item No. 7, that is a bit of a
3 wildcard because it's going to be quite a complicated
4 move to whether an independent seiner decides to go
5 work with the Department and with the Community and
6 figure out how to provide fish in the meantime.

7
8 I think that -- and I also believe
9 Action Item 5 is going to be very complicated short-
10 term, perhaps some of the -- I do believe, generally
11 speaking, yes, some of these are going to have a major
12 focus.

13
14 I believe Action Item 6 is a huge, huge
15 part of putting this together.

16
17 Something like Action Item 5, for
18 example, some of the things that are already taking
19 place, some of the -- for example -- the Angoon
20 shoreline between Parker Point and Kilsteve Island,
21 which are permanently closed now have not been
22 commercially purse seined for 20 years. And the fact
23 that from Point Hepburn all the way to Distant Point,
24 you know, there will be no openings of entire shoreline
25 prior to about the 10th of July and even those periods
26 of time there is about a 40 mile swath of shoreline.

27
28 Now, of course, as Mr. Kookesh did
29 allude, there are times when sockeye will swim 35 miles
30 in one day, there are also times when sockeye will mill
31 and mill and mill for a week or two. If we use that 35
32 miles in one day we could just close the whole ocean to
33 trolling and purse seining and gillnetting and we'd get
34 ourselves about a one week reprieve from any region
35 we're looking at.

36
37 I think that Action Item No. 5, to be
38 realistic, this is going to take several years to get
39 the right data, to get scale samples, to get tagging
40 studies. We really -- you know to determine how far
41 these fish swim, where they're coming by, we would need
42 to spend some money, take a seiner, take a tender, tag
43 a fish at Augusta, find out where that fish shows up,
44 tag a fish at Parker Point, find out where that fish
45 shows up, take a sockeye at Hidden Falls, let it go,
46 find out where that fish shows up, we're going to have --
47 this is going to take quite a few years to work
48 through a lot of these.

49
50 But the immediate action items, if

1 we've got studies this year where only 11 percent of
2 the fish tagged, granted, that's probably an outlier,
3 but only 11 percent made it from the falls into the
4 lake to spawn, I would say that would be the first
5 place I would be starting.

6

7 CHAIRMAN ADAMS: Okay, thank you. You
8 know the reason why I asked this is because I think,
9 you know, we need to address the action items and I'll
10 explain a little bit more after we get Mr. Hernandez'
11 comments.

12

13 Go ahead, Don.

14

15 MR. HERNANDEZ: Thank you, Mr.
16 Chairman. It's an action item and I keep hearing
17 what's happening at the falls listed as what would be a
18 top priority. And logic tells me that, yes, what
19 happens at the falls could help to be something to
20 alleviate the problem but I don't see how the falls can
21 logically be looked at something that's causing the
22 problems because it seems to me what happens at the
23 falls is probably the one constant in the whole
24 situation.

25

26 I doubt if anything has happened at the
27 falls over time that would have changed the situation
28 to cause a decline in the stocks, and maybe somebody
29 could correct me if I'm wrong, but what would have
30 changed at the falls to cause a decline over time; I
31 don't see it.

32

33 CHAIRMAN ADAMS: John, it looks like
34 you're willing to answer that.

35

36 MR. HILSINGER: Thank you, Mr.
37 Chairman. One of the things that -- things like water
38 level are extremely important in determining whether
39 fish can get over barriers or not, the water level and
40 the velocity so if you've had dry summers and the
41 water's low you're going to have a different situation
42 than if you've had good rain and the water's higher.

43

44 So I could easily see that you could go
45 through periods where the ability of those fish to get
46 into the lake could be significantly different because
47 of rainfall or those kinds of things. So I think
48 that's something that I think, you know, very well may
49 be a problem and it's also something that's fairly easy
50 to deal with. You can put in a ladder or you can

1 blast, you know, the falls out.

2

3 I mean we've had situations -- I'm
4 familiar with one in Kamishak Bay of Cook Inlet where
5 Cookland Aquaculture (ph) went in and blew seven pools
6 and they took a run of 3,000 sockeye and within a few
7 years it was up over 100,000 fish because those fish
8 could finally get into the lake in numbers enough to
9 spawn, and then you get a bigger return. But, you
10 know, if you get -- you know, with salmon you get three
11 or four or five returns per spawner, if you put twice
12 as many fish up there to spawn you may get a
13 substantially bigger return and then if you do have
14 some harvest you're going to have a bigger surplus left
15 over for the subsistence fishery when they get to the
16 river.

17

18 Thanks.

19

20 CHAIRMAN ADAMS: Okay, thanks. Al --
21 I'm mean Floyd.

22

23 MR. KOOKESH: I'll let Mr. Bangs ask a
24 question since he hasn't asked a question and then I'll
25 ask a question after him.

26

27 CHAIRMAN ADAMS: Good. Mr. Bangs.

28

29 MR. BANGS: Thank you, Mr. Chairman.
30 Mr. Kookesh. I have just a point I'd like to make and
31 then just a quick question.

32

33 I think it's in agreement that the
34 problem is that we don't have enough data and there's a
35 lot of things we could do to improve that. The thing
36 that bothers me is that what John said earlier, that
37 they want to put the burden on the Office of
38 Subsistence Management. I think I would rather see a
39 joint effort, some money come from the State. We all
40 have funding problems, that's understandable. But this
41 is a valuable fishery to the State, it's something that
42 I think we should all work towards. I'd like to see,
43 you know, there's cost recovery from the seine fleet.
44 This is just something that I think we need to work
45 together on and I don't want to see all the burden put
46 on us to prove what the problem is.

47

48 And the question that I have is I was
49 wondering if the State could explain how they provide
50 for subsistence priority at Kanalku Lake under State

1 law?

2

3

CHAIRMAN ADAMS: Go ahead.

4

5 MR. HILSINGER: Mr. Chairman. Now, you
6 are reaching the limits of my knowledge of this system.
7 But it's my understanding that there's a community
8 permit and people can harvest portions of that -- of
9 the fish that are allowed under that permit by sort of
10 checking out the permit and then harvesting the fish
11 and recording them and that that's how that's happened.
12 And then I assume that there's also State subsistence
13 fisheries in salt water with a permit and the area
14 manager sets the permit limits, but I'm not real
15 familiar how that works in that area.

16

17

CHAIRMAN ADAMS: Mr. Kookesh.

18

19 MR. KOOKESH: Maybe you should get back
20 to us with the answer for Mr. Bangs, because I didn't
21 hear the answer. It sounded like a biologist.

22

23 I think it's important to recognize
24 sitting here that this issue is taking a long time, but
25 I think it's a very serious issue. This idea of
26 extraterritorial jurisdiction. Because David Bedford
27 asked me what I was going to take back as soon as the
28 meeting was over, before I had even discussed it with
29 our other -- other -- other committee members, he
30 already wanted to know what I was going to take back,
31 and we didn't know what we were taking back, but it's a
32 big issue. And I believe that what we're talking about
33 here is about the subsistence users being forced or
34 having to cross Chatham Straits to go to Sitkho Bay and
35 Basket Bay in the Lunds, you know, they run around in
36 Lunds over there to harvest their sockeyes. We're not
37 talking about 26 foot, 28 foot inboards, you know,
38 turbo that everybody runs around with. These guys are
39 just trying to survive on a subsistence food, a sockeye
40 which is of high quality.

41

42 I believe the discussion that Pete
43 Nalrose had with Ed Hanson, who was at the meeting with
44 his wife, was that Ed said that a Kanalku sockeye is
45 only like two bucks, worth two bucks. But I'll tell
46 you for someone that has 25 sockeyes you feel like a
47 rich man when you have it. It's not \$50 worth of fish
48 you're looking at, you're looking at a pot of gold, I
49 mean it's invaluable, it's priceless. That's how we
50 look at it. We don't look at it like it's a \$2 fish.

1 But to go back to No. 5, I think you
2 talked about No. 5, I don't agree -- I've reviewed it
3 and reviewed it and since this document was created,
4 I've had people -- have had people come to me and say,
5 why don't you just go do basic -- just go back to
6 basics, the Feds and the State, they have enough
7 biologists where they can all start walking these
8 salmon streams, it's not like there's a thousand
9 sockeye salmon streams out there, the Feds and the
10 biologists can start walking the salmon streams and
11 monitoring for and determining how much escapement has
12 occurred and then open the fishery.

13

14 You know it's called keep it simple.
15 And it doesn't take rocket science to go into a salmon
16 stream and notice before you open it for subsistence
17 that the fish have escaped, allow for that escapement
18 to occur, then you're managing it properly instead of
19 assuming and sitting around making permit stipulations
20 based on how you feel when you woke up.

21

22 But to talk about the 11 percent --
23 I'll have to jump to the 11 percent, the 11 percent, I
24 don't think everybody heard, it sounded like there's a
25 mortality that maybe that's what actually happens, but
26 this was a voluntary closure and a voluntary closure
27 means you can still go and do it and people probably
28 went in there and probably did it, that's probably
29 where your other 50 percent or whatever was supposed to
30 escape was harvested, people went in to -- up to the
31 falls. People do go to the falls, people that don't
32 have -- that are not partners with community seines, as
33 we call them, these people go there and they're -- a
34 lot of them are non-Natives, they'll go to the falls
35 and harvest, it's not uncommon, it's almost a tradition
36 for them to go -- to walk up to the falls, it's a --
37 it's -- it's like having a picnic, let's go get
38 sockeye. So they go -- that's probably where you're
39 missing numbers are -- they're -- they're -- you know,
40 they're probably in somebody's smokehouse or -- or --
41 or thrown away, discarded. So you have to understand
42 that the voluntary closure does not mean that people
43 cannot go up there and harvest, people do do that,
44 though.

45

46 CHAIRMAN ADAMS: Okay. Let me just say
47 that, you know, dinner was prepared -- ready for us at
48 5:30 today, between 5:00, 5:30 and 6:00 and so I'll
49 take, you know, your comment and then we're going to
50 recess until tomorrow and we're going to go through the

1 action items first thing in the morning and I don't
2 want to spend too much time on it because we want to
3 make sure, as I said earlier, I don't want us cramming
4 everything down at the last minute before it's time to
5 catch the ferry in the morning.

6

7 So, Bob, I'll let you go ahead and say
8 something and then we'll recess.

9

10 MR. THORSTENSON: I'll make it super
11 brief, and I'm sorry. And Mr. Kookesh, so I just want
12 to make sure as far as we were discussing equipment, I
13 have a boat called the Pamela Ray, I think many people
14 in Kake probably know what it is, but it was built in
15 1949, it's not -- I understand the business about
16 killing machines, I'd like to think it's a killing
17 machine, but it's older than all of the other boats
18 that are out there and I think the gentlemen that fish
19 from Kake and the gentlemen that fish from Hoonah,
20 their boats are -- you know, they're not necessarily as
21 sophisticated and as modern as we'd like to think them.

22

23 And I also want to make sure that you
24 realize Ed Hanson and the quote that you had had about
25 this issue didn't come from UFA or Southeast Seiners,
26 Ed Hanson is not a seiner, doesn't represent Southeast
27 Seiners, doesn't represent UFA. And the voluntary
28 closure part, I appreciate your comment on that, that
29 might help explain the erratic nature of Ben VanAlen's
30 radiotelemetry study but when we were talking -- I
31 guess we were discussing voluntary closures of these
32 huge shorelines, those -- those -- even though they may
33 -- those are a different type of voluntary closures, if
34 a fishermen actually is ever caught fishing in those
35 areas, he is thrown in jail. So mean we make -- those
36 aren't really like voluntary closures, they're
37 statutory closures in the commercial corridors. Just
38 to make sure to distinguish that.

39

40 But thank you very much.

41

42 I think this has been a very good
43 discussion, and I apologize for having gone so long.

44

45 CHAIRMAN ADAMS: That's okay. You
46 know, we need as much information as we possibly can so
47 that we can, you know, effectively and efficiently, you
48 know, go through our proposals and issues like this.
49 I'm glad that you're here, particularly you, John, we
50 do need State representation in these meetings and I'm

1 happy that you made it.

2

3 Now, when I was just a kid and was
4 fishing with my dad out on Dry Bay my -- it was a
5 company group, you know, and my mother was the cook and
6 sometimes, you know, my dad and his brothers would be
7 out there talking, you know, shop talk out on the front
8 of the river there and my mom would be in cooking, you
9 know, breakfast or dinner or whatever and she would
10 just like holler, you know, ring the dinner bell, she
11 would say dinner or breakfast is ready, and, you know,
12 they would remain out there for another 15 or 20
13 minutes, you know, and then she would get upset and say
14 if you guys don't come in here I'm going to feed it to
15 the dog and, you know, we would all rush to the tent
16 and have our dinner. One day they would not listen to
17 her, they got so involved in a conversation that they
18 did not want to, you know, adjourn that particular
19 conversation, she actually did feed it to the dog.

20

21 (Laughter)

22

23 CHAIRMAN ADAMS: And when everyone came
24 up to the tent, you know, the dog was sitting there and
25 licking his chops and having a good time, I don't want
26 this to happen to us so we will adjourn until tomorrow.

27

28

29 Thank you.

30

31 (Off record)

32

33 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Joseph P. Kolasinski, Notary Public
in and for the state of Alaska and reporter for
Computer Matrix Court Reporters, LLC, do hereby
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Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08