

1                                 JOINT FEDERAL SUBSISTENCE BOARD  
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3                                 SOUTHEAST ALASKA FEDERAL SUBSISTENCE  
4  
5                                 REGIONAL ADVISORY COUNCIL MEETING  
6  
7   PUBLIC MEETING  
8  
9   VOLUME I  
10  
11   Juneau, Alaska  
12   March 21, 2012  
13   9:00 a.m.  
14

15 FEDERAL SUBSISTENCE BOARD MEMBERS:

- 16  
17 Tim Towarak, Chairman  
18 Charles Brower  
19 Anthony Christianson  
20 Bud Cribley  
21 Sue Masica  
22 Beth Pendleton  
23 LaVerne Smith  
24 Gene Virden  
25

26 COUNCIL MEMBERS PRESENT:

- 27  
28 Bertrand Adams, Chairman  
29 Timothy Ackerman  
30 Michael Bangs  
31 Michael Douville  
32 Merle Hawkins  
33 Donald Hernandez  
34 Harvey Kitka  
35 Floyd Kookesh  
36 Frederick Nielsen  
37 Cathy Needham  
38 Patricia Phillips  
39 Frank Wright  
40 John Yeager  
41  
42  
43 Regional Council Coordinator, Robert Larson  
44  
45

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1 P R O C E E D I N G S

2  
3 (Juneau, Alaska - 3/21/2012)

4  
5 (On record)

6  
7 CHAIRMAN TOWARAK: Good afternoon. My  
8 name is Tim Towarak. I'm the Chairman of the Federal  
9 Subsistence Board. I'd like to welcome everyone here.  
10 We're going to do formal introductions at the beginning  
11 of our call to order here. We appreciate everyone in  
12 Juneau make us feel accommodated.

13  
14 I would like to recognize a few people.  
15 First I'd like to recognize Ed Thomas, the president of  
16 the Tlingit and Haida Central Council. Thank you for  
17 being here, Ed. We'll be hearing from him in a minute,  
18 but I'd also like to recognize Bob Loescher, who is the  
19 chairman of the Tlingit and Haida -- I'm sorry, the ANB  
20 Grand Camp Subsistence Committee. Welcome, Bob, to  
21 sessions. Next to him is Jaeleen Araujo, vice president  
22 and general counsel for Sealaska. Clarence Jackson I  
23 understand will be in attendance. I don't see him here  
24 at the moment, but he is also a Sealaska board member.

25  
26 We have Bert Adams sitting at the table.  
27 He's a chairman of our Southeast Alaska Regional Advisory  
28 Committee. We also have other members of the Regional  
29 Advisory Committees sitting at the table. We will ask  
30 everyone to introduce themselves after hearing from Mr.  
31 Thomas.

32  
33 We also have Kelly Hepler and his staff  
34 from the State of Alaska. Kelly, perhaps you could  
35 introduce your staff members.

36  
37 (Introductions away from microphone)

38  
39 CHAIRMAN TOWARAK: Those of us on the  
40 Board also know Jennifer Yuhas. Thank you for being  
41 here. We also have Pat Pourchot, who is with the  
42 Secretary of the Interior's Office for Alaska. Welcome,  
43 Pat. We appreciate you being here. Before we introduce  
44 those of us on the table, I'd like to ask the chairman of  
45 the SE Alaska Regional Advisory Committee to introduce a  
46 special guest that we have if he's still here.

47  
48 MR. ADAMS: Thank you, Mr. Chairman. He,  
49 indeed, is still here. It's my pleasure -- we had the  
50 opportunity this morning to have the Deputy Under

1 Secretary for the Department of Agriculture in our  
2 morning session and it's my pleasure, Mr. Chairman, to  
3 introduce to you Butch Blazer. Sir, if you would like to  
4 come up to the microphone and make a few comments before  
5 we begin our meeting, we'd all appreciate it.

6

7

Thank you very much.

8

9

MR. BLAZER: Thank you very much, Mr.  
10 Chairman, and to members of the Council and the  
11 Subsistence Board. I understand this is a fairly  
12 historic occasion of bringing these two entities  
13 together, full entities, and I find that very exciting to  
14 see. As I mentioned to the Council this morning, you  
15 know, these partnerships, these gatherings of very  
16 powerful personalities are so important in dealing with  
17 the issues at hand.

18

19

I was looking at the Council agenda this  
20 morning. Of course, I've been looking and studying the  
21 Subsistence Board agenda that will be addressed over the  
22 next several days and these issues are so important to  
23 Alaska and to Southeast Alaska. I feel very honored,  
24 very privileged to have been asked to come up and to  
25 educate myself from all of you in regards to these issues  
26 that you're dealing with.

27

28

The reason that I am here and I shared  
29 this with the Council this morning is that sitting in  
30 Washington, D.C. and dealing with policy issues at the  
31 national level that impact people such as yourself and  
32 entities that are in this room, it's extremely important  
33 that we have as strong an understanding as we can so that  
34 we can be supportive and be of help in helping you deal  
35 with the issues at hand.

36

37

Since I flew into Ketchikan on Sunday  
38 evening and toured the areas there and onto Sitka  
39 yesterday and today I'm here, just this brief period that  
40 I've been here on the Tongass and meeting with those that  
41 are involved in the management of the Tongass National  
42 Forest, I'm learning very quickly and gaining a much  
43 better understanding as to the importance of that  
44 resource and all that all of you do and how it impacts  
45 you.

46

47

So I'm very much looking forward to  
48 continuing to have the opportunity to meet with you, talk  
49 with you, learn from you and to take that information  
50 back to Washington, D.C. and share that with my boss,

1 Secretary Vilsack and Under Secretary Harris Sherman  
2 because this state, this region, this Southeast region is  
3 such a treasure that I want to make sure that my  
4 involvement is beneficial and helpful and the only way I  
5 can do that is to again have you educate me. So I  
6 appreciate the opportunity of being here this afternoon.

7

8 (Applause)

9

10 CHAIRMAN TOWARAK: Thank you very much  
11 for being here, Mr. Blazer. We hope you enjoy the rest  
12 of your stay in Alaska. It's always a pleasure to have  
13 people from Washington, D.C. come up to Alaska to learn  
14 our system and find out how we do things and we  
15 appreciate your long journey to Alaska.

16

17 With that, I would like to do the next  
18 thing of introducing those of us that are sitting at the  
19 -- I'm sorry. Mr. Thomas, we'd like to maybe give the  
20 floor to you and ask you to extend your welcome to our  
21 group.

22

23 MR. E. THOMAS: Thank you very much, Mr.  
24 Chairman. On behalf of Tlingit-Haida Central Council and  
25 our tribal citizens, welcome to Southeast Alaska and  
26 Juneau. As you know, Southeast Alaska is the ancestral  
27 home to the Tlingit and Haida people. We have relied on  
28 our subsistence resources from the beginning of time.

29

30 You bring honor to us by coming to our  
31 territory and for that I thank you. Our people have long  
32 wanted to speak with you about the very important issues  
33 of subsistence in our own region. I realize throughout  
34 the state you have different issues, different problems  
35 and different concerns. Our people have been working  
36 long and hard on trying to bring forth reasonable  
37 solutions to some of the problems that we encounter. I'm  
38 sure that under your leadership, Mr. Chairman, we will  
39 see some progress being made on some of our concerns and  
40 our issues.

41

42 I'm glad to see that you're bringing  
43 together our Southeast Alaska Regional Advisory Council  
44 along with your Board to sit at the table and talk. I  
45 think that's very important to do given the timeframe you  
46 have and the issues that we've got to talk about.

47

48 I also want to welcome our new board  
49 members that are from our subsistence community, our  
50 representatives that were recently appointed. I think

1 this is a very important and historic gesture. It will  
2 add a lot to have more stakeholders at the table as we  
3 talk about the issues that are so very important to our  
4 people. I don't want to drag this out, but I want to  
5 make sure that you feel totally welcome. If there's  
6 anything we can do here at Tlingit-Haida to make your  
7 meeting more productive, we'll be happy to do so.

8

9 As you can see, we brought you good  
10 weather too.

11

12 Thank you very much. Gunalcheesh.

13

14 CHAIRMAN TOWARAK: Thank you very much,  
15 Mr. Thomas, and we appreciate you offering your  
16 facilities here for us to conduct the meeting.

17

18 We'll start with my right and go all the  
19 way around one by one and introduce yourselves to the  
20 community, please.

21

22 MS. MASICA: Thank you, Mr. Chairman.  
23 Good afternoon. My name is Sue Masica and I'm the  
24 regional director for the National Park Service and a  
25 member of the Board.

26

27 MR. KOOKESH: I'm Floyd Kookesh and I'm  
28 representing Angoon and the RAC.

29

30 Thank you.

31

32 MR. ACKERMAN: Tim Ackerman from Deshu  
33 and Klukwan and Chilkoot, Haines area.

34

35 MS. PENDLETON: Good afternoon. My name  
36 is Beth Pendleton. I'm the Regional Forester for the  
37 U.S. Forest Service located here in Juneau and I'm also  
38 a member of the Federal Subsistence Board.

39

40 MR. BROWER: Good afternoon. Charlie  
41 Brower from Barrow, a subsistence hunter and newly  
42 elected to the Federal Subsistence Board.

43

44 MS. HAWKINS: Merle Hawkins. I'm from  
45 Ketchikan, Alaska, Southeast RAC member.

46

47 MR. HERNANDEZ: My name is Don Hernandez.  
48 I'm a Southeast RAC member. I've been a member since  
49 2003.

50

1 MR. SHARP: Good afternoon. My name is  
2 Dan Sharp. I'm sitting in for Bud Cribley briefly this  
3 afternoon. He's meeting with some legislators on legacy  
4 well issues on the North Slope, which I know is a concern  
5 in Mr. Brower's world. He should be here later this  
6 afternoon.

7  
8 MS. PHILLIPS: Thank you. Patricia  
9 Phillips from Pelican, Alaska.

10  
11 MR. LARSON: Good afternoon. My name is  
12 Robert Larson. I'm the Southeast Council's coordinator.

13  
14 MR. ADAMS: Good afternoon. Bert Adams,  
15 Sr. I serve as the chairman of the Southeast Regional  
16 Advisory Council and I come from Yakutat. Gunalcheesh.

17  
18 MR. PROBASCO: Good afternoon. I'm Pete  
19 Probasco. I serve as Staff to the Federal Subsistence  
20 Management Program. I'm the Assistant Regional Director  
21 for the Office of Subsistence Management.

22  
23 CHAIRMAN TOWARAK: Just by way of  
24 introduction, I'm Tim Towarak. I'm from Unalakleet.  
25 I've been the Chairman of the Federal Subsistence Board  
26 now for a couple of years and it's been a very good  
27 experience for me and I wanted to use this also to  
28 introduce my wife, who is the back row, who was willing  
29 to come with me.

30  
31 MR. LORD: Good afternoon. My name is  
32 Ken Lord. I'm with the office of the Solicitor at the  
33 Department of the Interior and I've been a legal advisor  
34 to the Federal Subsistence Program for about 12 years  
35 now.

36  
37 MR. BANGS: Hello. My name is Michael  
38 Bangs. I'm from Petersburg and I've been on the  
39 Southeast Regional Council for the last 10 years.

40  
41 MR. KITKA: Good afternoon. Harvey Kitka  
42 and I'm from Sitka, Alaska. I represent subsistence.

43  
44 MR. CHRISTIANSON: Good afternoon,  
45 everybody. My name is Anthony Christianson. I come from  
46 the city of Hydaburg. I'm currently the mayor there and  
47 I'm the newly appointed Federal Subsistence Board member.

48  
49 MR. WRIGHT: Good afternoon. My name is  
50 Frank Wright. I'm from Hoonah. I'm on the Regional

1 Advisory Council for Southeast.

2

3 MR. VIRDEN: Good afternoon. My name is  
4 Gene Virden. I'm the BIA Regional Director and a Board  
5 member.

6

7 MS. NEEDHAM: Good afternoon. My name is  
8 Cathy Needham. I live in Juneau and I serve on the  
9 Southeast Regional Advisory Council.

10

11 MR. DOUVILLE: Mike Douville. I'm from  
12 Prince of Wales Island and a Regional Council member.

13

14 MS. SMITH: Good afternoon. I'm LaVerne  
15 Smith. I'm the Deputy Regional Director for the Fish and  
16 Wildlife Service and I'm representing the Fish and  
17 Wildlife Service on the Federal Subsistence Board this  
18 week.

19

20 MR. NIELSEN: Good afternoon. My name is  
21 Archie Nielsen. I'm from Sitka. My main concern here  
22 involves subsistence herring. 1947, when I was a  
23 youngster, we could walk across the Sound because of the  
24 milk straight all the way around. Now you can't hardly  
25 find them. They put the ceiling higher and higher and  
26 higher. We protest at Sitka Tribe, but the ceiling keeps  
27 going up. I'd like to know why. You set the standards  
28 too high we won't have any herring to bargain with. It  
29 will be gone. You can get on that. Take a look at Auke  
30 Bay, Craig, Klawock, Chief Shakes. They fished them out.  
31 There's no reason for that. We can set standards, that's  
32 true, but if we go to high, we won't touch it. It will  
33 be gone.

34

35 Thank you.

36

37 MR. YEAGER: My name is John Yeager. I'm  
38 from Wrangell. I'm on the Southeast RAC.

39

40 CHAIRMAN TOWARAK: Thank you. On the end  
41 of the table is the Staff that's recording the  
42 proceedings.

43

44 Mr. Thomas.

45

46 MR. E. THOMAS: Recently we lost a member  
47 of your Federal Subsistence Board just this past week and  
48 I think it's only right that we remember Mr. Niles Cesar  
49 and so I asked Rob Sanderson to do a short prayer.

50

1 (Prayer)

2

3 CHAIRMAN TOWARAK: Thank you very much  
4 for reminding us, Mr. Thomas, and I too want to commend  
5 Mr. Cesar for not only the work that he did with the  
6 Subsistence Board but for all the other work he did  
7 through the BIA agency for the whole state of Alaska  
8 and the Native community throughout the state. He's been  
9 a very powerful advocate for a lot of the Native rights  
10 and he also showed that on this Board during his tenure  
11 and we vastly miss him.

12

13 I do have one good memory. A cousin of  
14 mine knows him very well and every time he sees Niles  
15 Cesar he'd say hail Cesar, so we remember him in that  
16 stature, I think.

17

18 With that we will proceed then. I think  
19 we're ready to get our meeting started. We've got a long  
20 ways to go for the next two days. Unless there are any  
21 other.....

22

23 MR. ADAMS: Mr. Chairman.

24

25 CHAIRMAN TOWARAK: Go ahead.

26

27 MR. ADAMS: I just wanted to acknowledge  
28 that on the teleconference over there we have Jack  
29 Reakoff. He belongs to.....

30

31 MR. REAKOFF: Thank you.

32

33 MR. ADAMS: .....Chairman of the Western  
34 Interior Regional Advisory Council. So we're happy to  
35 have him online. Welcome, Jack.

36

37 CHAIRMAN TOWARAK: Thank you. The next  
38 item on our agenda is information sharing and for the  
39 information for the public we use this forum to open the  
40 floor to anyone of the Board members, and in this case we  
41 will include the RAC, if there's any general information  
42 that you would like to pass on to the rest of us at the  
43 table.

44

45 Mr. Probasco.

46

47 MR. PROBASCOS: Thank you, Mr. Chair.  
48 This is just a couple items as we work through our  
49 meeting, as you stated, for the next couple days. First  
50 I want to let the Southeast Regional Advisory Council



1 note that we ask for your patience as we go through the  
2 agenda and deal with two items prior to getting into the  
3 extraterritorial jurisdiction issue.

4  
5 We've been working on a Fortymile Caribou  
6 harvest plan and the State wants to update the Board on  
7 that. We also need to take action on a deferred  
8 proposal, Wildlife Proposal WP10-69. That should take --  
9 combined, those two should take an hour or less.

10  
11 Also for the public, many of you are  
12 aware of our process, but if you plan on testifying  
13 before the Regional Advisory Council and the Board,  
14 please go over to the corner and fill out a testimony  
15 paper and we will get that up to the front.

16  
17 The last item I have, Mr. Chair. I first  
18 want to extend an apology to the Southeast RAC. They are  
19 a very involved RAC and at the end of December of 2011  
20 they had addressed a letter to the Federal Board  
21 addressing budget concerns and that letter was received  
22 by my office on December 30th and on January 6th it was  
23 forwarded to Tim and myself.

24  
25 I'm not going to offer any excuses with  
26 one exception that I take full responsibility for it  
27 stopping at that point. However, we do have an  
28 opportunity at this meeting for the Board members to  
29 review this. It's a very well-written letter, but we  
30 need Board approval. What I will do before we go home  
31 tonight is hand that copy of the letter and then verbally  
32 tomorrow sometime you can let me know of any edits or  
33 issues and then I can have my staff back in Anchorage  
34 forward it on the both Secretaries on behalf of the  
35 Southeast Regional Advisory Council.

36  
37 So I apologize. Mr. Adams made me aware  
38 of this letter and that's what we found out. So, Bert,  
39 we will complete our work and we apologize for the  
40 tardiness. So, Mr. Chair, that's all I have.

41  
42 MR. ADAMS: Thank you, Mr. Probasco. We  
43 did make Butch aware of that letter this morning. So we  
44 can follow our comments up with that letter.  
45 Gunalcheesh.

46  
47 Thank you very much.

48  
49 CHAIRMAN TOWARAK: Thank you. One item  
50 that I bypassed that I need to go back to is we need to

1 see if there are any corrections or additions to the  
2 agenda as it is written.

3

4 (No comments)

5

6 MR. ADAMS: As you can see, we are all  
7 whispering in one another's ear.

8

9 CHAIRMAN TOWARAK: We're going to revert  
10 back a little to the telephone system. We usually  
11 recognize whoever is on the phone and apparently we do  
12 have someone on the phone. Please introduce yourself and  
13 make your statement. Do we have Mr. Carpenter on the  
14 phone?

15

16 (No response)

17

18 CHAIRMAN TOWARAK: Apparently we haven't.  
19 If he's having problems technically, we will open the  
20 floor for him. Apparently he has information for this  
21 Board and the RACs that we will give him the floor.

22

23 OPERATOR: Mr. Carpenter joined.

24

25 MR. CARPENTER: Thank you.

26

27 REPORTER: Tom, are you on?

28

29 MR. CARPENTER: Yes, I am.

30

31 CHAIRMAN TOWARAK: Please proceed.

32

33 MR. CARPENTER: My name is Tom Carpenter.  
34 I'm the vice chair of the Southcentral RAC. I appreciate  
35 the opportunity to participate. I just have a few quick  
36 comments if it's okay. It's something that came up in or  
37 last Southcentral RAC meeting a week ago. It was  
38 something that other Councils around the state have also  
39 expressed a need for the Federal Subsistence Board to  
40 possibly take a look at.

41

42 Basically what it has to do with, it has  
43 to do with the regulatory schedule. The schedule, as it  
44 is now, is a little bit difficult for not only the Staff,  
45 the RAC members and members of the public, but also just  
46 general subsistence users in general having to do with  
47 the windows of opportunity that exist for the RACs.

48

49 Borrowing some of the other suggestions  
50 other Councils have passed over to the Board, we'd also

1 like to express our concern and have possibly a few  
2 suggestions that we would like the Board to consider for  
3 future actions mainly having to do with the fall  
4 schedule. We felt if the schedule was pushed back a  
5 month or something that's comparable to a month, we feel  
6 that not only will the subsistence users around the state  
7 be able to fulfill their needs during the fall season,  
8 but we feel that the way the schedule falls that we would  
9 get more participation from the general public at our RAC  
10 meetings. We seem, depending on where we hold the  
11 meeting, not to get a whole lot of participation and  
12 that's a concern. I think part of it has to do with the  
13 fact of where the meetings are held in the fall.

14

15 I also think that as for the Staff,  
16 having to have the Federal Board meeting in January, the  
17 holiday season in conjunction with the harvesting season,  
18 I think if it was pushed back a little bit closer to the  
19 spring, it would be better for everybody.

20

21 So those are our concerns and we just  
22 wanted to take this opportunity since you were having  
23 this special meeting to pass those concerns along to you.  
24 That's all I have, Mr. Chairman.

25

26 CHAIRMAN TOWARAK: Thank you, Mr.  
27 Carpenter. For your information, prior to this meeting  
28 for the last two days we had a Board retreat and I'm  
29 going to ask Mr. Probasco to explain the discussions we  
30 had on what we're looking at for future possible changes  
31 with our schedule.

32

33 Mr. Probasco.

34

35 MR. PROBASCO: Thank you, Mr. Chair. As  
36 Mr. Towarak explained, the Board has been in a retreat  
37 for the past two days and a lot was accomplished dealing  
38 with getting our Board members up to speed on the issues,  
39 looking at legal issues and et cetera. One of the issues  
40 that was discussed and actually Mr. Reakoff started the  
41 discussion a while back and it follows in line with the  
42 comments that Mr. Carpenter just made, the need to review  
43 our schedule. So the Board has tasked Staff to look at  
44 the schedule and see if there are efficiencies that we  
45 can gain and capture hopefully more participation from  
46 the public, address the RAC schedules as far as our  
47 volunteers and try to avoid peak times.

48

49 So what I would offer at this time is  
50 that the Board has tasked the Staff and we will be

1 approaching that and reporting back to the Board and the  
2 Councils on what we find. Just a note that the past  
3 Boards and RACs have looked at schedules and we will  
4 provide that history as well and we'll see what we can  
5 do.

6

7 Thank you, Mr. Chair.

8

9 CHAIRMAN TOWARAK: Thank you. And Mr.  
10 Carpenter, we will keep all of the RACs informed and try  
11 to have you also involved in making recommendations on  
12 what some of the options are with scheduling.

13

14 MR. CARPENTER: Thank you, Mr. Chairman.  
15 I appreciate the Board taking this to heart and I think  
16 it's of concern to the RACs. That's all I have for the  
17 day. Good luck with the difficult task you have at hand.

18

19 Thank you.

20

21 CHAIRMAN TOWARAK: Thank you very much.  
22 We will then get back to our agenda. The next item on  
23 our agenda is item number 4, public comment period on  
24 non-agenda items. We usually open the floor up for  
25 any.....

26

27 MR. ADAMS: Mr. Chairman. Can I call for  
28 a point of order. I don't remember us going through  
29 number 2, the correction and additions to the agenda.  
30 Did we do that?

31

32 CHAIRMAN TOWARAK: I keep forgetting  
33 that. I was on that when the phone call came in and I  
34 was going back to revert to take a look at the agenda.  
35 Are there any changes on the agenda that anyone would  
36 like to make at this point.

37

38 (No comments)

39

40 MR. ADAMS: Mr. Chairman. Do you need a  
41 motion to accept the agenda?

42

43 CHAIRMAN TOWARAK: Yes, we do.

44

45 MR. ADAMS: Can members of the RAC do it?  
46 Can I do it? Can I make a motion to accept the agenda?

47

48 CHAIRMAN TOWARAK: Sure.

49

50 MR. ADAMS: I move that we adopt the

1 agenda as a guide, Mr. Chairman.

2

3 MS. MASICA: Second.

4

5 CHAIRMAN TOWARAK: There's a motion and  
6 a second on the floor to accept the agenda as presented.  
7 Any discussion.

8

9 (No comments)

10

11 CHAIRMAN TOWARAK: Not hearing any, all  
12 those in favor of the motion say aye.

13

14 IN UNISON: Aye.

15

16 CHAIRMAN TOWARAK: Those opposed say nay.

17

18 (No opposing votes)

19

20 CHAIRMAN TOWARAK: Motion passes  
21 unanimously. We have our agenda. Now back to number 4.  
22 Public comment period on non-agenda items. Mr. Probasco,  
23 would you explain what this is.

24

25 MR. PROBASCO: Thank you, Mr. Chair.  
26 This is an opportunity for the public to testify on  
27 issues much like Mr. Carpenter has just done on the  
28 schedule that are not on the agenda. This is not an  
29 opportunity to testify on the caribou plan or the  
30 Proposal 69 and/or the extraterritorial jurisdiction.  
31 Those opportunities will be coming later in the agenda.  
32 So right now it's your opportunity to testify before the  
33 Board and the Southeast Regional Advisory Council on any  
34 issues with the exception of the items on the agenda.

35

36 Thank you.

37

38 CHAIRMAN TOWARAK: And for your  
39 information -- and I assume we do this at the beginning  
40 of every meeting and we will have it open tomorrow. In  
41 case anyone has an issue to bring up to the Board, the  
42 floor will be open tomorrow. The floor is currently open  
43 for any testimony.

44

45 Go ahead.

46

47 MS. PHILLIPS: Thank you, Mr. Chair. I'm  
48 Patricia Phillips and I've served on the RAC since 1993  
49 and many are familiar with my including ANILCA in my  
50 testimony, but ANILCA Title I, Section 101 provides for

1 the maintenance of sound populations of and habitat for  
2 to protect the resources related to subsistence needs for  
3 rural residents engaged in a subsistence way of life to  
4 continue to do so and at the same time provide adequate  
5 opportunity for satisfaction of the economic and social  
6 needs of the state of Alaska and its people.

7  
8 That being said, I'm going to continue  
9 the conversation about sea otter that I've been bringing  
10 to the table earlier and with Mr. Deputy Under Secretary  
11 Blazer. There needs to be some high level discussions  
12 amongst agencies, not only agencies from the Federal  
13 Subsistence Board, U.S. Fish and Wildlife Service, U.S.  
14 Forest Service. I also would think that NOAA should be  
15 involved in discussions. The sea otters are destroying  
16 the habitat. There's severe ecosystem degradation and  
17 there needs to be a greater emphasis on protecting the  
18 critical subsistence resources being significantly  
19 severely impacted by sea otters.

20  
21 If we don't do something soon, then a way  
22 of life for many of us is going to be forever changed.  
23 Also it's a regional priority amongst the communities  
24 that this be addressed more sooner than later.

25  
26 Thank you.

27  
28 CHAIRMAN TOWARAK: Thank you for that  
29 discussion. I assume Staff is making notes and proper  
30 follow-up will be made with you. Any further -- Mr.  
31 Thomas.

32  
33 MR. E. THOMAS: This is only about the  
34 non-agenda item. The ongoing debate over the utilization  
35 of subsistence in Saxman has been vetted back and forth  
36 for a couple decades now. I think that when we look at  
37 the terms that are used to describe subsistence priority,  
38 in talking about Saxman, we tend to deal with it as  
39 though it's an exclusive right as opposed to a priority  
40 in the time of depleted resource.

41  
42 Probably as important the people in  
43 Saxman have relied on subsistence resources from the  
44 beginning of time and the road connecting them to  
45 Ketchikan really does not take away that dependence. I  
46 don't know that there's any real validity to being on a  
47 road somehow makes subsistence less important. I think  
48 the criterion that was established might be good for  
49 Interior or Central Alaska, but it really doesn't make  
50 much sense down here.

1 I think that as you look at policies of  
2 this nature I think it's important to look at what good  
3 are they as opposed to it's there and we've got to live  
4 with it. So I hope that as you deliberate about that  
5 kind of an issue and the importance of subsistence to a  
6 rural community, keep in mind that in the true sense of  
7 the term Saxman is rural. Of course, a lot of Alaska is  
8 almost all rural. I think that it's important for the  
9 people in that community get a fair judgment on the need  
10 for subsistence based on the merit of subsistence as  
11 opposed to whether or not they get along with people in  
12 Ketchikan or not.

13

14 So I just want to make those brief  
15 comments because they've been back to the table so many  
16 times and I don't believe any of the responses have been  
17 responsive. If I'm mistaken, I'd be glad to hear some of  
18 the debate on it. I just don't think that the word road  
19 system is a good criterion for dealing with Saxman. I'd  
20 be happy to answer any questions or if you don't agree  
21 with me, I don't mind arguing.

22

23 (Laughter)

24

25 CHAIRMAN TOWARAK: Thank you, Mr. Thomas.  
26 You're in your building. We're in your building. We had  
27 a meeting in March and there was considerable discussion  
28 on Saxman. We heard public testimony, we had people over  
29 the phone and it was a big topic in our last Board  
30 meeting and I'll have our Staff explain.

31

32 I'll give the floor to Mr. Adams.

33

34 MR. ADAMS: Thank you, Mr. Chairman. The  
35 Southeast Regional Advisory Council has, right from the  
36 very get-go, been in support of Saxman retaining its  
37 rural determination. It has gone to the Board maybe a  
38 couple times, you know. Our support still hasn't  
39 changed. Right now we have learned that there's going to  
40 be a stay on that particular issue until the next census  
41 cycle. Saxman will retain its rural determination up  
42 until that time and then it will be reviewed again.

43

44 We fought long and hard on it and this is  
45 about the best that we can come up with at this time. It  
46 is indeed in favor of Saxman. So appreciate your  
47 concerns there, Mr. Thomas.

48

49 MR. E. THOMAS: Thank you.

50

1 MR. PROBASCO: I would just add, Mr.  
2 Thomas and Mr. Adams, that the actual process -- you're  
3 speaking to the rural determination process -- is under  
4 way. Saxman and the other four communities were  
5 determined during the last process that they were non-  
6 rural. There's a five-year grace period. The Board has  
7 stayed that decision. It would have originally gone into  
8 effect in May of 2012. Now those communities remain  
9 rural until five years or until the Board completes its  
10 2010 process, whichever comes first. So the rural  
11 determination process is launched and we're probably  
12 within a year and a half, two years before we make other  
13 decisions.

14  
15 CHAIRMAN TOWARAK: And like most other  
16 processes that we go through it will be a public process.  
17 There will be opportunities for the public to analyze our  
18 decisions and make suggestions in the future before we  
19 come to a final determination.

20  
21 MR. E. THOMAS: Thank you very much. I  
22 appreciate the explanation. While I think that just  
23 determining them rural and moving on to something else is  
24 probably a better approach, I certainly can understand  
25 that when you have criterion set up and people are  
26 confused about it, we have to go through this process.  
27 I think we need to define rural by that community and  
28 what it is all about and its history as opposed to trying  
29 to set up some criterion that doesn't work.

30  
31 Anyway, that's my comment and my concern.  
32 I appreciate the decision and will respect it, but I just  
33 feel that when it comes to the area of subsistence  
34 there's got to be some stables. Some thing have got to  
35 be static. There's so many other issues to worry about  
36 it I just don't see recycling these kind of things over  
37 and over again. Anyway, I appreciate your answer and  
38 we'll let it go at that for now. Thanks.

39  
40 CHAIRMAN TOWARAK: We will keep in touch  
41 with you and the Southeast.

42  
43 MR. E. THOMAS: Thank you.

44  
45 CHAIRMAN TOWARAK: Any further public  
46 comments on non-agenda items. Mr. Probasco.

47  
48 MR. PROBASCO: Thank you, Mr. Chair. We  
49 have Andre Lecornu.

50



1 MR. LECORNU: Thank you, Mr. Chairman,  
2 and Camai. Welcome everybody. I'm coming up from  
3 Ketchikan and a tribal council member of the Ketchikan  
4 Indian Community. I'm here today to speak about the sea  
5 otter issue. Without trying to point a finger or to say  
6 anything derogatory, it seems to me I've been to many sea  
7 otter meetings, but we never seem to talk about the  
8 elephant in the room and that would be enforcement.

9  
10 There is very grandiose words spoken  
11 about government-to-government relations and how the  
12 Federal government wishes consultation and how they want  
13 to work with us, but it seems to me that when there's an  
14 issue like there was last year and the year before with  
15 teams of enforcement officials coming from out of state,  
16 primarily New Mexico and other states where they wouldn't  
17 know our art from a hole in the ground and they come and  
18 confiscate people's sea otters, harass people, intimidate  
19 the hunters, then we have a problem.

20  
21 I really sincerely believe that this  
22 isn't done because one hand doesn't know what the other  
23 hand is doing. When we talk to Fish and Wildlife Service  
24 and they say they're willing to work with us and lo and  
25 behold we get SWAT teams coming down to confiscate our  
26 people's materials, their mannequins, their hides, even  
27 their laptops because it transacted business. I cannot  
28 believe that.

29  
30 I feel, and this is my own opinion, that  
31 it's a collusive effort of some kind to try to take away  
32 our only right to make a few bucks. We've been put out  
33 of fisheries, put out of crabbing. I know there's some  
34 Native people that still have permits, but on the whole  
35 we've been taken out of a lot of that. Yet they tout the  
36 fact that, oh, we can make money at sea otter and  
37 crafting sea otter. Well, it turns out that we're being  
38 impeded every time we turn around.

39  
40 My grandfather was a sea otter hunter.  
41 In the 1906 census from Holkham. He was Kaigani Haida.  
42 His name was Peter Naflan (ph). On the census there he  
43 gave his name and the kind of work he did. Peter Naflan,  
44 sea otter hunter. I've hunted a lot of sea otter and  
45 I've tanned a lot of them myself. I'm not an artisan.  
46 I couldn't make a coat and I certainly can't make some of  
47 the fancy teddy bears that some of our good artists are  
48 able to do. All my sea otter have gone out to potlatch,  
49 to gifts to family, whole pelts.

50

1 Other people have a right to make a  
2 livelihood and not just subsist. Subsist to me implies  
3 below. They have a right to make a living and we cannot  
4 have the Federal government telling us that the left hand  
5 doesn't know what the right hand is doing. You're  
6 playing good cop/bad cop. Every time we go to a meeting  
7 we only see the good cop. We need to deal with issues  
8 that have to do with the enforcement division.

9  
10 I have a resolution from Ketchikan Indian  
11 Community. It's three pages and it's all pretty benign  
12 because it was written a few years ago before the  
13 enforcement came down and ruined the lives of several  
14 people. I'm talking about divorce, bankruptcy, jail  
15 time, \$50,000 fines and people wonder why our people are  
16 intimidated to hunt. Furthermore, you hear in the halls  
17 of legislature let's open it up, let's open it up. Our  
18 communities are being threatened by the sea otter, so  
19 they want to open it up to everybody and deny us a right.  
20 I think it's just a real subterfuge and it needs to be  
21 addressed.

22  
23 We have the idea in our resolution of  
24 co-management, conservation, sustainable use. They speak  
25 about co-management of the marine mammal. They speak on  
26 Section 119 of the co-management agreements with the Fish  
27 and Game, Fish and Wildlife, National Marine Services.  
28 Yet they perpetrate an attack on us using enforcement.  
29 So I would like to see some of the enforcement issues  
30 addressed and quit pitty-patting around the issue.

31  
32 Those are my personal opinions and the  
33 resolution is KIC's. Thank you.

34  
35 CHAIRMAN TOWARAK: I'd like to ask the  
36 Staff if there's any comments. Go ahead.

37  
38 MR. ACKERMAN: Mr. Chair. Andre. This  
39 particular issue has been on the table here for quite  
40 some time. We've listened to many, many people  
41 testifying about this. One thing that is really hard is  
42 to -- you can't go out and harvest a bunch of sea otter  
43 and expect to get them back no less than a year or two  
44 years. There are very few tanneries that are Federally  
45 registered. A lot of the tanneries that are are swamped.

46  
47 So what we're up against right now is  
48 thinning the sea otters out is going to be a hard thing  
49 to do. Why shoot the sea otter if you can't take it  
50 anywhere and get it tanned. You just roll them up and

1 put them in your freezer, I guess, for a couple years  
2 until you have a chance to get them tanned. That's one  
3 of the things that we have to look at, is being able to  
4 get the sea otter and get it tanned in a timely manner.

5

6

7

8 That's one of the problems we're up  
9 against right now. So if they want to start taking out  
10 some sea otters, we should get some kind of cooperation  
11 in this problem from both the Feds and the local Natives  
12 that hunt them.

12

13

Thank you.

14

15

16 MR. LECORNU: May I respond? I  
17 personally have tanned 30 sea otter pelts myself. You  
18 can get tanning kits, you can order it up. It's not a  
19 big deal. I think with more education for our tribal  
20 members and the right supply that a lot of people would  
21 be glad to tan their own. When I tan mine, we use deer  
22 antler to flesh. Nowadays you can use a power washer  
23 with an alternating tip and it's a lot faster, it's a lot  
24 more efficient. Those things are out there. The people  
25 just need to be aware of it.

25

26

CHAIRMAN TOWARAK: Mr. Kookesh, go ahead.

27

28

29 MR. KOOKESH: Yeah, Mr. Towarak. Is it  
30 maybe helpful if the appropriate agency that's sitting at  
31 the table could respond to his comments.

31

32

CHAIRMAN TOWARAK: Go ahead, Ms. Smith.

33

34

35 MS. SMITH: I'd be glad to. Thank you.  
36 LaVerne Smith with the Fish and Wildlife Service. We are  
37 going to have our sea otter biologist here tomorrow  
38 morning and she'll make a presentation and talk about a  
39 lot of the different ideas that we've been exploring with  
40 folks in Southeast Alaska relatives to ways that maybe we  
41 can help the current situation. I think our law  
42 enforcement folks will be here tomorrow as well, so I  
43 think we can answer questions from both our marine  
44 mammals staff as well as our law enforcement personnel.  
45 Hopefully we can answer some of your questions then. It  
46 is an issue that we recognize that's problematic and  
47 we've been trying to sort of figure out how we can work  
48 together to get some solutions.

48

49

MR. LECORNU: Thank you.

50

1 CHAIRMAN TOWARAK: I guess technically we  
2 do have it on our agenda and it will be on at 8:30 in the  
3 morning tomorrow. For today it isn't, so it's considered  
4 a non-agenda item for today's proceedings. If there  
5 aren't any other non-agenda topics for today, we'll  
6 proceed. Again, I want to reassure you that we will open  
7 the floor tomorrow for any other non-agenda topics.  
8 Mr. Kookesh.

9  
10 MR. KOOKESH: Mr. Chairman. This morning  
11 we talked about an issue called -- I believe it was  
12 called the budget where there's going to be a 22%  
13 reduction in our budget for travel for the RACs. The  
14 discussion came up about having our meetings in hub  
15 communities. When the motion was made out there, the  
16 motion was made more toward communities that received  
17 daily jet service. I talked to, for example, one of the  
18 directors of Ketchikan Indian Community and said the hub  
19 communities to me are Juneau and Ketchikan.

20  
21 If you really want to get your points out  
22 there, you can go to Ketchikan. That's where all the  
23 communities come together is in Ketchikan for the  
24 southern southeast and then the northern southeast it  
25 would be the Juneau area because we're so centrally  
26 located, both communities. But the motion called for hub  
27 community of Sitka. I was bothered that when we go to  
28 Sitka we're not going to have people from the outlying  
29 communities coming there.

30  
31 So I was wondering the discussion about  
32 a budget and if we're just going to talk hub communities,  
33 why don't we have our meetings from now on in either  
34 Ketchikan or Juneau. Those are what I consider hub  
35 communities. Daily jet service communities are not hub  
36 communities and your flow of information gets stunted at  
37 that point. If you have it in Wrangell, we're not going  
38 to have the same level of unique communities present.

39  
40 So I was just wondering if the Federal  
41 Subsistence Board had a position when it comes to how  
42 badly do we want the information to be given out or  
43 should we just allow daily jet service to communities,  
44 for example, if we had one in Yakutat? How many  
45 communities from Hoonah and Angoon are going to go to  
46 Yakutat for that. I'm just concerned. I'm trying to be  
47 an effective RAC and I see those two communities as being  
48 the most effective way we can take care of business.

49  
50 CHAIRMAN TOWARAK: Mr. Probasco.

1 MR. PROBASCO: Thank you, Mr. Chair.  
2 Thank you, Mr. Kookesh. Some of the questions this  
3 morning on the budget focused on next fiscal year. Not  
4 fiscal year 2012 that we're currently in, but fiscal year  
5 2013. Where we are currently at is we're at a budget  
6 process and before the President's budget has slated for  
7 the U.S. Fish and Wildlife Service, which the Office of  
8 Subsistence Management resides in is approximately a 21%  
9 budget reduction.

10  
11 When we talked about hub communities this  
12 morning, and I could have started that process and put  
13 everybody on the wrong track, but our concern is how do  
14 we be more efficient with the limited dollars we have.  
15 Southeast doesn't have the same problems that some of our  
16 other Councils have in that a lot of the communities do  
17 have jet service and it's comparative-wise versus  
18 charters and ferries, et cetera. It's a lot cheaper to  
19 get to those communities.

20  
21 As far as your comments as far as hub  
22 communities, Mr. Kookesh, I don't think anybody would  
23 argue that Juneau and Ketchikan, if you're looking at  
24 northern southeast and southern southeast, that's  
25 probably fairly accurate. My comments focused on where  
26 do we have daily jet service and that it's economically  
27 easier to get Council members as well as Staff to those  
28 areas.

29  
30 Thank you, Mr. Chair.

31  
32 MR. KOOKESH: May I respond.

33  
34 CHAIRMAN TOWARAK: Okay.

35  
36 MR. KOOKESH: I don't have any problem  
37 with the budget because I said I was looking for us to be  
38 a more effective RAC in terms of getting our information  
39 out. I believe by doing Ketchikan and Juneau we're  
40 taking care of business for your budget. At the same  
41 time, we're being effective in terms of getting our  
42 message out to all those communities that are in need of  
43 this process.

44  
45 MR. ADAMS: If you remember, Council  
46 members, several years ago we were talking about the  
47 Makhmati Island issue, the commercial herring take in  
48 Sitka. When we were planning out these meetings, Sitka  
49 was designated as a meeting because we would be taking  
50 that issue right to the community itself. Then some

1 things happened where we had to change the meeting places  
2 and that happened and so what we're doing is just  
3 following up on a decision that was made years ago about  
4 having our meeting in Sitka. That's what I remember  
5 about this particular issue, Mr. Chairman.

6

7 CHAIRMAN TOWARAK: Mr. Probasco.

8

9 MR. PROBASCO: Thank you, Mr. Chair.  
10 Thank you, Mr. Adams. I think as far as the issue that  
11 Mr. Kookesh is speaking to is possibly seeking guidance  
12 from the Board on how they view the issue of travel. I  
13 think to date the Board has left it up to each individual  
14 Council to determine meeting location and that's been the  
15 practice to date.

16

17 Thank you, Mr. Chair.

18

19 CHAIRMAN TOWARAK: If there are no other  
20 discussions, please introduce yourself and sit up at the  
21 mic please. There's a button on the right side that you  
22 press turns it on.

23

24 MR. LEIGHTON: Yeah, I'm here to talk on  
25 a non-agenda item. My name is Ron Leighton, vice  
26 president Organized Village of Kasaan. I would like to  
27 bring forth some information that we are just getting  
28 started on and we're gathering some speed on it. Our  
29 tribe is looking at trying to put into place a herring  
30 spawn relocation process.

31

32 A hundred and thirty years ago on Queen  
33 Charlotte Island, the Haida's realized that their herring  
34 didn't come back for a few years, so they took it upon  
35 themselves, got every man, woman and child, built some  
36 special canoes, went over Tree Point, dropped some trees  
37 in the water, the herring spawned on them, fertilized  
38 them. They had a window to get them back to the island.  
39 They knew where to put them. The herring spawned and  
40 they came back. They imprinted.

41

42 Since I heard this, I went online to  
43 check out whether this has been done recently and I was  
44 surprised that there are several areas back on the east  
45 coast that a herring spawn relocation was done into some  
46 streams that were made extinct. They did this and  
47 transplanted the herring. The herring spawned and they  
48 triumphantly came back. It was very successful.

49

50 My thought here is that now that there

1 are some certain areas within Southeast Alaska that do  
2 have enough spawn in which we could go ahead and start  
3 transferring them to kick-start the areas that haven't  
4 come back. There's areas that have not come back for 35  
5 years. The reason for that is the predators keep them  
6 down at that point. It doesn't mean they don't come  
7 back, but they don't come back in large quantities  
8 because they're keeping them down. We would like to see  
9 this kick-started so that we could realize all throughout  
10 Southeast Alaska more herring spawn. This is our  
11 subsistence foods.

12  
13 To give you an example, West Beam Canal  
14 outside of Ketchikan was recently this last Board of Fish  
15 meeting in Ketchikan opened up again to commercial  
16 harvest of herring. I was down there and I looked at  
17 their spawn and it was like a sprinkle of spawn. I  
18 called it a one-layer spawn. How they could go and  
19 ignore the possibility of us getting back our subsistence  
20 foods by opening these fisheries before they could get to  
21 a thick enough spawn for us to even gather them. If they  
22 were to open up and commercially harvest these, they will  
23 never get back.

24  
25 It's been realized if you could see the  
26 spawn starting to build and starting to build slower and  
27 the layers of their spawn become more and more, then  
28 they're grabbing hold. They're getting beyond that  
29 predation level and they're starting to rebound, but it's  
30 important that the commercial fisheries and the State and  
31 this Board, everybody in general, take note of this and  
32 say, hey, wait a minute, if there's not enough there for  
33 subsistence and subsistence has the priority, then what  
34 are we doing supporting the opening of a commercial  
35 harvest.

36  
37 That's all I got on that.

38  
39 CHAIRMAN TOWARAK: Thank you. Any  
40 response from Staff now.

41  
42 (No comments)

43  
44 CHAIRMAN TOWARAK: I have a personal  
45 observation. I wish we had some of your trees down here  
46 in the Norton Sound. We used to harvest 5,000 tons of  
47 herring every spring commercially and that market has  
48 disappeared, so we get probably 20 to 30,000 tons of  
49 herring spawned every year in the Norton Sound and it  
50 just disappears. We don't have the trees to plant like

1 you do here, but maybe you could come plant some up in  
2 our area.

3

4 MR. LEIGHTON: Maybe we should send the  
5 commercial boys up there.

6

7 CHAIRMAN TOWARAK: We've tried that. We  
8 have permits in the Norton Sound, but the market is not  
9 there.

10

11 MR. LEIGHTON: I don't know about that.  
12 They're trying to harvest every last herring down here.  
13 It seems to be a market here.

14

15 CHAIRMAN TOWARAK: For subsistence  
16 purposes your notes have been taken and we appreciate  
17 your time.

18

19 MR. LEIGHTON: Thank you.

20

21 CHAIRMAN TOWARAK: Anything further.

22 Yes, go ahead.

23

24 MR. DOUVILLE: Thank you. Mike Douville,  
25 RAC member. I'd like to touch on cross border trade  
26 issue if I could. Thank you. There's been an issue down  
27 where I live that one of the Natives from B.C. comes  
28 across every year and his dad before him and I don't know  
29 who before him, but cross border trade has been happening  
30 there since before anybody can remember. Last year he  
31 was stopped by National Marine Fisheries and told that if  
32 he didn't stop what he was doing that his vehicle and its  
33 contents could be seized. It scared him and he went back  
34 to Canada, but we've been doing this for a long time. He  
35 asked what he could do to comply and I believe the  
36 officer told him that he had to go through a broker and  
37 he said I am the broker.

38

39 In any case, I would like to know how he  
40 could do this legally, where these laws are and does he  
41 have a right. It's completely legal in Canada. They  
42 have the blessing. It's totally legal what he's doing.  
43 I did some inquiries through our coordinator and we  
44 didn't get any clear answers, but I'd like somebody to  
45 address it so we can continue our trade unimpeded.

46

47 CHAIRMAN TOWARAK: Go ahead.

48

49 MR. LORD: Mr. Douville, I was involved  
50 in some of the discussions about that event and I believe



1 the law enforcement officer has received some additional  
2 training about that. I don't know exactly what follow up  
3 there was because it's not my agency, it's a different  
4 agency, but I did get some phone calls about it. I  
5 believe that issue should be resolved at this point is my  
6 understanding, that he can continue to do what he has  
7 been doing.

8

9 MR. DOUVILLE: If that is the case, I  
10 would like to see something on paper so I could forward  
11 it to that person so he would feel comfortable and we  
12 would welcome him to come back and do his trading.

13

14 CHAIRMAN TOWARAK: Is that possible?

15

16 MR. LORD: Like I said, it was not my  
17 agency. They called me for some legal advice because I  
18 deal with this issue of subsistence more than they do.  
19 That would have to come from the National Marines  
20 Fisheries Service because it was their law enforcement  
21 officer that was doing this. So I can't write something  
22 down about what some other agency's law enforcement folks  
23 will or won't do, but my understanding is that it was  
24 resolved.

25

26 CHAIRMAN TOWARAK: I know too that at the  
27 other end of Alaska, the Inuit Circumpolar Conference  
28 area, have the same barter/trade problems between the  
29 Canadians and the northern Alaskans or the Inuit and are  
30 trying to find resolutions to international trade issues.  
31 A lot of times the State department has to be involved in  
32 those types of issues, but your situation might be a  
33 little bit different. Feel free to get together with any  
34 of the Staff members to get more direction on finding a  
35 solution.

36

37 MR. DOUVILLE: Thank you.

38

39 CHAIRMAN TOWARAK: Anything further. I  
40 wanted to point out to Andre that he had mentioned tribal  
41 consultation. We do have an agenda topic and I think it  
42 will come in tomorrow to discuss the progress that we've  
43 been making on tribal consultation. Are we not?

44

45 MR. PROBASCO: No, but we can give an  
46 update. That's for ETJ.

47

48 CHAIRMAN TOWARAK: Oh, that's specific to  
49 the Kootznoowoo petition. I thought it was part of our  
50 regular agenda. It will happen sooner or later.

1 MR. PROBASCO: Mr. Chair. On non-agenda  
2 items online we have Mr. Mike Jackson, Organized Village  
3 of Kake. Mr. Jackson.

4  
5 CHAIRMAN TOWARAK: Proceed, please.  
6

7 MR. JACKSON: Thank you, Mr. Chairman.  
8 We're in Kake and we're sorry that we're not hearing you  
9 too well other than the fact that we'd like to comment on  
10 the Kootznoowoo extraterritorial jurisdiction on sockeye.  
11 We'd like to be considered amicus curiae, a friend to  
12 Kootznoowoo, in regard to that when that comes up. I'd  
13 also like to comment on the sea otter, but I guess you're  
14 going to have those -- is both subjects going to be  
15 tomorrow morning?

16  
17 CHAIRMAN TOWARAK: Go ahead.  
18

19 MR. PROBASCO: Mr. Chair. Mr. Jackson.  
20 The sea otter issue, as far as the presentation and  
21 probably would provide additional information for you to  
22 comment on, will occur at 8:30 tomorrow morning. I would  
23 recommend that you stay online as far as the opportunity  
24 for public testimony or tribal testimony on  
25 extraterritorial jurisdiction as petitioned by  
26 Kootznoowoo that may come later on in the afternoon or  
27 possibly tomorrow.

28  
29 Thank you, Mr. Chair.

30  
31 MR. JACKSON: Thank you, Mr. Chair. I'll  
32 stay online.

33  
34 CHAIRMAN TOWARAK: Mr. Thomas.

35  
36 MR. E. THOMAS: I just wanted to briefly  
37 comment on the issue that was brought up by Mr. Douville,  
38 the trade of eulachon oil across Canadian border and the  
39 National Marine Fisheries interference. I think when it  
40 comes to this Board -- and respectfully I ask that if the  
41 Board has really no objections to that practice of us  
42 trading with our brothers and sisters across the border,  
43 I would like to see that in a motion that it be passed  
44 that it be the position of this Board because it makes it  
45 much stronger then for us to go forward and negotiate if  
46 we have to with other entities.

47  
48 I think when it comes to our traditional  
49 trade, you know, those are things that we hold near and  
50 dear to our heart for generations, so I really appreciate

1 Mr. Douville bringing this issue up. Trade across the  
2 border is very, very important. I think people from  
3 Hydaburg still trade with people over in Queen Charlotte  
4 Islands and Prince Rupert.

5  
6 So I think it's really important to try  
7 to get on the record that the Board either agrees with  
8 what Mr. Douville is saying or you don't agree and I  
9 really appreciate the solicitor's opinion or statement,  
10 I don't believe it's an opinion, a statement, because I  
11 think that's an issue that's not going to go away if you  
12 don't weigh in on it in my opinion. Thanks.

13  
14 CHAIRMAN TOWARAK: Procedurally, where do  
15 we bring that request?

16  
17 MR. PROBASCO: Mr. Chair. If I may, I  
18 think what I would like to recommend is that Staff  
19 collect additional information, work with the Solicitor's  
20 Office and report back to the Board on this issue. I  
21 think we're talking about eulachon grease, is that  
22 correct, Mr. Douville?

23  
24 MR. DOUVILLE: (Nods affirmatively)

25  
26 MR. PROBASCO: He says yes. And we could  
27 take Mr. Thomas's suggestion at our main meeting. Mr.  
28 Chair.

29  
30 MR. E. THOMAS: Gunalcheesh. Thank you.

31  
32  
33 CHAIRMAN TOWARAK: Sometimes our process  
34 is so cumbersome that we can't react immediately. We  
35 hope you understand.

36  
37 MR. CHRISTIANSON: Mr. Chairman.

38  
39 CHAIRMAN TOWARAK: Mr. Douville first and  
40 then you.

41  
42 MR. DOUVILLE: Thank you, Mr. Chair.  
43 Eulachon oil was one of the things. He also brings dried  
44 salmon and dried eulachon and a variety of other things.  
45 He trades for seaweed and different things and takes it  
46 back.

47  
48 CHAIRMAN TOWARAK: Mr. Christianson.

49  
50 MR. CHRISTIANSON: I was just going to

1 echo what Mr. Douville had said, that the trade is more  
2 than just eulachon oil. It has to do with a lot more  
3 species and he does take back items from our community  
4 back with him in that trade process. Those are  
5 underneath a whole bunch of jurisdictions themselves.

6

7 CHAIRMAN TOWARAK: Thank you. Mr.  
8 Ackerman.

9

10 MR. ACKERMAN: Yes, Mr. Chair. Mr.  
11 Douville, Ed. I have been transporting salmon, halibut,  
12 eulachon oil and other stuff across the border to  
13 Klukshu, Whitehorse, Car Cross and all those areas and as  
14 I go across the border I declare everything I'm taking.  
15 We haven't had any problems for the last couple hundred  
16 years. Probably farther back than that. Historically,  
17 as was stated, we have traded with the Interior folks for  
18 caribou meat, moose. Whatever they had we traded.

19

20 There's a thing called the Jay Treaty  
21 also on the Canadian side that the government over there  
22 allows this to happen. We have Canadian folks that come  
23 down and we load their trucks with fresh eulachons and  
24 they transport it back across the border. It's  
25 interesting to listen to this on the southern end versus  
26 the northern end, but historically we have been doing  
27 this for thousands of years and now there is a border  
28 between us that is stopping this cross-cultural exchange.

29

30 Thank you, Mr. Chair.

31

32 CHAIRMAN TOWARAK: The appropriate Staff  
33 are making notes of your comments. We will then get  
34 started -- we're not seeing any further public comments  
35 on non-agenda items, so we'll proceed with our agenda.  
36 The next item on our agenda is a Department of Fish and  
37 Game presentation on Fortymile Caribou harvest land. Is  
38 there someone on the phone? The floor is open.

39

40 MR. WOODRUFF: Thank you, Mr. Chairman  
41 and members of the Board. Can you hear me?

42

43 CHAIRMAN TOWARAK: Yes.

44

45 MR. WOODRUFF: Thank you. First I'd like  
46 to mention the coalition or the formation of the group  
47 that put this plan together and it was a compilation of  
48 the State, BLM and the National Park Service, the Fish  
49 and Game ACs of the home herd, the Eastern RAC, the First  
50 Nations Canada and the Canadian government and advisory

1 of the Mat-Su, Anchorage ACs.

2

3 The Board of Game has already approved or  
4 endorsed this plan. The Federal season opens August  
5 10th. The State season opens on August 29th. The winter  
6 season extends the hunt for another month, which gives a  
7 reasonable opportunity for several subsistence hunters.  
8 The plan also incorporates a bulls only bag limit in the  
9 fall hunt to help prevent flock shooting when the caribou  
10 are on the highway corridor.

11

12 As far as herd growth goes, we are now at  
13 51,000 caribou. In 2005 we were at 40,000 caribou. As  
14 the herd grows, it will move over into the White Mountain  
15 Herd and incorporate them and we will have a joint  
16 Federal subsistence state permit for that area as well.

17

18 Any questions so far?

19

20 (No comments)

21

22 CHAIRMAN TOWARAK: No. Please proceed.

23

24 MR. WOODRUFF: In conclusion, I would  
25 like to say that I want to thank all the members of the  
26 coalition and the hard work that we all did on this and  
27 I would encourage you to support this plan.

28

29 Thank you.

30

31 CHAIRMAN TOWARAK: Thank you for that  
32 information. We will then proceed on with the State.

33

34 MR. NOWLIN: Thank you, Mr. Chairman.  
35 For the record, my name is Roy Nowlin. I'm the wildlife  
36 management coordinator for the State of Alaska,  
37 Department of Fish and Game, Division of Wildlife  
38 Conservation for Interior Alaska and the Eastern Arctic.  
39 I really appreciate Don's summary there of the plan. The  
40 State, along with BLM and other Federal agencies, OSM I  
41 believe is involved in it as well, has supported this  
42 coalition and their efforts to once again produce an  
43 update of this Fortymile Harvest Management Plan.

44

45 This is, in fact, the second time -- or  
46 I guess this plan was formulated and was updated once  
47 before, but it's been in place for 12 years. This has  
48 been a very, very successful effort. It's a result of a  
49 user-driven process, which this coalition is. Don  
50 succinctly summarized all the folks that have been

1 involved in this. These people -- what's really unusual  
2 about this, is that they all share a common vision for  
3 the Fortymile Herd and that vision has increased the  
4 herd. It is to increase it to where it occupies its  
5 former range. To also provide for subsistence  
6 opportunities and to work together.

7  
8                   They met three or four times over about  
9 a year to put this plan together that's before you now.  
10 They certainly had some disagreements during that  
11 process, but at the end of the day what is highly unusual  
12 here is that they were able to come together whether they  
13 were from an urban area or whether they were from a rural  
14 area, whether they were State hunters or Federal hunters  
15 or whatever they were, they were able to come together  
16 for the benefit of this herd and this common vision that  
17 they all share.

18                   I think one very good example of that is  
19 the State/Federal registration permit hunt that we have  
20 that the Federal and State agencies worked together to  
21 make that work. It's a vital component. Everyone, I  
22 believe, on the coalition recognizes how important that  
23 is and it's central to this plan that is before you  
24 today. What the coalition is asking for here is that you  
25 should endorse this plan as has been done twice before  
26 over the last 12 years so that it can continue.

27  
28                   You have also previously -- last January,  
29 when you met on your consent agenda, there was a proposal  
30 to implement some of the things that Don described and  
31 you passed that and the Board of Game also passed the  
32 same proposals to implement what needs to be done in the  
33 regulations for this harvest management plan.

34  
35                   Also the Board of Game when they met in  
36 March endorsed this plan once again and this will be  
37 again the third time that they had done that. I think  
38 what sticks in everybody's mind once again is the  
39 cooperative nature of this and how everyone has pulled  
40 together.

41  
42                   Don mentioned the size of the herd when  
43 we started this whole process back in the mid '90s. This  
44 herd was, I believe, about 20,000 or so and it's now up  
45 to 51. The harvest at that time was 150 was the quota.  
46 Things were in pretty bad shape. These folks got  
47 together and decided that someone had to get out there  
48 and lead and that's exactly what they did. So now we're  
49 up to this past year to 1,000 for the quota.

50

1                   The vision here is to continue to  
2 increase this herd and to continue to increase the  
3 harvest. The harvest rate is about 3% right now.  
4 Hopefully the herd is going to get up to -- from it's  
5 current 52,000 up to about 70,000. When that happens,  
6 the coalition is recommending that the harvest rate go up  
7 to 4% and that would mean about 1,800 animals in Alaska  
8 would be taken.

9  
10                   In addition, one important thing, the  
11 Yukonners, even though the herd goes periodically into  
12 the Yukon, they have foregone their harvest. Instead of  
13 taking the animals they're putting them into growth,  
14 which is highly unusual I think.

15  
16                   So the coalition, and certainly the State  
17 backs that, is recommending that you would endorse this  
18 plan. I think it's important that both the State and the  
19 Federal government recognize the importance of this and  
20 support it. We're not asking that the plan be put into  
21 regulation because the State has not done that, nor have  
22 we asked the Federal government to do that. We are  
23 asking for the endorsement by the Federal Subsistence  
24 Board and also, as I said, the State has similarly  
25 endorsed that.

26  
27                   With that, I'm assuming that Don is still  
28 on the phone. We can take questions if the Board or the  
29 Council have any.

30  
31                   CHAIRMAN TOWARAK: Thank you. Are there  
32 any questions of the Board. Mr. Adams.

33  
34                   MR. ADAMS: Just one question, sir. You  
35 mentioned how sometimes the herds go back and forth over  
36 the border. I wonder, do they need a passport to  
37 transport back and forth?

38  
39                   (Laughter)

40  
41                   MR. NOWLIN: Through the Chair. They  
42 don't pay attention to us on that one.

43  
44                   CHAIRMAN TOWARAK: Just out of curiosity,  
45 Mr. Probasco, is an endorsement motion in line?

46  
47                   MR. PROBASCO: Yes, Mr. Chair. That has  
48 been done, as pointed out, in the past. I think it's  
49 important to re-emphasize the process and all the parties  
50 involved that agreed to the plan. I know the Staff

1 Committee and others have reviewed this plan and we're  
2 just looking for continued endorsement on a plan that  
3 seems to be working very well.

4

5 Mr. Chair.

6

7 CHAIRMAN TOWARAK: Thank you. Are there  
8 any other Staff comments.

9

10 (No comments)

11

12 CHAIRMAN TOWARAK: Any Board questions of  
13 the presenters. Mr. Christianson.

14

15 MR. CHRISTIANSON: Mr. Chair. I was just  
16 curious about how long the Yukon was going to withhold  
17 from hunting. Is it when the herd reaches a certain  
18 population they'll start to hunt again?

19

20 MR. NOWLIN: Through the Chair. I  
21 believe they're undecided about that. They're watching  
22 this closely. One of the things that they're waiting for  
23 is the herd to get into Yukon in larger numbers. The  
24 indication that I had from -- this is simply from what  
25 their representative said during the coalition meetings,  
26 is that once the herd reaches 70,000 I think they're  
27 going to take a hard look at it. Once again, it depends  
28 on accessibility on that side of the border.

29

30 CHAIRMAN TOWARAK: Are there any further  
31 questions. Ms. Masica.

32

33 MS. MASICA: I have a comment, but I  
34 don't know if it's appropriate after the motion is made  
35 and it's in front of the Board, but it's just a comment.  
36 It's not really a question.

37

38 CHAIRMAN TOWARAK: Is there a desire to  
39 get the motion on the floor by the Board. We'll  
40 entertain a motion. Ms. Pendleton.

41

42 MS. PENDLETON: Mr. Chair. I would  
43 motion that we accept and support the continuance of the  
44 Fortymile Caribou Plan.

45

46 MR. BROWER: Second.

47

48 CHAIRMAN TOWARAK: You heard the motion  
49 and the second. Discussion. Sue.

50



1 MS. MASICA: Mr. Chairman. I just wanted  
2 to clarify one thing with respect to the plan. I think  
3 the Park Service is generally supportive of the  
4 objectives in the plan, but there is some discussion in  
5 the plan about intensive management and predator control  
6 and we've had different discussions at different Board  
7 meetings over the years about the different statutory  
8 responsibilities that the different Federal agencies  
9 have. For the Park Service, the intensive management and  
10 predation management are not appropriate nor allowed on  
11 the Yukon Charley Preserve lands, which are part of the  
12 area for the caribou herd.

13 In previous versions of the plan that had  
14 been clearly articulated that that was not appropriate on  
15 those particular lands. It's silent in this plan. I  
16 think the inference is there that nothing has changed in  
17 terms of that perspective, but I just wanted to make sure  
18 I was clear on the record that from the Park Service  
19 perspective that continues to be something that cannot  
20 occur on the Preserve lands that are in the Yukon  
21 Charley, but that doesn't preclude it in other areas that  
22 are affected by the plan and would be fine.

23  
24 Thank you.

25  
26 CHAIRMAN TOWARAK: I assume that's been  
27 recognized by the coalition.

28  
29 MR. NOWLIN: Mr. Chairman. It certainly  
30 has and it's also in the State regulations about any  
31 predator management, that it will not occur -- I mean not  
32 predator management, but any predator control will not  
33 occur on Park Service lands.

34  
35 CHAIRMAN TOWARAK: Thank you, Ms. Masica.  
36 Any further discussion on the motion.

37  
38 (No comments)

39  
40 MR. BROWER: Question.

41  
42 CHAIRMAN TOWARAK: The question has been  
43 called for. Thank you, Mr. Brower. Roll call, please.

44  
45 MR. PROBASCO: Thank you, Mr. Chair. I  
46 was asked to speak closer to the mic and I will do that.  
47 Roll call vote to endorse the plan as presented. Ms.  
48 Masica.

49  
50 MS. MASICA: Yes.

1 MR. PROBASCO: Mr. Brower.  
2  
3 MR. BROWER: Yes.  
4  
5 MR. PROBASCO: Mr. Sharp.  
6  
7 MR. SHARP: Yes.  
8  
9 MR. PROBASCO: Mr. Towarak.  
10  
11 CHAIRMAN TOWARAK: Yes.  
12  
13 MR. PROBASCO: Mr. Christianson.  
14  
15 MR. CHRISTIANSON: Yes.  
16  
17 MR. PROBASCO: Mr. Virden.  
18  
19 MR. VIRDEN: Yes.  
20  
21 MR. PROBASCO: Ms. Smith.  
22  
23 MS. SMITH: Yes.  
24  
25 MR. PROBASCO: Motion carries 8-0.  
26  
27 CHAIRMAN TOWARAK: The motion passes  
28 unanimously and we gladly support the program. We  
29 appreciate the work that this coalition is doing and we  
30 hope it carries on with other issues throughout the  
31 state.  
32  
33 MR. NOWLIN: Thank you, Mr. Chairman and  
34 Board members. I know that they will deeply appreciate  
35 that recognition.  
36  
37 CHAIRMAN TOWARAK: Thank you for your  
38 time.  
39  
40 MR. ADAMS: Mr. Chairman.  
41  
42 CHAIRMAN TOWARAK: Go ahead, Mr. Adams.  
43  
44 MR. ADAMS: I think we failed to do this  
45 earlier, particularly at the beginning, but I want to  
46 welcome Mr. Brower and Mr. Christianson to the Board and  
47 we look forward to working closely with you on these  
48 issues. On behalf of the Southeast Regional Advisory  
49 Council, we welcome you both. Gunalcheesh.  
50

1 CHAIRMAN TOWARAK: I should have  
2 expressed that appreciation also. It will open I think  
3 a lot of issues that I thought -- I felt a little awkward  
4 being the only subsistence user and now that we've got  
5 three I think it will make our decisions a lot easier and  
6 information a lot better. Being here in Southeast, I've  
7 got to say I won't feel like the Lone Ranger.

8

9 (Laughter)

10

11 MR. ADAMS: Mr. Chairman.

12

13 CHAIRMAN TOWARAK: Go ahead.

14

15 MR. ADAMS: (In Tlingit) means I've got  
16 to go to the bathroom. So I'd entertain a break at this  
17 point.

18

19 CHAIRMAN TOWARAK: We'll take a 10-minute  
20 break.

21

22 (Off record)

23

24 (On record)

25

26 CHAIRMAN TOWARAK: I'd like to call our  
27 session back to order. One of the visitors that I wanted  
28 to introduce at the beginning of our meeting was to  
29 introduce an important elder from the region who also  
30 sits on the Sealaska board of directors, Clarence  
31 Jackson. I'd like to give you the opportunity to address  
32 the Board if you could.

33

34 MR. JACKSON: Thank you.

35

36 CHAIRMAN TOWARAK: We've got a couple  
37 announcements. One announcement from the Tlingit and  
38 Haida Council if I could get Carrie Sykes to make the  
39 announcement.

40

41 MS. SYKES: Good afternoon. Thank you  
42 for giving me a moment to speak about this reception  
43 we're going to be having. The Central Council has been  
44 working with the Alaska Native Brotherhood for quite some  
45 time with our customary and traditional work group which  
46 deals with subsistence issues and we're very happy that  
47 the Federal Subsistence Board is meeting in Juneau this  
48 week. As such, we have planned an Alaska Native  
49 community welcoming reception, which will be tomorrow at  
50 noon and everybody is invited. I do have little flyers

1 that are available over on the table along with other  
2 information that may be useful to people that are  
3 learning about the process. There's a lot of stuff on  
4 Angoon, ETJ and other information.

5  
6 Thank you, I appreciate being here and I  
7 hope to see you at the reception.

8  
9 CHAIRMAN TOWARAK: Thank you. Pete.

10  
11 MR. PROBASCO: Thank you, Mr. Chair. For  
12 Council members and Board members, I just want to remind  
13 that today there's activities that require us to break  
14 down at 5:00 o'clock tonight. I think they have bingo  
15 here tonight. So if you want to play bingo, stick  
16 around. However, tomorrow we can catch up on lost ground  
17 if there is any and we can meet all night tomorrow, so we  
18 have this room till whenever.

19  
20 But tonight at 5:00 o'clock we have to  
21 recess, Mr. Chair.

22  
23 CHAIRMAN TOWARAK: Thank you. We will  
24 then proceed with the next item on our agenda, Wildlife  
25 Proposal WP10-69. I'm going to ask the lead author and  
26 Staff to provide the analysis.

27  
28 Mr. Jenkins.

29  
30 DR. JENKINS: Mr. Chair. Board members,  
31 Council members. Good afternoon. My name is David  
32 Jenkins. I'm an anthropologist with the Office of  
33 Subsistence Management and the acting policy coordinator.  
34 This Wildlife Proposal 10-69 would normally be on the  
35 consensus agenda for your January meeting. The two  
36 affected Regional Advisory Councils, the Y-K and Western  
37 Interior, agree with this proposal and the InterAgency  
38 Staff Committee does and so does the State. So normally  
39 it would have been on your consensus agenda, but for a  
40 variety of reasons it's here in front of you today, so  
41 maybe we can get through this fairly quickly.

42  
43 The proposal is submitted by Kuskokwim  
44 Native Association and requests the recognition of  
45 customary and traditional uses of moose in Unit 21E for  
46 residents of Lower Kalskag, Upper Kalskag,  
47 Aniak, and Chuathbaluk.

48  
49 The proposal is being submitted for all  
50 of Unit 21E; however, the proponent states that it is the

1 Paimiut Slough area that is customarily and traditionally  
2 used by Lower Kalskag, Upper Kalskag, Aniak, and  
3 Chuathbaluk. You can see that on your maps in the Board  
4 books. There are three or four maps provided for you on  
5 the area in question.

6  
7 The request was made in part because of  
8 the growing scarcity of moose in Unit 19A and the  
9 Kuskokwim River drainage portion of Unit 18 and a variety  
10 of regulatory restrictions that had begun in 2003.

11  
12 Briefly, the eight factors that we  
13 usually use to talk about customary and traditional use  
14 are analyzed in this proposal and the communities that I  
15 just mentioned clearly exhibit these criteria. The Staff  
16 analysis, without going into detail, indicates that they  
17 all have hunted moose in these communities and this area  
18 south of Paimiut Slough.

19  
20 The staff analysis is in favor of the  
21 proposal with a modification to keep it south of Paimiut  
22 Slough, this hunt. You can see that on Map 4 in your  
23 Board books. It's in the hatched area, the shaded area,  
24 where the geography in question is located.

25  
26 The OSM conclusion is to support this  
27 proposal with modification to include only that area  
28 shown in the hatched portion of your map south of Paimiut  
29 Slough. The justification is that, based on a review of  
30 the eight factors of customary and traditional use, the  
31 residents of the communities I've just mentioned all  
32 exhibit customary and traditional uses of moose in this  
33 particular area. So the conclusion is to support this  
34 with modification that I've mentioned.

35  
36 I can respond to any questions if you  
37 have any at this point. I just wanted to do a very brief  
38 presentation instead of a detailed presentation because  
39 of all the agreement on this particular proposal.

40  
41 Thank you, Mr. Chair.

42  
43 CHAIRMAN TOWARAK: Are there any  
44 questions of the Staff.

45  
46 (No comments)

47  
48 CHAIRMAN TOWARAK: Go ahead, Mr. Reakoff.

49  
50 MR. REAKOFF: I've waited for this

1 proposal to come before the Board and WIRAC is in favor  
2 of delineating the boundary that was agreed upon through  
3 teleconference at our fall meeting and fully vetted by  
4 the Regional Advisory Council that this is the boundary  
5 that those communities have utilized from Lower and Upper  
6 Kalskag, Aniak and Chuathbaluk.

7

8 We are concerned about the Innoko Moose  
9 Management Plan for Unit 21E and there's a provision in  
10 that plan that winter hunts would be precluded if  
11 additional C&T's were added. We don't feel that the  
12 winter hunts need to be precluded. We feel that a  
13 special action request be submitted to have all logical  
14 analysis of the new customary and traditional use area  
15 for the added communities and develop a harvestable --  
16 there's a 40 moose quota or 40 moose winter hunt quota  
17 for Unit 21E and make an evaluation of what would be  
18 sustainable and then only allow that amount of use in  
19 that new added area that we're calling Zone 1.

20

21 Otherwise, the fall hunt should proceed,  
22 but I'd have concerns for the fall hunt for the new C&T  
23 area. Any questions.

24

(No comments)

25

26  
27 CHAIRMAN TOWARAK: Thank you, Mr.  
28 Reakoff. I'd like to open the floor for any public  
29 comment, public testimony. Is there anyone on the phone  
30 that would like to.

31

32 MR. PROBASCO: Mr. Chair. I have one  
33 individual signed up and it's Mr. Clifford Hickson from  
34 Aniak.

35

36 MR. HICKSON: Thank you, Mr. Chairman.  
37 Council members and Board members. My name is Cliff  
38 Hickson. I'm the GASH Advisory Committee representing  
39 Anvik, Grayling, Shageluk and Holy Cross. I was asked to  
40 come down here by the chairman of the committee and other  
41 members of the communities to express grave concern over  
42 this proposal. Based on what Mr. Reakoff has just  
43 mentioned about the Section 1.9, which would exclude the  
44 winter hunt altogether if additional villages were  
45 included. It's true that there's 40 animals at stake  
46 here and we have four villages, some larger, some  
47 smaller.

48

49 So typically if you were to divide them  
50 up equally you would have some with less than 10 and some

1 with more. Now you add these additional four villages to  
2 the area, you're going to be more than doubling the  
3 villages and more than tripling the population of this  
4 area. If you take the numbers of moose they allocated  
5 and try to establish what would be fair and reasonable,  
6 you're going to be hurting a lot of the people that are  
7 in the primary villages of Unit 21E and A.

8  
9 We all recognize that it's a very small  
10 piece of ground that we're talking about here, but  
11 because of this section in Innoko Yukon Moose Management  
12 Plan it has the potential for being catastrophic for the  
13 people that depend on those 40 moose during the winter  
14 hunt. So that's pretty much my comment. If you have any  
15 questions I can try to answer them.

16  
17 CHAIRMAN TOWARAK: Thank you. Are there  
18 any questions from the Board.

19  
20 (No comments)

21  
22 CHAIRMAN TOWARAK: Thank you for your  
23 presentation. The Regional Council I assume has already  
24 conveyed their recommendations?

25  
26 MR. PROBASCO: Mr. Chair. We actually  
27 have two Councils. Mr. Reakoff has just expressed for  
28 Western Interior and Yukon-Kuskokwim Delta Council also  
29 is in agreement with Western Interior.

30  
31 Mr. Chair.

32  
33 CHAIRMAN TOWARAK: Thank you. I assume  
34 they're not on the phone.

35  
36 (No comments)

37  
38 MR. PROBASCO: I don't believe so, Mr.  
39 Chair.

40  
41 CHAIRMAN TOWARAK: Please note that in  
42 your final deliberations that both the Regional Councils  
43 support this proposal. The next step will be to ask the  
44 Department of Fish and Game for comments.

45  
46 MS. YUHAS: Thank you, Mr. Chairman.  
47 Jennifer Yuhas, Alaska Department of Fish and Game. The  
48 Department also supports the modified proposal with the  
49 clarification we originally asked for.

50

1 CHAIRMAN TOWARAK: Thank you. Are there  
2 any questions from the Board.

3

4 Thank you for that.

5

6 InterAgency Staff Committee comments.

7

8 DR. JENKINS: I think I can report on  
9 that. The InterAgency Staff Committee found the Staff  
10 analysis to be a thorough and accurate evaluation of the  
11 proposal. Mr. Chair.

12

13 CHAIRMAN TOWARAK: Thank you. Board  
14 discussion with Council Chairs and State liaison. The  
15 floor is open for any questions from the Board.

16

17 Go ahead, Mr. Sharp.

18

19 MR. SHARP: If Mr. Reakoff is still on  
20 the line, in anticipation of this passing given the  
21 favorable RAC support and the OSM conclusion, I guess we  
22 can anticipate a special action or temporary special  
23 action request to deal with the allocative and  
24 conservation issues. I guess the Board is on notice and  
25 we'll probably be receiving that some time prior to the  
26 next winter season. I was just curious from Jack's  
27 perspective if he has a notion of an allocation plan that  
28 might be suitable for the area.

29

30 MR. REAKOFF: Mr. Chair.

31

32 CHAIRMAN TOWARAK: Go ahead, Mr. Reakoff.

33

34 MR. REAKOFF: The allocation plan would  
35 be to designate the newly included C&T area of southern  
36 Unit 21E and Zone 1. Zone 2 would be the rest of the  
37 Game Management Unit. We would request by special action  
38 that the Innoko Wildlife Refuge and BLM develop an  
39 appropriate amount of moose taken in the winter hunt.  
40 That would most likely be no more than 25% of that quota  
41 and we would submit that at our fall meeting so that the  
42 implementation would take effect in the February/March  
43 season of 2013. And then we would plan on submitting a  
44 proposal for the normal cycle to that effect.

45

46 CHAIRMAN TOWARAK: Thank you, Mr.  
47 Reakoff. Does that answer your question?

48

49 MR. SHARP: (Nods affirmatively)

50



1 CHAIRMAN TOWARAK: Those will be taken in  
2 future considerations. Are there any further Board  
3 discussions with the Council Chairs. If not, then the  
4 floor is open for the Federal Subsistence Board action.  
5 Mr. Sharp.

6  
7 MR. SHARP: Thank you, Mr. Chair. Move  
8 to adopt Wildlife Proposal 10-69 as modified to include  
9 only the area of Unit 21E south of Paimiut Slough as  
10 shown on Map 4 in the analysis.

11  
12 MS. PENDLETON: Second that.

13  
14 CHAIRMAN TOWARAK: There's a motion and  
15 a second on the floor. Any discussion. Mr. Sharp.

16  
17 MR. SHARP: Given the support from the  
18 RACs and the OSM positive conclusion, I think the motion  
19 is fairly straightforward and I don't see giving  
20 deference to the RACs right now -- we're in fine shape  
21 there.

22  
23 CHAIRMAN TOWARAK: Thank you. Any other  
24 discussion or any questions from the Board. Is there a  
25 call for the question.

26  
27 MR. BROWER: Question.

28  
29 CHAIRMAN TOWARAK: The question has been  
30 called for. Roll call, please.

31  
32 MR. PROBASCO: Thank you, Mr. Chair.  
33 Final action on WP10-69 with modifications as noted. Ms.  
34 Smith.

35  
36 MS. SMITH: Yes.

37  
38 MR. PROBASCO: Mr. Virden.

39  
40 MR. VIRDEN: Yes.

41  
42 MR. PROBASCO: Mr. Christianson.

43  
44 MR. CHRISTIANSON: Yes.

45  
46 MR. PROBASCO: Mr. Towarak.

47  
48 CHAIRMAN TOWARAK: Yes.

49  
50 MR. PROBASCO: Mr. Sharp.

1 MR. SHARP: Yes.  
2  
3 MR. PROBASCO: Mr. Brower.  
4  
5 MR. BROWER: Yes.  
6  
7 MR. PROBASCO: Ms. Pendleton.  
8  
9 MS. PENDLETON: Yes.  
10  
11 MR. PROBASCO: And Ms. Masica.  
12  
13 MS. MASICA: Yes.  
14  
15 MR. PROBASCO: Mr. Chairman. Motion  
16 carries unanimously and that concludes action on that  
17 item.  
18  
19 CHAIRMAN TOWARAK: Thank you. The next  
20 item on the agenda is the Kootznoowoo, Incorporated  
21 extraterritorial jurisdiction petition. We have a  
22 scheduled process to go through. We will ask first for  
23 the Staff analysis.  
24  
25 MR. PROBASCO: I've got something.  
26  
27 CHAIRMAN TOWARAK: Go ahead.  
28  
29 MR. PROBASCO: Thank you, Mr. Chair. As  
30 we move into this very important item, I just wanted to  
31 bring everybody's attention that Dr. Steve Fried, who was  
32 the lead author on this working closely with various  
33 Staff from various agencies, particularly Forest Service,  
34 injured himself. He's on the phone. Dr. David Jenkins  
35 will be making the presentation and Dr. Fried will be  
36 ready to answer questions. So that's the process we have  
37 and that's how we're going to proceed.  
38  
39 I believe Cathy has a question.  
40  
41 CHAIRMAN TOWARAK: Go ahead.  
42  
43 MS. NEEDHAM: I have a question regarding  
44 procedure since this is the first time the Federal  
45 Subsistence Board and the Regional Advisory Council have  
46 sat together. In Southeast Alaska, our Regional Advisory  
47 Council is quite interactive when issues are brought  
48 before us in questioning and answering and a few of us  
49 were interested in knowing when it's going to be  
50 appropriate if at each stage as we move through this

1 petition process if we'll have a chance to interact as we  
2 go or is this something that we ask people to come back  
3 to the table and ask questions of later.

4

5                   Since we're going to be making a  
6 recommendation to the Federal Subsistence Board, I know  
7 there's a number of us that have a lot of questions about  
8 the information that we've been previously presented.  
9 We're just looking for some guidance from you on when is  
10 an appropriate time for us to be integrating those  
11 questions.

12

13                   CHAIRMAN TOWARAK: I think that's a very  
14 good question and I think we should -- before we proceed  
15 into facts and figures and information we should outline  
16 a process that we will go through and I'm going to ask  
17 Mr. Probasco to begin that discussion.

18

19                   MR. PROBASCO: Thank you, Mr. Chair. As  
20 we see in our agenda item, the major steps are listed out  
21 as 7 through F. However, as far as how the Board and the  
22 Council should interact, I would recommend that they  
23 interact identically. That when there's opportunities to  
24 ask questions the Council members should feel free to ask  
25 questions the same time the Board does.

26

27                   As far as final action, as you noted, the  
28 Board will do a recess and that will turn it back to the  
29 Council, which is still a public meeting, and they will  
30 develop their recommendation in a public forum. As far  
31 as information collecting when we get to the Staff  
32 report, that's the appropriate time to ask questions of  
33 Staff or other information gathering either amongst  
34 Council members, Board members, to go through that  
35 process. We will have the opportunity to get further  
36 information once we complete the public and tribal and  
37 corporation consultation process before we recess to  
38 gather other issues, other questions, et cetera. So it's  
39 going to be a very open process and I don't think any  
40 Council member should feel that they have to hold back.

41

42                   Thank you, Mr. Chair.

43

44                   CHAIRMAN TOWARAK: I pressed the wrong  
45 button. The meeting is not over.

46

47                   (Laughter)

48

49                   CHAIRMAN TOWARAK: We will proceed then  
50 if there are no other questions on process. We will

1 continue and the floor is open for questions to the Staff  
2 as they make their presentations.

3

4 Mr. Jenkins.

5

6 DR. JENKINS: Thank you, Mr. Chair. As  
7 Mr. Probasco mentioned, Steve Fried, Dr. Fried is not  
8 here to give his presentation, so I'll do the best I can  
9 to work through this. It might be best to hold your  
10 questions to the very end and then you can direct those  
11 questions to Dr. Fried, who will be in a better position  
12 to answer them, I think.

13

14 So I'll just run you through the  
15 presentation of the Staff analysis and then it could be  
16 best to hold those to the very end. We will have  
17 PowerPoint up on the screen behind some of the Board  
18 members and Council members here. I don't know how easy  
19 it will be to look at that. Certainly not for Ken. You  
20 may wish to relocate.

21

22 The Staff report is fairly detailed and  
23 the overview I'm going to give you is also fairly  
24 detailed. It's going to look at the Kootznoowoo petition  
25 and it's the requests and the actions that are requested  
26 for extraterritorial jurisdiction. It's going to look at  
27 the authority and determination of extraterritorial  
28 jurisdiction, have a brief summary of all the information  
29 that's relevant, findings in relation to the  
30 extraterritorial jurisdiction request, some alternative  
31 remedies that the Board may consider and then finally a  
32 summary.

33

34 This report examines the petition  
35 requests and actions in particular that the Secretaries  
36 should exercise extraterritorial jurisdiction to protect  
37 subsistence priority for sockeye salmon for residents of  
38 Angoon and in particular by reducing harvest areas  
39 adjacent to Hidden Falls Hatchery and closing the  
40 hatchery at some point and closing all fishing districts  
41 in Chatham, Icy, and Peril Straits during June, July and  
42 the first couple weeks of August.

43

44 You can see it in the map here or in your  
45 books if you're look -- Board members, you have maps in  
46 your books as well of the areas in question. The  
47 hatchery is at the lower part of the map. It's hard to  
48 see. I'm sorry. What the report didn't examine were  
49 some of the petition requests in particular to dismiss  
50 and discontinue enforcement efforts contrary to the

1 rights and interests and quiet enjoyment of Federal lands  
2 and waters within Admiralty Island.

3  
4           It did not examine the development of a  
5 management plan with sockeye escapement goals and  
6 subsistence harvest guidelines and it didn't examine the  
7 request to require the Forest Service and State of Alaska  
8 to pay mitigation costs for lost harvests to Angoon  
9 residents until the sockeye escapement goals are met.

10  
11           The authority to exercise  
12 extraterritorial jurisdiction resides with the  
13 Secretaries of Agriculture and Interior and here's the  
14 language that describes that authority. The Secretaries  
15 retain their existing authority to restrict or eliminate  
16 hunting, fishing or trapping activities which occur on  
17 lands or waters in Alaska other than public lands when  
18 such activities interfere with subsistence hunting,  
19 fishing or  
20 trapping on the public lands to such an extent as to  
21 result in a failure to provide the subsistence priority.  
22 This language is found in CFR 36 and 50.

23  
24           What can the Federal Subsistence Board  
25 do? The Board is empowered to evaluate whether hunting,  
26 fishing or trapping activities which occur on lands or  
27 waters in Alaska other than public lands interfere with  
28 subsistence hunting, fishing or  
29 trapping on the public lands to such an extent as to  
30 result in a failure to provide the subsistence priority.  
31 After appropriate consultation with the State of Alaska,  
32 Regional Councils and other Federal agencies, the Board  
33 can then make a recommendation to the Secretaries for  
34 Secretarial action. So this is what the Federal  
35 Subsistence Board is empowered to do in this instance, is  
36 to make a recommendation to the Secretaries.

37  
38           The central issue of the petition from  
39 Kootznoowoo is to determine whether State management of  
40 the commercial purse seine fishery interferes with  
41 subsistence fishing on Federal public lands and  
42 associated waters to such an extent as to result in a  
43 failure to provide the subsistence priority to Angoon  
44 residents. So that's the central problem.

45  
46           The analysis breaks the central issue  
47 into three distinct questions. The first question, is  
48 there a Federal subsistence priority for Angoon  
49 residents? The second question, does State management of  
50 the commercial purse seine fishery interfere with

1 subsistence fishing on Federal public lands and  
2 associated waters? And the third question, if there is  
3 interference, does it occur to such an extent as to  
4 result in failure to provide the  
5 subsistence priority to Angoon residents? These are the  
6 three questions that animated the Staff analysis in the  
7 report that the Board members have. There are copies of  
8 it in the back too if other people are interested in  
9 seeing the full report.

10  
11 To address these questions the report  
12 provides the following information and we'll go through  
13 this information in a little bit of detail. It provides  
14 a brief history of subsistence and commercial fisheries  
15 in the area, a summary of Angoon's subsistence practices,  
16 State and Federal management regulations and actions  
17 concerning subsistence and the commercial fisheries and  
18 the assessment of sockeye salmon runs to the systems that  
19 we're talking about. So I'll go through each of those  
20 topics briefly.

21  
22 There's a very brief history. Prior to  
23 1878 salmon fishing access was controlled by Tlingit  
24 matrilineal clans. Between 1878 and 1920s this is the  
25 period of large-scale and poorly regulated commercial  
26 fishing which was focused on and ended up depleting the  
27 sockeye stocks in all of Southeast Alaska. In the 1930s  
28 to 1959 at Statehood, commercial harvests shifted the  
29 focus on pink salmon and those harvests peaked in 1936  
30 and declined through 1959. Finally, after Statehood  
31 until the present, was a period of time in which fish  
32 traps were eliminated, commercial fishery was better  
33 regulated and a limited entry was adopted.

34  
35 For the northern Southeast commercial  
36 purse seine fishery, the issue we're talking about,  
37 here's some statistics over a 10-year period. The total  
38 harvest, a little over 87% was pink salmon, 11% chum, a  
39 half a percent was sockeye, a half percent coho and a  
40 little bit of chinook. The numbers you can see right  
41 below that, 18 million pink, 2 million chum, 115,000  
42 sockeye, a little over 100,000 coho and 8,000 chinook.

43  
44 In the Hidden Falls Hatchery Terminal  
45 Harvest area, this hatchery produces mostly chum as well  
46 as coho and chinook, you can see that the purse seine in  
47 the Terminal Hatchery area 10-year average was a little  
48 over 1 million chum and a little under 3,000 sockeye for  
49 the years between 2002 and 2011.

50

1                   Angoon subsistence. In 2011, there were  
2 466 residents and 167 households and the best data that  
3 we have is from 1996, which is, according to the ADF&G  
4 data, the most representative year in the database and  
5 salmon represent about a 32% of total pounds of fish and  
6 wildlife taken for subsistence, a little under 80% of all  
7 households use salmon and sockeye is used in just under  
8 70% of those households. The total estimated annual  
9 harvest of sockeye from the permit data from ADF&G is 56  
10 to 1,600 salmon based on 1985 to 2008 permit returns and  
11 the expanded data that is trying to take account for  
12 information that wasn't provided back to the state is  
13 somewhere between 1,178 to just under 3,000 between 1996  
14 and 2002.

15  
16                   Angoon has well documented sockeye use  
17 for five systems. You can see them listed here. Basket  
18 Bay, Kook Lake, Sitkoh Bay and Lake, Kanalku Bay and  
19 Lake, Hasselborg River and Salt Lake, and Hanus Bay and  
20 Lake Eva systems. However, I should point out that most  
21 subsistence fishing seems to occur in marine waters,  
22 which are under State jurisdiction and not under Federal  
23 jurisdiction. Here's the map of those particular systems  
24 that I just mentioned.

25  
26                   Angoon residents have a long history of  
27 integrating commercial and subsistence fishing to ensure  
28 adequate subsistence harvest of salmon for household use.  
29 In other words, they would commercial fish in some  
30 portion of that commercial fishery but use for their own  
31 subsistence harvest. Since the late 1980s there's been  
32 an increasing reliance on subsistence fishing for sockeye  
33 since fewer and fewer residents have commercial permits.  
34 You can see in 1990 there were 60 with commercial permits  
35 and down to two residents with commercial permits in  
36 2010. The inference is that this has resulted in a  
37 decrease in their ability to integrate commercial and  
38 subsistence harvest and to get their subsistence harvest  
39 from part of their commercial activity at the same time.

40  
41                   Now looking at a particular system, the  
42 Kanalku Lake sockeye run declined in the late 1990s and  
43 in 2002 it was closed to subsistence fishing by voluntary  
44 agreement between Angoon and ADF&G and the Forest Service  
45 closed the creek to outfitter guides in the area. 2003  
46 to 2007 the voluntary closure remained in effect. There  
47 were, however, a few permits issued and fished. Now,  
48 between 2008 and the present that was the end of the  
49 voluntary closure and permits were issued.

50

1                   However, the annual household limit of  
2 sockeye was reduced from 25 to 15 fish. You can see from  
3 the chart here the average sockeye harvest permit in the  
4 dark bar and the permits issued, you can see the break  
5 between 2003 and 2008 where there was a voluntary closure  
6 and people didn't fish for sockeye in this area. You can  
7 also see on the permits there has been a fairly  
8 consistent over-reporting or reporting over the limits  
9 that have been imposed on these systems so people  
10 apparently are catching more fish than are allowed on  
11 their permits according to this data set.

12  
13                   In other systems at issue, Kook Lake  
14 sockeye, for example, in the late 1990s the run declined  
15 and for the last 10 or 12 years the harvests have been  
16 stable. The annual household limit increased from 15  
17 fish to 30 fish. In the Sitkoh, Hasselborg and Eva Lakes  
18 sockeye from 2000 to the present, the reported harvest  
19 tend to fluctuate, including years in which no harvests  
20 at all were reported. The annual house limits changed at  
21 50 for Sitkoh and Hasselborg and 25 for the Eva systems.  
22 There's a graphic representation of what I just  
23 described.

24  
25                   It's hard to sort out some of this  
26 because the data comes from what's called the Juneau  
27 reporting area and it's often hard to tell where the  
28 residents live in this larger Juneau reporting area. So  
29 we don't break it out in specific residences. It's  
30 difficult to tell.

31  
32                   The Purse Seine Fishery Management Plan  
33 I should mention for the northern Southeast purse seine  
34 plan is the only plan to reference sockeye and it  
35 references in the Hawk Inlet fishery. There's 15,000  
36 sockeye cap for the July harvest in this fishery and the  
37 cap is in place to provide sockeye for gillnet fisheries.  
38 That is not to eliminate all the sockeye for the gillnet  
39 fisheries.

40  
41                   Then in District 12, the Hidden Falls  
42 Hatchery Terminal Harvest area, there are no specific  
43 regulations for sockeye harvest in this district. Chum  
44 and chinook harvest openings are by emergency order and  
45 for no more than two days per week between 15 April and  
46 30 June. After the 1st of July there's the potential for  
47 even greater restrictions on this fishery. Hawk Inlet is  
48 at the top of the map there.

49  
50                   The management strategy for the purse



1 seine fishery targets pink and chum salmon and the  
2 biological escapement goals are in place for the northern  
3 Southeast pinks. Pink abundance is monitored with a  
4 variety of tools, area surveys, sex ratios and so on.  
5 Management during peak pink run has changed in the last  
6 30 years in the 1980s to 2001 two day on and two day off  
7 fishing schedule predominated and then from 2002 to the  
8 present there's been a more flexible schedule. Commonly  
9 four to six days were allowed with specific areas  
10 openings and closures. This spreads out the fishery and  
11 it's a benefit to the processing plant because it doesn't  
12 group all the fish together for the plants and it  
13 maintains a better quality of fish.

14

15 For the Kanalku and the Cook sockeye,  
16 ADF&G has issued emergency orders for several years to  
17 protect this sockeye.  
18 Kanalku is a nine mile nautical portion of the Chatham  
19 Strait shoreline that's closed. For Kook, an area of  
20 about four nautical miles has been closed to purse seine  
21 fishing at various times again by emergency order. You  
22 can see the closed waters in the pink on this map.

23

24 Federal subsistence management Angoon  
25 residents have a positive customary and traditional use  
26 determination for salmon in district 12, Section 12A, and  
27 for all fish in District 12 Sections A and B, all  
28 Federally qualified users in Southeast Alaska must  
29 possess a subsistence fishing permit to take salmon.  
30 There are a few differences, however, between the Federal  
31 and the State permits. The State and Federal waters for  
32 subsistence fishing differ. A Federal permit allows use  
33 of rod and reel. The State doesn't recognize that use.  
34 The Federal permit does not specify closed season and the  
35 State does close its season.

36

37 The sockeye assessment lake conditions  
38 suggest that juvenile sockeye population is limited by  
39 low escapements and not by food availability. In other  
40 words, there's a high zooplankton density in this system.  
41 The inference is that the system could sustain higher  
42 populations of fish, but it's not clear that there's  
43 sufficient spawning habit or I should put it the other  
44 way around, the spawning habitat is unknown in this area.

45

46 The annual spawning escapement estimates  
47 have ranged from 240 sockeye to just under 3,000 sockeye  
48 in 2010. The various weir sites set up and the run  
49 timing of these fish vary from year to year, as early as  
50 the 2nd of July and as late as the 31st of July as you

1 can see there.

2

3                   The Kook sockeye assessment, as with the  
4 lake I just mentioned, conditions suggest juvenile  
5 sockeye population is limited by low escapement and not  
6 by food availability. This lake also has high  
7 zooplankton densities, which the inference is that it  
8 could sustain a higher number of fish. Annual spawning  
9 escapement estimates have ranged from 380 sockeye to just  
10 over 10,000 sockeye in 2006. The run timing is also  
11 variable, early as 27th of June to as late as 20 July,  
12 which you can see there.

13

14                   We have no information concerning the  
15 migratory patterns of sockeye returning to any of the  
16 systems at issue in the Kootznoowoo petition. The  
17 sockeye have to migrate through only a very few places,  
18 Icy and Peril Straits, to enter Chatham Strait from the  
19 north or directly into the southern Chatham Strait. So  
20 sockeye then pass through areas in which commercial purse  
21 seine fisheries occur. In other words, sockeye migration  
22 overlaps with the pink migration and they migrate at  
23 similar depths and they're both then subject to the  
24 commercial purse seine fishery.

25

26                   Okay, what don't we know about the  
27 commercial fishing in sockeye. We don't know the stock  
28 composition of the commercial purse seine sockeye  
29 harvest. Not knowing the stock composition, it's not  
30 possible to estimate total sockeye runs to the systems in  
31 the Kootznoowoo petition. It's not possible to quantify  
32 overall impact of harvests on sockeye escapements. It's  
33 not possible to quantify the overall impact of the  
34 harvest on subsistence sockeye fisheries, nor can we  
35 predict the effect of time in area purse seine openings  
36 and closures on sockeye escapements and subsistence  
37 harvests. Again, because we don't have information on  
38 stock composition of these sockeye systems.

39

40                   What do we know. Indirect evidence  
41 suggests commercial fishing affects sockeye runs. In  
42 District 12, the purse seine openings often overlap with  
43 portions of sockeye escapements. However, there's no  
44 particular trend in District 12 or has no statistically  
45 significant trend in District 12 annual fishing hours and  
46 I'll show you a graph of that in a moment.

47

48                   Note here at the bottom of this slide  
49 fishing time reduced in 2009 and 2010 commercial fishing  
50 time reduced and at the same time sockeye escapements

1 into Kook and Kanalku improved. When commercial fishing  
2 time increased in 2011, sockeye escapements into these  
3 systems decreased.

4  
5 This graph shows the overlap of  
6 escapements and the fisheries and you can see that they  
7 overlap. The solid line is the escapement and then the  
8 dotted lines in different regions of the fishery indicate  
9 the periods of time in which these fisheries open and you  
10 can see that they overlap with the escapement dates as  
11 well.

12  
13 So these are the total hours open for the  
14 commercial seine fishing in northern Chatham Strait. You  
15 can see -- this is where I mention there's no particular  
16 trend line that's statistically significant. It goes up  
17 and down. It looks quite erratic following the pink  
18 runs.

19  
20 So with this background, the questions  
21 that we asked at the beginning, can we answer those  
22 questions with this information that we have in front of  
23 us. Is there a Federal subsistence priority for Angoon  
24 residents? Well, the taking on Federal public lands for  
25 non-wasteful subsistence uses is prioritized under  
26 ANILCA. Angoon residents do have a positive customary  
27 and traditional use determination for salmon in Districts  
28 12 and Sections A and B. Federal and State household  
29 sockeye limits are the same and increased Federal limits  
30 have not been requested. In other words, the Board has  
31 not been asked to increase the Federal limits by the  
32 folks in this area.

33  
34 Federal regulations do provide some  
35 additional subsistence fishing opportunity by allowing  
36 the use of rod and reel gear, which the State doesn't  
37 allow and by not having the closed season, which the  
38 State also does.

39  
40 So there's the first question, is there  
41 a Federal subsistence priority. The second question was  
42 does State management of the commercial purse seine  
43 fishery interfere with subsistence fishing on Federal  
44 public lands and associated waters. The evidence is  
45 inferential that there's an interference and it's  
46 qualitative. Sockeye returning to Federal public lands  
47 migrate through commercial purse seine fishing areas.  
48 Purse seine openings sometimes overlap with sockeye  
49 escapement dates and restricted commercial fishing  
50 appears to be associated with improved sockeye

1 escapement.

2

3

4                   The third question that we asked at the  
5 beginning, if there is interference, does it occur to  
6 such an extent as to result in failure to provide the  
7 subsistence priority to Angoon residents. Again,  
8 evidence for this question to answer this question is  
9 inferential and qualitative.

9

10

11                   Subsistence harvest limits for Kanalku  
12 sockeye reduced due to decreased abundance 25 to 15 fish.  
13 Angoon residents state they cannot harvest sufficient  
14 numbers of sockeye, so there's evidence from their own  
15 petition. Sockeye bound for Kanalku and other systems at  
16 issue are likely caught in the commercial purse seine  
17 fishery.

17

18

19                   Let me mention a couple alternative  
20 remedies under Board authority. The Board could close  
21 Federal public lands and associated waters to other uses  
22 and other drainages used by Angoon residents to harvest  
23 sockeye, which may be a logical first step, but may have  
24 little effect. The Board may increase annual household  
25 harvest limits and Angoon residents may already take more  
26 sockeye than currently allowed as shown in one of the bar  
27 graphs I showed you and increased harvest would have to  
28 be taken in Federal public waters using Federal permits.

28

29

30                   Let me give you a brief summary and then  
31 we'll close here. So Angoon residents are qualified  
32 Federal subsistence users, low sockeye runs have posed a  
33 hardship to these residents attempting to take sockeye.  
34 Most reported subsistence sockeye harvest seemed to occur  
35 in State marine waters as I mentioned in the very  
36 beginning. Sockeye abundance in the systems at issue  
37 seems limited by escapement rather than by juvenile  
38 rearing problems. In other words, there's sufficient  
39 food in these lakes to rear more fish apparently.  
40 Restricting commercial purse seine fishing appears to  
41 allow more sockeye to reach the systems at issue.

41

42

43                   Just to finish up now, the petitioner  
44 requested the Secretaries to exercise extraterritorial  
45 jurisdiction to close and restrict the commercial purse  
46 seine fishery to protect the subsistence priority. The  
47 Secretaries will need to determine whether State  
48 management of the commercial purse seine fishery  
49 interferes with subsistence fishing on Federal public  
50 lands and waters so as to result in a failure to provide  
51 that subsistence priority to Angoon residents.

1                               With that I complete this presentation  
2 and if you have questions you can direct them to Dr.  
3 Fried.

4  
5                               Thank you very much.

6  
7                               CHAIRMAN TOWARAK: Thank you for the  
8 presentation. Any questions of the analysis?

9  
10                              Mr. Hernandez, go ahead.

11  
12                             MR. HERNANDEZ: Thank you, Mr. Chairman.  
13 I have some questions on this sockeye management plan  
14 that's in place. Should I be directing those questions  
15 to Dr. Fried or are we going to have a presentation from  
16 Department of Fish and Game that might be better to  
17 direct those questions to.

18  
19                             CHAIRMAN TOWARAK: There will be a  
20 portion on the agenda where the Department of Fish and  
21 Game will provide comments. I don't know if the  
22 questions are related more to this presentation

23                             MR. HERNANDEZ: Well, one of my questions  
24 will be about the sockeye management plan, which is  
25 mentioned in this presentation, but it's really a  
26 management plan that the Department of Fish and Game  
27 implements. If I have an opportunity to ask those  
28 questions to the Department of Fish and Game I'll hold  
29 off on asking them.

30  
31                             CHAIRMAN TOWARAK: Mr. Adams.

32  
33                             MR. ADAMS: I was just going to suggest  
34 that maybe we should listen to all of the comments on the  
35 agenda here and then we can ask questions after that's  
36 all done.

37  
38                             CHAIRMAN TOWARAK: There will be  
39 sufficient opportunities to ask questions both from the  
40 Board and from the Regional Council. With that, we will  
41 open the floor. If you feel it's specific to statements  
42 being made to a particular presentation such as our Staff  
43 just did, feel free to ask a question.

44  
45                             MS. NEEDHAM: Thank you, Mr. Chairman.  
46 My question is on the Staff analysis. I noticed that you  
47 presented some alternative considerations for the Federal  
48 Subsistence Board and I'm wondering if the Regional  
49 Advisory Council is going to be making a recommendation  
50 to the Board and I'm interested in knowing if we

1 recommend -- if we develop certain management actions  
2 that we think would actually benefit this without  
3 extending extraterritorial jurisdiction, if there's any  
4 way to implement those management actions later. There's  
5 no preconceived notions here. I'm not saying we're not  
6 going to do anything. I'm just trying to get a feel for  
7 this up front. If we recommend not to extend  
8 extraterritorial jurisdiction, does that mean it's a case  
9 closed and the fishery is managed as is?

10

11 DR. JENKINS: It's not a matter of case  
12 closed if you choose not to recommend because it's going  
13 to be the Board's determination to recommend to the  
14 Secretaries how to proceed. The Board will make that  
15 recommendation based on the totality of the evidence that  
16 they have in front of them. But you can certainly make  
17 your own recommendations to the Board and they'll take  
18 that seriously I'm convinced. So it won't stop it at  
19 that point.

20

21 CHAIRMAN TOWARAK: For the record, I'd  
22 like to know if Mr. Fried is on the phone and available  
23 to answer any questions that might come up.

24

25 MR. PROBASCO: Steve, are you there?

26

27 CHAIRMAN TOWARAK: I know at times  
28 there's been some complications we experience when trying  
29 to connect people to our teleconference.

30

31 DR. FRIED: This is Steve. Can you hear  
32 me now?

33

34 CHAIRMAN TOWARAK: Yes, we could.

35

36 DR. FRIED: Just for the record my name  
37 is Steve Fried. I'm a Fisheries Division supervisor for  
38 the Office of Subsistence Management. I'm in Anchorage.  
39 I apologize for not being there.

40

41 CHAIRMAN TOWARAK: Thank you, Mr. Fried.  
42 If there are any questions that are directed to you, I'm  
43 going to ask those on the Board and RAC to address them  
44 specifically to you.

45

46 Go ahead.

47

48 MS. PHILLIPS: Thank you, Mr. Chair. On  
49 the assessment of sockeye salmon runs to systems of this  
50 interest on Page 11, you talk about it appears sockeye

1 fry populations in Kanalku and Kook Lakes have been  
2 limited by low escapements rather than by food  
3 availability. Based on zooplankton abundance, what is an  
4 estimated carrying capacity for Kanalku?

5  
6 DR. FRIED: Mr. Chair and members of the  
7 Board. The study that I cited didn't come up with an  
8 estimate. All they looked at were fry densities and  
9 plankton densities and just based on that they found that  
10 the sockeye fry density was very low, the zooplankton  
11 density was very high. So, by inference from that, if  
12 you could put more fry in both those systems, there's  
13 enough food there and by -- the question then is if there  
14 enough spawning area that they can have enough spawners  
15 in there to generate enough fry to put more fry in the  
16 lake and that we don't know. Nobody really did an  
17 estimate of what the total carrying capacity of fry might  
18 be. It's just in relation to other lakes, other sockeye  
19 lakes, it certainly seems like they can support more fry.

20  
21 MS. PHILLIPS: Thank you. Dr. Jenkins  
22 said the resident harvest was not broken out. Would  
23 resident harvest include sport harvest? Is sport harvest  
24 restricted in this Kanalku system?

25  
26 DR. FRIED: I think what Dr. Jenkins was  
27 referring to was when he showed those graphs of the  
28 average household subsistence harvest and just indicating  
29 that the data we had was for the system, which is in the  
30 Juneau management area and it wasn't broken down by  
31 community. Now we do have some information in the report  
32 in some tables that shows, as far as we can tell from the  
33 permit data, what people in Angoon harvest.

34  
35 If you look at Table 3 on Page 40, we can  
36 see the total number of sockeye salmon harvested by  
37 Angoon residents based on returned permits in one column  
38 and then an expanded estimate, which is based on also  
39 estimates of what was caught by people that didn't return  
40 their permits. It didn't include if there was any kind  
41 of adjustment to account for underreporting. So a lot of  
42 the study, a lot of the papers we looked at indicated  
43 that catches were underreported and when they went and  
44 did household surveys it appeared that there were more  
45 sockeye being taken than were reported even on the  
46 permits. I think there were some estimates that said it  
47 might be as much as 30 percent more.

48  
49 CHAIRMAN TOWARAK: We'll do Cathy first.  
50

1 MS. NEEDHAM: Thank you, Mr. Chairman.  
2 My question is -- a lot of the information that was  
3 presented regarding sockeye harvest by the community of  
4 Angoon was based on permit return data and something that  
5 we heard on the Southeast Regional Advisory Council over  
6 the years is that need by the community cannot be  
7 measured by harvest of the community. So I'm wondering  
8 if there's any data or information available regarding  
9 Angoon's documented need for sockeye out of these  
10 systems.

11  
12 DR. FRIED: For some reason your  
13 microphone is distorting and I can't -- I didn't  
14 understand all the question. Maybe David or somebody can  
15 paraphrase that again for me.

16  
17 MS. NEEDHAM: Can you hear me clearer  
18 now? My question is something that the Southeast  
19 Regional Advisory Council has heard over the years is  
20 that need by communities for sockeye can't necessarily be  
21 measured or judged by the amount of harvest that's  
22 reported on a permit, so I was wondering if the analysis  
23 is taking into consideration or if there's any data  
24 available documenting the need of subsistence sockeye by  
25 the community of Angoon.

26  
27 DR. FRIED: If I understand the question  
28 correctly, our report is based only on what we can glean  
29 from either agency reports, published information in  
30 journals and books and also the data that was provided to  
31 us from databases from the State of Alaska. Basically  
32 their subsistence permit system and also their commercial  
33 harvest fish ticket system. Hopefully from the public  
34 testimony the Board will be able to gather a lot of other  
35 information because we didn't go out and speak to  
36 subsistence users or commercial fishermen or the State  
37 managers. We just did a report on basically easily  
38 gathered information that should be available to anybody.

39  
40 CHAIRMAN TOWARAK: Mr. Rodriguez.

41  
42 MR. HERNANDEZ: Thank you, Mr. Chairman.  
43 This is Mr. Hernandez. I also had some questions on  
44 permit information. Page 6 of the report dealing with  
45 Angoon subsistence, second paragraph, states Most of the  
46 waters fished by residents of Angoon appear to be marine  
47 waters, which are under State jurisdiction. However,  
48 locations provided from State permits indicate harvests  
49 may also occur in some inland waters.

50



1 In reading through the report, I see no  
2 Federal permit data that indicates how many fish were  
3 caught in Federal waters. Maybe I missed that. You can  
4 steer me in the right direction if I've missed it. The  
5 only thing I found on that is this statement which says,  
6 however, locations provided from State permits indicate  
7 harvest may also occur on some inland waters, which is  
8 pretty vague information. I wonder if there's any more  
9 information that we can see on inland waters.

10  
11 DR. FRIED: Mr. Chair and Board members.  
12 Yeah, that was quite a frustrating exercise I think for  
13 us and the State of Alaska. If you look at Table 4 on  
14 page 41, the divisions aren't all that helpful. I mean  
15 Kanalku Bay you can sort of assume are marine waters.  
16 Kanalku Lake Creek, I mean it's kind of hard to tell  
17 whether that's State or Federal waters. Most of the  
18 information we could find was really not specific enough  
19 to really make that sort of a determination by any of the  
20 Staff. It might be something that comes out of public  
21 testimony.

22  
23 MR. HERNANDEZ: Thank you. That might be  
24 a good question to ask residents of Angoon. So I  
25 appreciate that.

26  
27 CHAIRMAN TOWARAK: Go ahead.

28  
29 MR. WRIGHT: My name is Frank Wright. I  
30 was just wondering about a time of fishing because in the  
31 Chatham area where we fish in Pt. Augusta, we probably  
32 don't start fishing there until around the 20th of June.  
33 That's a one-mile stretch, plus we've got maybe a half a  
34 mile off shore, so a half mile stretch. That's when we  
35 have boats fishing there, but we never get to fish the  
36 Hawk Inlet shore until probably in late July or something  
37 like that. I'm just curious of escapement that comes  
38 through there because we rarely catch anything in July in  
39 the Hawk Inlet shore. So I'm wondering how the  
40 escapement is measured there.

41  
42 DR. FRIED: Mr. Chair. In the management  
43 plan, there's actually a cap on how many sockeye can be  
44 caught by the purse seine fishery in July in that Hawk  
45 Inlet fishery. I think it's the belief that most of  
46 those fish that are being caught there, the pinks and  
47 maybe the sockeye, are heading north rather than south.  
48 Without any kind of eggng study or genetic study to look  
49 at catches, it's hard to say. All we can say and that we  
50 said in the report is that there's only a few places that

1 sockeye can come in from the Gulf and enter Chatham  
2 Straits and they probably pass in the same areas that the  
3 purse seine fishery occurs. The purse seine fishery does  
4 take sockeye salmon. It's obviously targeted on pinks  
5 and chums, but they do take some sockeye, but we don't  
6 really know where those sockeye are headed.

7  
8 MR. WRIGHT: If there's no genetic study  
9 on the fish that are going into any of the systems down  
10 by Angoon, so there's no way to determine where the fish  
11 are coming from or where they're going. I know when I do  
12 fish Hawk Inlet shore, it's always setting to the north.  
13 I never set to the south. There's definitely a lot of  
14 questions that need to be answered.

15  
16 I took some notes a while ago and there  
17 were some issues on the presentation that said we didn't  
18 know, so that kind of concerns what we're dealing with.

19  
20 DR. FRIED: Is there a question or just  
21 some statements trying to clarify it? I mean all we did  
22 was try our best based on what we could gather. About  
23 the best we could do was say, yeah, there's overlap,  
24 yeah, there's both sockeye -- you know, sockeye are  
25 caught in the purse seine fishery. Without that sort of  
26 data from tagging or genetics, actually we really can't  
27 quantify what the effect of those commercial catches are.  
28 It would be hard to say that no sockeye bound for Kanalku  
29 and Kook and those other ones aren't caught somewhere in  
30 that purse seine fishery, but we have no way to know how  
31 many, when, is it all throughout the purse seine fishery  
32 or certain times of year, certain locations. We don't  
33 have that sort of information for that detail.

34  
35 MR. WRIGHT: Okay, thank you.

36  
37 CHAIRMAN TOWARAK: We had a question from  
38 Mr. Kitka first and then we'll go to Ms. Pendleton.

39  
40 MR. KITKA: Thank you, Mr. Chair. My  
41 question is basically about the same as Frank Wright, but  
42 basically the estimates of purse seine sockeye or purse  
43 seine stock. Specific catches were not available. That  
44 was in the third paragraph on Page 15 and I just was  
45 wondering why that wasn't available.

46  
47 DR. FRIED: Where on Page 15 are you  
48 looking at?

49  
50 DR. JENKINS: It's the third paragraph,

1 Steve.

2

3 DR. FRIED: Oh, the one about if there's  
4 interference, does it occur to such an extent, that  
5 paragraph under that?

6

7 DR. JENKINS: Yes.

8

9 DR. FRIED: I mean we don't -- like I  
10 said before, there's no estimates of what was caught out  
11 of each specific sockeye system. There seems to be some  
12 sort of relationship to whether or not there's a good  
13 pink salmon run and an awful lot of fishing time to what  
14 the escapements are in two of those systems. What  
15 happens when the pink runs are poor and there's a lot of  
16 closures. I mean last season it was a particularly huge  
17 pink salmon run. The escapements in Kook and Kanalku  
18 weren't all that wonderful. The two previous years of  
19 the fishery there wasn't as much fishing time. There  
20 were more closures. The pink salmon runs weren't as  
21 strong. The escapements of both those systems for  
22 sockeye were both better, so there used to be some  
23 association. That's the best we could do with the  
24 information we had.

25

26 CHAIRMAN TOWARAK: Ms. Pendleton.

27

28 MS. PENDLETON: Thank you, Mr. Chair.  
29 Dr. Fried, this is Beth Pendleton and I think just to  
30 kind of continue the thread of conversation from the two  
31 previous RAC members, I was curious -- you know, it  
32 appears in the analysis that we really don't have very  
33 good information on the origin of the sockeye salmon that  
34 are caught in the northern Chatham Straits purse seine  
35 fisheries. Can you help us understand what would be  
36 entailed, cost and methodology, to complete that kind of  
37 baseline information and also how we might go about  
38 conducting annual monitoring of the fisheries to get that  
39 information.

40

41 DR. FRIED: It's certainly possible, but  
42 it's probably also probably quite expensive. The first  
43 thing you need to do is get a baseline sample from all  
44 the sockeye stocks, you know, the spawners, so you know  
45 what each sockeye stock looks at. Usually a genetic slab  
46 will try to find some characteristics that will break  
47 those stocks down so that there's a good chance of being  
48 able to differentiate among all those stocks. Usually  
49 for sockeye stocks that usually possible. I think  
50 southern Southeast there might be some studies actually

1 going on with genetics that look at things like that.

2

3                   So the first thing to do would be to  
4 collect the baseline, analyze the baseline and see which  
5 stocks can be discriminated. Then what you have to do is  
6 sample the purse seine fishery. Take samples from  
7 different areas and different times. One, overall, you  
8 could find out just how many -- make an estimate of how  
9 many sockeye in each of those stocks are being harvested.  
10 It will also allow you to see whether or not there's any  
11 kind of pattern over time or pattern among areas where  
12 the sockeye from those systems is there all the time. I  
13 mean that would give a manager information as to whether  
14 or not if they closed it a certain week or in a certain  
15 area that would be of more benefit than just closing the  
16 whole fishery.

17

18                   We also get that sort of information from  
19 tagging, but that's probably the more difficult. I mean  
20 you have to actually put a physical mark on the fish and  
21 you'd have to do that to the smolt, so you're looking at  
22 something like some other small tag to differentiate them  
23 and essentially do the same thing. Every system would  
24 have a unique tag and then you'd have to go and sample a  
25 commercial fishery. It's a thoroughly involved process.  
26 It's possible, but time consuming and expensive.

27

28                   CHAIRMAN TOWARAK: Mr. Ackerman.

29

30                   MR. ACKERMAN: Thank you, Mr. Chair. We  
31 had a decrease in both runs on the Chilkat and Chilkoot  
32 side of sockeye last year. The people that were affected  
33 were the gillnetters who noticed that after the seine  
34 opening that the waters went pretty quiet. One gentleman  
35 fished for eight hours and caught four fish with his  
36 gillnet boat. Some of the subsistence users commented  
37 that they put their net in the river for four or five  
38 hours and didn't catch any fish. So it appears possibly  
39 that a substantial amount of the sockeye could have been  
40 intercepted in the Chatham Strait seine fishery, but,  
41 like you said, you don't know which fish are going where  
42 because you need to do a genetic study or tag them or  
43 something to that effect. But, yes, we did notice a  
44 decline of the sockeye last year.

45

46                   Thanks.

47

48                   CHAIRMAN TOWARAK: Mr. Adams.

49

50                   MR. ADAMS: Thank you, Mr. Chair. On

1 page 15 of the report it addresses, you know, alternative  
2 remedies for the Board to take action on. One of them  
3 was to close these areas to all fishery -- all users  
4 groups. The other one was to increase the annual harvest  
5 of household. My question is that under alternative two,  
6 if you keep it open to all of the user groups and then  
7 increase the annual household harvest say from 15 to 20,  
8 would there be a conservation concern allowing all of the  
9 user groups and the increase, you know, in household  
10 harvest to cause a conservation concern.

11  
12 DR. FRIED: Mr. Chair. Mr. Adams. That  
13 would be something that would have to be determined  
14 before you did that, was whether or not any increase in  
15 harvest would be sustainable by those stocks. I think we  
16 just wanted to point out that extraterritorial  
17 jurisdiction was just something that the Board can make  
18 a recommendation on. Two things we can come up with that  
19 the Board can actually do through the regulatory proposal  
20 process would be to have closure type for users or to  
21 modify household limits. Whether or not doing either of  
22 those would be very effective and how much of an  
23 additional harvest could be sustained, we didn't really  
24 get into that. We just wanted to point out that those  
25 were two options.

26  
27 CHAIRMAN TOWARAK: Thank you. Any other  
28 questions. Go ahead.

29  
30 MS. PHILLIPS: Thank you. On Page 31 and  
31 32 it shows the Kanalku Lake sockeye salmon escapement  
32 and seine harvest on 31 and then sockeye salmon  
33 escapement on 32. Is there a pattern of specific run  
34 timings on Kanalku sockeye and are there several run  
35 timings in there or is the run timing sporadic over the  
36 season?

37  
38 DR. FRIED: I think David kind of touched  
39 on that a little bit, but it can vary by three or four  
40 weeks when the first sockeye show up at Kanalku and even  
41 Kook and when half the run comes in. I mean you can have  
42 early runs, late runs. There's some variability and it's  
43 within a several week period, probably two or three  
44 weeks.

45  
46 MS. PHILLIPS: Yes, Mr. Chair. On Page  
47 31, when there is a seine opening in 112-16, it shows low  
48 escapement and then when there's no seine openings, I  
49 mean that's the inference you're talking about, but we're  
50 showing a greater salmon escapement when that 112-16

1 isn't opened.

2

3 DR. FRIED: We sort of pointed out  
4 several times, I mean, you know, the data is very  
5 qualitative, inferential that heavy seine fishing seems  
6 to have some effect on lowering the escapements, but  
7 escapements also go up and down in relation to  
8 environmental conditions, so there's a lot of factors  
9 that do go into it. We just have the example of the last  
10 three years and what we saw and there seems to be some of  
11 that correlation between lower escapements, harder  
12 fishing, a little bit higher escapements.

13

14 CHAIRMAN TOWARAK: Any further questions  
15 of the Staff. Go ahead.

16

17 MR. WRIGHT: Thank you, Mr. Chairman. On  
18 Page 36 I was looking at this graph here and I think I  
19 did my dates wrong. On the 2010 I don't think we even  
20 opened up Hawk Inlet shore, so I'm just curious about  
21 that graph here. Maybe I'm reading it wrong but we  
22 fished Pt. Augusta and then Chatham Straits was shut  
23 down, so I'm just curious about this graph if I'm reading  
24 it right, 2010. It says total hours open for commercial  
25 seine fishing at northern Chatham Straits. Page 36.

26

27 DR. FRIED: It showed actually very low  
28 total hours fished. C11 had the most total hours since  
29 1980.

30

31 CHAIRMAN TOWARAK: Did that answer your  
32 question?

33

34 MR. WRIGHT: Yes.

35

36 CHAIRMAN TOWARAK: Any further  
37 discussions or questions. Go ahead, Mr. Kookesh and then  
38 Kitka.

39

40 MR. KOOKESH: Thank you, Mr. Chairman.  
41 I have a question from Kootznoowoo's general manager.  
42 Will you be available, you and doctor -- is it Dr. Fried?  
43 Will you be available to answer any questions when  
44 Kootznoowoo does their presentation tomorrow possibly?

45

46 MR. PROBASCO: They'll be here, Mr.  
47 Kookesh.

48

49 CHAIRMAN TOWARAK: Mr. Kitka, you had a  
50 question? No. Anybody else? Mr. Hernandez.

1 MR. HERNANDEZ: Table 1 on Page 37,  
2 northern Southeast Alaska annual commercial purse seine  
3 harvest. What areas are these numbers taken from? What  
4 districts do northern Southeast encompass in this graph?  
5  
6 DR. FRIED: The graph on Page 37?  
7  
8 MR. HERNANDEZ: Yes.  
9  
10 DR. FRIED: It's data we got from  
11 Department of Fish and Game, so it's all the districts in  
12 northern Southeast that they consider northern Southeast  
13 for the purse seine fishery.  
14  
15 MR. HERNANDEZ: Thank you. I'll ask Fish  
16 and Game that question then.  
17  
18 CHAIRMAN TOWARAK: Are there any other  
19 questions. Last call.  
20  
21 (No comments)  
22  
23 CHAIRMAN TOWARAK: Thank you. Thank you  
24 to the Staff. The next portion we're going to go through  
25 and we're following, for the information of our full  
26 Board, our normal procedures are different than we're  
27 typically used to. We're going to follow the agenda as  
28 it is.  
29  
30 The next item on the agenda is the State  
31 of Alaska comments on ETJ.  
32  
33 DR. FRIED: (Indiscernible) is just for  
34 District 12. It's in northern Chatham. That's just for  
35 District 12.  
36  
37 MR. PROBASCO: Repeat your answer, Steve,  
38 please.  
39  
40 MR. HERNANDEZ: I heard District 12 only.  
41  
42 DR. FRIED: The question, I think, was  
43 for that figure that shows total fishing time and that  
44 was Figure 6.  
45  
46 MR. HERNANDEZ: Correct. That's the  
47 question, yeah.  
48  
49 DR. FRIED: Asking what districts it was  
50 for. The statistical areas are given there, but it's

1 essentially District 12, the statistical areas within  
2 District 12.

3

4 CHAIRMAN TOWARAK: Does that answer the  
5 questions then?

6

7 MR. HERNANDEZ: Yes, thank you.

8

9 CHAIRMAN TOWARAK: Before the State comes  
10 up here again I'd like to explain to the public that the  
11 public will be next after the State of Alaska gives their  
12 information. Mr. Jackson will be the first on our  
13 agenda. Will the State please.

14

15 MR. HEPLER: Good afternoon, Mr.  
16 Chairman. Council members, Board members. I apologize  
17 for my little snafu there when you asked me to introduce  
18 Staff. I'm getting close to being an elder, so I guess  
19 I should get some leeway forgetting almost my own name,  
20 so it was no disrespect to the Staff I forgot.

21

22 Also, Mr. Thomas, I want to thank you for  
23 inviting us into this fine building. We appreciate that,  
24 sir. And also just for some -- the last time I was in  
25 front of you, Mr. Chairman, I think it was last summer.  
26 At that time I got introduced as a temporary lead for the  
27 Department of Fish and Game. Now that temporary is gone  
28 and I'll be the permanent lead, Mr. Chairman, so  
29 hopefully I'll have some time to spend with everybody  
30 here.

31

32 Our presentation is going to be fairly  
33 short. I think the Staff just went through a very  
34 detailed presentation, which we appreciate. I have a  
35 number of people with me because I want to be sure that  
36 the Council members and the Board members and members in  
37 the audience get all the information you need. A lot of  
38 the questions you were asking were directly related to  
39 the management of the fishery, so I have the primary  
40 people here who actually know a little bit more about  
41 this than I do, Mr. Chairman.

42

43 What I want to do is I just want to set  
44 the stage. The first thing I want to do is that we're  
45 here because we have a lot of common interest. I've been  
46 involved ever since the get-go when this came over to the  
47 Federal side with fisheries. Pete, I think at that time  
48 you were still down on the rock in Kodiak, but the  
49 management, we appreciate -- you've heard some of it  
50 today from people. You'll probably hear some more of it



1 tomorrow from people.

2

3                   The main thing that brings us together as  
4 agencies as well as Council members is that we believe  
5 it's the same resources, we believe in providing  
6 subsistence opportunities and also believe in the  
7 sustainable fisheries. A number of the Council members  
8 and the RAC, for example, participate in commercial  
9 fishing and we certainly recognize that we all know how  
10 important it is to the state of Alaska.

11

12                   When I was doing my background, when I  
13 got in this a couple weeks ago and was invited to do  
14 this, I had to go back and refresh my memory because the  
15 last time I was around was when the discussion came up in  
16 Area M. So I had to go back and look at the four  
17 fundamental questions that I'm sure Ken is going to be  
18 briefing you guys on probably on Friday. I think a  
19 couple of these got addressed by the Staff in their  
20 report. I'll read them to you as you go through them.

21

22                   By the way, does everybody have a hard  
23 copy of this report? Okay, thank you. I had to get my  
24 mind focused on how do you get from point A to point B in  
25 this legally. My presentation is not meant to be do this  
26 because there's a lot smarter people than me here. I'm  
27 not a lawyer. I didn't sleep in a Holiday Inn last night  
28 to be a lawyer. But as you go through these things, I  
29 read these things and I went back through and I read the  
30 Staff report to see if I could make some of these  
31 connections.

32

33                   As you glaringly saw yourself, it's real  
34 difficult to find some information on the Federal fishery  
35 in public waters. It's buried inside of what's happened  
36 in the State waters. Based on that, at least my own  
37 perspective, this is my own opinion it was real difficult  
38 for me to go back and show this cause and effect. That  
39 also would help show us once we understand that what some  
40 of the solutions are. That's primarily what I wanted to  
41 talk about today with you is not so much legally what the  
42 State thinks one way or the other, what we may think in  
43 associated waters or not. There's another time and place  
44 for that.

45

46                   The message I wanted to bring you today  
47 and Commissioner Campbell will be bringing you today is  
48 that we want to look for positive things to help this  
49 community. This is an ongoing issue. This isn't  
50 obviously the first time we've talked about it. We don't

1 want this -- and what are the things we can do to make  
2 sure this doesn't happen in the future.

3  
4 I think the Staff report gave a real good  
5 representation where we run the State fishery. I think  
6 presently right now Angoon focuses on Kanalku, but before  
7 that there was a suite of stocks that they've used in the  
8 past. These are set by different bag limits. It's at 15  
9 presently right now. I think we have a very good  
10 effective and I'd almost say an excellent reporting  
11 system. Some people would talk about the compliance  
12 within that, but I think the reporting system is probably  
13 as good as any we have across the state.

14  
15 The seine fishery, which is really the  
16 primary thing we were discussing about, I'm not going to  
17 spend a lot of time and detail on this because Kevin is  
18 here and he's a manager and he can explain this to you.  
19 When I go back through and look at the data, what I see,  
20 what the take-home message for me is, that about 80  
21 percent of the harvest, typically subsistence harvest  
22 that's completed for these major seine openings,  
23 happened. That's not done by mistake. That's done by  
24 design. In addition to that, there's conservation areas  
25 closed at the mouth of the bays of Basket and Mitchell  
26 for the same reason, protect those sockeye stocks.

27  
28 We've also been real active working with  
29 the Forest Service in partnership and also Fish and  
30 Wildlife Service on a variety of projects. One in  
31 particular, which is still ongoing, is Kanalku Lake.  
32 You've heard we need to get more spawning fish into the  
33 system. We agree with that and so does the Forest  
34 Service. We went back through a number of years ago with  
35 the legislature and Representative Thomas found some  
36 money for us to go back and partnership the Forest  
37 Service to take out some blockages and improve passage.  
38 So far on the project the NEPA side was done, which is  
39 fairly extensive when you get on Forest Service land.

40  
41 In addition to that, the engineering is  
42 done, so the idea is we're going to go back in 13 and  
43 take out the blockage itself and that should provide a  
44 boost to that system we hope. We've also partnershiped,  
45 LaVerne, with some of your staff on some of these smaller  
46 stocks, Doug, and some of the work that he's done, which  
47 we appreciate.

48  
49 The main thing I want to talk about is  
50 what can we do for the future. You've heard a lot of

1 concern is that we don't know the stock of these major  
2 systems, the major sockeye stocks, as we move through  
3 this same fishery. We think the best way to get that is  
4 through genetic stock identification. As alluded to,  
5 Steve talked about, it's a very expensive proposition,  
6 but it's one that we support as a Department and we want  
7 to go back in and we go back the next budget cycle and  
8 throw in the increment list.

9  
10                   Realizing anybody who's been through the  
11 budget process the State -- you know, the government has  
12 to sign off on that before it finally goes forward. Jeff  
13 with me, he'll give you the nod that this is something  
14 that we truly want to do and certainly talking to some of  
15 the same people that I think they will support the same  
16 information.

17  
18                   Some of these smaller stocks also -- I  
19 think it's mentioned in the Staff report that there's no  
20 escapement goals set for those and that's true. Our  
21 intent though is to try to partnership with the State and  
22 potentially some of the other Federal partners and see if  
23 we can increase the database and try to get some  
24 sustainable escapement goals. We can explain a little  
25 bit more about what that means to you if you want and we  
26 can have further discussions.

27  
28                   But all these things I think would help  
29 us lead us to the fact what's the harvest rate on these  
30 small stocks. Is it harvestable surplus, is it not,  
31 what's it doing for subsistence or not. The other thing  
32 that is good news is that -- and if once we get the  
33 passage fixed in Kanalku Lake, we think it's a prime  
34 candidate to jumpstart that system through supplemental  
35 production. We think we can take an egg take there and  
36 take those eggs over to Snettisham, raise them as fry and  
37 put them back in the lake as a food source as Dr. Jenkins  
38 and others have told you.

39  
40                   You've also talked about the difficulties  
41 trying to tease out really what the amount necessary is  
42 for people who live in Angoon because it's blended in  
43 with some people in northern Chatham Straits including up  
44 in the Juneau area for the amount necessary. We realize  
45 the Board has a proposal in front of them a couple years  
46 to deal with this. This is, I guess, just a recommitment  
47 from us is that we will go through back again -- this is  
48 coming from Hazel Nelson, Director of Subsistence  
49 Division. We want to go back again and refine that ANS  
50 amount. That's going to help us such as more information

1 to be sure. We're hoping at that point then we'll have  
2 better information to show whether those needs are really  
3 being met or not.

4  
5 This next one -- I'm hoping, as members  
6 of the public come up and talk, I hope what you hear from  
7 the fishing community is that we're all neighbors, we  
8 want to open our minds, what are some collective new  
9 ideas we can think of to help out Angoon. As you've  
10 heard me say and the Staff report is that Angoon village  
11 has lost a lot of the fishing permits. They're not there  
12 anymore. I think there's two permits left. They don't  
13 have the same methods and means as they did when they had  
14 the same permits in that village to actually go out and  
15 collect fish like they used to.

16  
17 Is there any way then that maybe we can  
18 help -- we being, I'll speak maybe for Bobby T. -- and go  
19 out and try to get some boats in and try to get potential  
20 transportation out in some of these areas. That's a  
21 quick fix. It's not a long-term fix, but it's a way that  
22 maybe we can get things moving.

23  
24 The Staff report we agree with. If you  
25 go back historically, the majority of the harvest seine  
26 and subsistence have been in State waters. Typically 95  
27 percent, maybe even 100 percent, some systems are that  
28 way. We feel that we've taken prudent actions to provide  
29 this opportunity for the residents as well as  
30 conservation of small stocks. We continue to be  
31 committed to working with Angoon, the Council and also  
32 the Board to try to find some solutions.

33  
34 The things we're talking about here,  
35 regardless of what happens to the petition, what the  
36 Board does with that you'll do in your own good judgment,  
37 whatever the Secretaries decide to do, they'll do that in  
38 their own good judgment, but these are things which we  
39 want to take care of. This is an Alaskan problem. I'm  
40 hoping as an Alaskan community we can resolve this in the  
41 state honestly. That's what should happen.

42  
43 Mr. Chairman, we have Staff to answer  
44 those questions. We truly are sincerely standing in  
45 front of you trying to help you. If there's a place we  
46 can get the Board as far as additional opportunities for  
47 Angoon, we certainly want to work on that with you.

48  
49 Mr. Chairman.  
50

1 CHAIRMAN TOWARAK: Thank you. Would the  
2 other Staff wish to add anything to what he's said.

3  
4 MR. HEPLER: Mr. Chairman. Yeah, I think  
5 if there's specific questions -- I know it's getting late  
6 in the day and, as Pete said, we have to leave here at  
7 5:00, so I just think we'll be here to answer questions  
8 as much as we can.

9  
10 Mr. Chairman.

11  
12 CHAIRMAN TOWARAK: Thank you. Any  
13 questions. Go ahead.

14  
15 MS. NEEDHAM: Thank you, Mr. Chairman.  
16 I noticed in your presentation that some of the future  
17 activities -- and we heard this from -- the Southeast  
18 Regional Advisory Council heard this from Ms. Yuhas  
19 earlier in our meeting, that the State is going to move  
20 forward with genetic stock identification, which is a  
21 drastic information need. I'm wondering how long from  
22 today would it take to get enough information on genetic  
23 stock ID to be able to develop escapement goals for these  
24 systems. Like what's the estimated time frame to do  
25 something like that?

26  
27 MR. REGNART: Through the Chair. Jeff  
28 Regnart, director of Commercial Fisheries. Basically we  
29 like to collect about three years of information. That's  
30 kind of been standard throughout the State when we go in  
31 and do GSI work to try to be able to differentiate out  
32 catch rates, exploitation on stocks, and then be able to  
33 build a total run to these various sockeye systems that  
34 we're talking about. So that would be my best guess at  
35 this point, is we'd want to collect about three years.  
36 There might be some variability in the run size during  
37 those three years, which helps us get an idea on an  
38 average of what's happening. With that we can go ahead  
39 and not only build the total run table, but improve  
40 escapement goal management and also maybe refine how we  
41 manage the fisheries that the fish are passing through.

42  
43 Mr. Chair.

44  
45 CHAIRMAN TOWARAK: Thank you. Go ahead.

46  
47 MS. NEEDHAM: So three years, given maybe  
48 a couple extra seasons. My real question is how long  
49 until we get escapement goals put in for these systems?  
50 So how long does that process take as well?

1 MR. REGNART: Through the Chair.  
2 Actually pretty quickly after we get collect the  
3 information. We typically like to do escapement goals on  
4 a Board cycle. We just had a Board cycle. We would have  
5 a couple years of information depending on when we got in  
6 the water before the next Board. That might be pushing  
7 it a little bit. Once we collect the information it  
8 doesn't take us long to develop goals. Months, not  
9 years. Mr. Chair.

10  
11 CHAIRMAN TOWARAK: Any further questions.  
12 Go ahead.

13  
14 MS. PHILLIPS: Thank you, Mr. Chair. On  
15 future activities it says review current ANS for Angoon  
16 specific needs. Is that what ANS means, is Angoon  
17 specific needs?

18  
19 MR. REGNART: Amount necessary. What  
20 we'll do when we go in and review for the Board of Fish,  
21 the Board of Fish actually sets the ANS for various  
22 fisheries across the state for various areas. The problem  
23 we've heard is that this is a large area encompassing  
24 some large population bases, i.e. Juneau. We think with  
25 the refinement through the permit process that we'll be  
26 able to bring information to the Board that they could  
27 then potentially adopt an ANS specifically for the  
28 community of Angoon and I think that would be a more  
29 refined product to understand what the needs are there in  
30 that community.

31  
32 CHAIRMAN TOWARAK: Go ahead.

33  
34 MS. PHILLIPS: Thank you, Mr. Chair. Is  
35 there any consideration of compacting or cooperating or  
36 partnering with the Angoon Community Association to do  
37 these ANS's?

38  
39 MR. REGNART: Through the Chair. Most  
40 definitely. Actually that's been the most successful way  
41 we've found to be able to collect this information is  
42 through a cooperative process with local tribal  
43 government entities that are embedded in the communities.

44  
45 CHAIRMAN TOWARAK: Go ahead, Mr. Kookesh.

46  
47 MR. KOOKESH: Thank you, Mr. Chairman.  
48 One of the things I didn't hear was the cost for doing  
49 genetic studies. On top of that, how many systems are we  
50 talking about? Because I notice it was mentioned

1 Kanalku, Kook, Eva, Sitkoh, Basket, but what about  
2 communities like Kake and Hoonah. If they put in  
3 requests for genetic stock ID, genetic ID, does that  
4 become part of the program?

5

6 CHAIRMAN TOWARAK: Go ahead.

7

8 MR. REGNART: Through the Chair. Our  
9 approximate costs for this work would be approximately  
10 \$300,000. That would capture most of the known sockeye  
11 systems that are going through these fisheries  
12 potentially being caught and we're enumerating some of  
13 those as far as escapements. I'll let Kevin Monagle, the  
14 seine manager, if I'm leaving out any details on our  
15 approach to GSI work.

16

17 MR. MONAGLE: Kevin Monagle. I'm the  
18 Juneau area management biologist for Fish and Game. I  
19 guess I don't have a whole lot to add. The GSI work we  
20 do have a complete baseline. I don't think it's lacking,  
21 so that's all I'll add. The baseline is complete, so  
22 Kake and other communities, certainly runs in those areas  
23 could be -- part of it is how you're going to define what  
24 you want to look for in the harvest. The more stocks  
25 that you include or group could effect the cost. The  
26 bottom line is I think the baseline is fairly complete in  
27 Southeast Alaska for sockeye salmon.

28

29 Mr. Chair.

30

31 CHAIRMAN TOWARAK: Thank you. Mr.

32 Kitka.

33

34 MR. KITKA: Thank you, Mr. Chair. I was  
35 curious as to you just said you already had a baseline.  
36 I was just wondering how you came to an understanding or  
37 how you got a baseline on these systems and how far back  
38 does it go.

39

40 MR. MONAGLE: Through the Chair. The  
41 baseline has been in the process of being developed for  
42 many years. Probably it was driven mostly by Pacific  
43 Salmon Commission concerns on the boundary area in the  
44 southern Ketchikan area. There was a comment made  
45 earlier that that work is already going on to some  
46 degree. They're looking at stocks by genetic makeup.

47

48 So what has happened over the years and  
49 it has taken quite some time as we have research groups  
50 in various lakes. Some are opportunistically. We

1 specifically fly into a system and get some samples,  
2 which is just the fish isn't damaged at all. It's just  
3 a tissue sample from the fish. But it's been -- I don't  
4 know exactly -- Julie might know. She's in the research  
5 field. But it's been many years developing the baseline.  
6

7

8

9 Is that an adequate answer? Is there  
10 more to the question?

11

12 MR. KITKA: To follow up. Basically in  
13 the baseline, if I were to look at it, would be the  
14 amount of sockeye within a system that it can sustain.  
15 Basically, let's say for instance  
16 in my area, the Redoubt Lake area, they told us it could  
17 sustain, I think it was about 75,000, but actually in our  
18 TEK our people talked about well over a million sockeye  
19 coming out of that stock. I just was wondering how you  
20 guys are coming to your baseline figure.

21

22 MR. MONAGLE: Through the Chair. I can't  
23 speak to numbers like Redoubt could support. The  
24 baseline -- what that does, is it's like a fingerprint.  
25 It allows you to tell stocks of fish apart. So in a  
26 mixed stock area you could -- it's like fingerprints.  
27 You could tell this stock from that stock, but that's the  
28 extent of it. It doesn't really tell you any more  
29 information than that more than where the fish came from,  
30 what lake system it came from.

31

32 CHAIRMAN TOWARAK: Mr. Hernandez.

33

34 MR. HERNANDEZ: Thank you, Mr. Chairman.  
35 Yes, I'd like to maybe talk a little bit more about the  
36 Sockeye Management Plan for the northern Chatham Straits  
37 areas. I guess start by asking this. This management  
38 plan, from what I read in our Staff report here, it seems  
39 like it was a plan that was kind of implemented more as  
40 an allocation issue between the seine fishery and the  
41 gillnet fishery. Correct me if I'm wrong. But was there  
42 any participation by the subsistence interest when this  
43 plan was put together?

44

45 MR. MONAGLE: Through the Chair. The  
46 plan -- the Hawk Inlet -- the plan you're talking about  
47 is called the Northern Southeast Alaska Purse Seine  
48 Management Plan and it does have a 15,000 sockeye cap in  
49 the month of July. The issue has been around for many,  
50 many years, decades. At the period of time in the '80s,  
the Hawk Inlet shoreline was closed entirely by the Board



1 of Fish because of allocation reasons until a plan was  
2 developed. I wasn't around then, so I don't know exactly  
3 who was involved with developing that plan, if  
4 subsistence users were part of it or not. I think that's  
5 the best I can do. Mr. Chair.

6

7 MR. HERNANDEZ: So my question is now,  
8 today, in this discussion, are we to consider that  
9 Sockeye Management Plan as some protection for the  
10 subsistence users in the Chatham Straits area or should  
11 we just view that as an allocation plan?

12

13 MR. MONAGLE: Through the Chair. I think  
14 that I'm not quite sure how to answer that question. It  
15 could be viewed as both. In a year like this last year  
16 when there were a tremendous amount of fish, pink salmon  
17 particularly, in Chatham Straits, what that plan does  
18 ultimately is it restricts fishing time in a specific  
19 area. This year, the month of July, it amounted to -- I  
20 forget the exact percentage, but for the month of July it  
21 was open to purse seining for approximately 13 to 15  
22 percent of the time in the month. So it's fairly  
23 conservative and that would, of course, benefit fish  
24 going north or south. That management plan was plan was  
25 primarily developed and the reason it is in July is  
26 because at that time the majority of stocks are believed  
27 to be northbound passing stocks. Chilkat, Chilkoot type  
28 of river.

29

30 Mr. Chair.

31

32 MR. HERNANDEZ: Thank you. That leads to  
33 another question. The cap is set at 15,000 fish. From  
34 what I understand of the plan, reading the analysis, that  
35 applies to an area, the Hawk Inlet shoreline, which is  
36 only north of Pt. Morrison, is that correct?

37

38 MR. MONAGLE: That's correct. Only north  
39 of Pt. Morrison, that's correct.

40

41 MR. HERNANDEZ: Okay. Are there other  
42 seine areas being fished in northern Chatham Straits  
43 other than north of Pt. Morrison in the month of July?

44

45 MR. MONAGLE: Through the Chair. There  
46 occasionally is, yes. In fact, a year like this when you  
47 have very large pink salmon returns, there are typically,  
48 on an average, it's around July 20th. I think the  
49 average opening dates south of Pt. Morrison on the  
50 Admiralty shoreline is actually -- well, I don't remember

1 the exact date, but it's after the 20th as we step down  
2 that shoreline and start concentrating on southbound  
3 fish.

4

5 I can tell you the average opening date  
6 for the Admiralty shoreline is referred to as Statistical  
7 Area 11217, which is the area closest to Kanalku. The  
8 average opening date for that area is July 28th. So the  
9 way the fishery proceeds is it's a slow stepping process.  
10 If the returns are coming back strong, then on the next  
11 opening maybe open a little more shoreline and then maybe  
12 a week later a little more shoreline. We gradually step  
13 down the shoreline.

14

15 MR. HERNANDEZ: Okay. And also part of  
16 Angoon's petition brings into play the Hidden Fall  
17 hatchery, which is south of there and they call into  
18 question the amount of sockeye that are intercepted south  
19 of Angoon, and I know that tends to be an earlier  
20 fishery. It even takes place in June as I recall to  
21 target hatchery fish, but also apparently there are some  
22 sockeye intercepted in that fishery, is that correct?

23

24 MR. MONAGLE: Through the Chair. That is  
25 correct. Hidden Falls openings early in the season.  
26 Typically the first opening will be the third week in  
27 June for 15 hours. That coincides with other areas in  
28 Southeast Alaska. Point Augusta is another area that  
29 opens early in the season. It's an index area for us to  
30 gauge run strength. Tenakee Inlet also is an area  
31 commonly open at that time. Hidden Falls in recent  
32 years, of course, has not been as productive as it has  
33 been and openings have been in recent years a lot more  
34 constrained or conservative.

35

36 MR. HERNANDEZ: Thank you, Mr. Chairman.  
37 If I could continue.

38

39 CHAIRMAN TOWARAK: Because of the tight  
40 timeframe we have, and I know that I've -- are you folks  
41 going to be available tomorrow or at least one of you?

42

43 MR. HEPLER: Yes, Mr. Chairman. And  
44 probably the most knowledgeable. Yes, we'll have the  
45 best people here.

46

47 CHAIRMAN TOWARAK: Okay. If there are  
48 further questions for the State, I'd like to reserve them  
49 for tomorrow. What I'd like to do is ask -- and thank  
50 the State for taking the time this afternoon to address

1 us. What I'd like to do is switch hats for a minute  
2 before we leave. Knowing that there's a time constraint,  
3 I'd like to hear from an elder from Southeast.

4

5 Thank you very much for your time.

6

7 What I'd like to do right away before we  
8 have to leave here at 5:00 o'clock is ask Mr. Clarence  
9 Jackson to address the Board and the Regional Advisory  
10 Councils.

11

12 MR. C. JACKSON: I appreciate having the  
13 time to talk to you people. Subsistence is the most  
14 crucial things in our lives in Southeast Alaska. I know  
15 the villages from Yakutat to Metlakatla were picked I  
16 think because of the source of food that was handy. If  
17 you took a triangle and twirled it around, you can't just  
18 say this two miles is our basket because when we run out  
19 of food in one area, we go a long ways. I support the  
20 Kootznoowoo proposition because they've taken time to  
21 study the way the fish is running. We have had times  
22 when the food source in the ocean was really low. One  
23 year I think I ended up with six sockeye several years  
24 ago. Each time I took people out we got so little I told  
25 them just to take it and I'd take one home for eating  
26 because it was important for us to have this resource.  
27 Some of us aren't in our villages. We live on the land.  
28 We live off the land and we live off the ocean. Angoon  
29 is one of them and Kake is one of them. We went back to  
30 my childhood times in my village where life was pretty  
31 good because of abundance of the resource. Maybe I was  
32 five years old when I went out to dry fish with my great  
33 grandparents and I didn't count the fish, but when I  
34 thought about it we dried about 500 fish in the fall  
35 time, dog salmon. We harvested about 2,000 pounds of  
36 potatoes at the same time. All winter long my  
37 grandparents gave it away. They shared it with other  
38 people. Now there are some years, maybe the most I was  
39 able to put up was 30 sockeye. One time, just an  
40 example, I dried sockeye and a non-Native lady came up to  
41 my place and she said I heard you have sockeye. Yeah, I  
42 said, but I'm not selling it. I said I don't sell this  
43 kind of food. I said you know why. I do it for my  
44 children. My children were small. I said I want them to  
45 know what our traditional food is. While you call it  
46 subsistence, it's our traditional food. It's our  
47 traditional food that we lived by. Sometimes I feel  
48 badly that you say subsistence because it means it's all  
49 you have to survive on and that's not necessarily the  
50 case. It's something that we do because our parents and

1 our grandparents and generations before us did these kind  
2 of things. Then, of course, in time the Forest Service  
3 burned our cabins and we stopped doing a lot of things  
4 for a while and eventually we built smokehouses and our  
5 village would be smoking all fall because we were drying  
6 salmon, but it wasn't as good as when we moved to the  
7 fish camps mostly because I enjoyed it, you know, with my  
8 great grandparents.

9  
10 Now Angoon, Kake and other Native  
11 communities, you know, we feel like we need to almost beg  
12 to make sure that we have enough salmon to provide to put  
13 away and it shouldn't happen like that. It shouldn't  
14 make us feel like that. We shouldn't have somebody say  
15 -- and I don't know who God is in this issue who says you  
16 can have 12 sockeye or 15. That's not enough, but that's  
17 what they decide, you know. I had a 300 horse outboard  
18 on my cruiser and let me tell you that gas went up  
19 through that engine almost as fast as I could earn the  
20 money. Forty gallons to go one way down to lower Chatham  
21 and 40 gallons to come back. Today that's about \$500,  
22 the gas prices are so high. As a result now the  
23 difficulties are arising. We're having a serious crisis  
24 with trying to keep our homes warm. There isn't enough  
25 money to go hunting.

26  
27 We use Admiralty. Admiralty is a part of  
28 our bread basket in my community and we're all the same.  
29 Everybody from up north to down south we have to have  
30 fish somehow. Maybe long ago they rowed and they had  
31 sails and then the engines and it wasn't difficult to get  
32 fish and there were plenty and now we have fisheries  
33 overlapping fisheries. I can understand what's going on,  
34 you know, with fish. There's so much harvesting going on  
35 that sometimes it really shuts down our subsistence style  
36 fishery.

37  
38 Our people need to continue to be us. We  
39 need to continue to be we, the people. We can't continue  
40 when we have to worry about maybe I can only get 10 fish  
41 next year or 10 fish a day and then I have to run home  
42 and then I run back and find a big tour boat there with  
43 100 tourists brailing fish out of the river or using rod  
44 and reel.

45  
46 Let me tell you something else. You  
47 can't dry fish with a rod and reel. There's not enough.  
48 You can't do that. Rod and reel is something for sport  
49 and something that people make money on when they're  
50 fishing for kings, but it's just not enough when you want

1 to go and dry a lot of fish. I think there ought to be  
2 a way. We need to be together and sit down and say,  
3 well, depending on the run we ought to have somebody come  
4 and say, well, we think we can take 18 fish based on the  
5 projection and we ought to agree with that. Nobody ever  
6 comes and talks to us about how much fish we can take.  
7 Nobody. We just get this permit and it says you're  
8 allowed so much fish.

9  
10 Last year the boys came to me and said  
11 we've got to have some fish, these nephews of mine at  
12 Kake. Well, i said go get it. They went out and they  
13 were one and two fish over and they got cited for it.  
14 Well, you know, sometimes if you're taking a gillnet you  
15 can't see that you've got too much fish already at one  
16 shot. You can't. But they paid heavy fines for that and  
17 I felt bad. They came back to me and said what shall we  
18 say. Well, how are you going to count the fish that hit  
19 the net, you know. There's got to be a little leeway  
20 here someplace instead of having somebody waiting with a  
21 pair of handcuffs almost, you know, and snap it on your  
22 hand and say you made a mistake. It's not the way it  
23 works.

24  
25 I appreciate the time to talk to you  
26 people. I'm old enough to talk for a long time, but the  
27 ball game begins at 6:30, so I'm just young enough to  
28 want to go there more than talk to you.

29  
30 (Laughter)

31  
32 I just passed middle age a few years ago  
33 and I'm going to get to old age pretty soon. But the  
34 decisions and recommendations, dear friends, that you  
35 make affects the lives of our families, how they eat and  
36 how much we can put up to feed my grandchildren, you  
37 know. It's not that they're craving it, but I want it to  
38 be there for them on the table. I want my grandchildren  
39 to sit down with me and eat dry fish. I want them to  
40 have fish spread or fish patties or baked fish or  
41 something. I want them to know how their papa ate long  
42 ago, you know.

43  
44 So your decisions -- I know sometimes we  
45 can't push you into a corner and say this is what you  
46 have to do, but I know that you'll deliberate and try to  
47 do the right thing because you're pushed around. I was  
48 a seiner a long time and I wanted to catch as much fish  
49 as I could, but the bad thing in my area the fish price  
50 was nothing when I seined, so I didn't become rich as a

1 seiner. My son now runs my boat.

2

3 I appreciate you coming to meet in our  
4 region. I hope you come to Kake sometime. I hope you  
5 come to Angoon sometime. I originate in Angoon. My clan  
6 name is from Hood Bay. So Southeast is home. Southeast  
7 is our place. It belongs to we, the people. While we  
8 say we were the first people, we enjoy everybody that  
9 comes around and becomes a part of us. Everybody  
10 contributes. I want to keep talking, but that Tim is  
11 really staring at me.

12

13 (Laughter)

14

15 After speaking a few thousand times I get  
16 the picture I should quit.

17

18 Thank you so much for your time.

19

20 (Applause)

21

22 CHAIRMAN TOWARAK: The only reason I'm  
23 looking at you hard is there's probably about 40 or 50  
24 women out there waiting to come in to play bingo and  
25 we've got to get out of here.

26

27 (Laughter)

28

29 CHAIRMAN TOWARAK: We're going to resume  
30 the public hearing tomorrow and I'd like to hear one of  
31 the first ones to be Mr. Loescher. We do have an otter  
32 hearing assigned specifically for 8:30. As soon as we're  
33 done with that we will continue the public hearing.

34

35 (Off record)

36

37 (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, Salena A. Hile, Notary Public in,  
State of Alaska and reporter of Computer Matrix, do  
hereby certify:

THAT the foregoing pages numbered 02  
through 79 contain a full, true and correct Transcript of  
the JOINT FEDERAL SUBSISTENCE BOARD AND SOUTHEAST FEDERAL  
SUBSISTENCE REGIONAL ADVISORY COUNCIL, VOLUME I, taken  
electronically by our firm on the 21st day of March 2012  
in Juneau, Alaska;

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

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

DATED at Anchorage, Alaska, this 3rd day  
of April 2012.

\_\_\_\_\_  
Salena A. Hile  
Notary Public, State of Alaska  
My Commission Expires:9/16/2014