

1 JOINT FEDERAL SUBSISTENCE BOARD
2
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. PROBASCO: 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.

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

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

Thank you.

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

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

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

(No comments)

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

CHAIRMAN TOWARAK: Yes, we do.

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

CHAIRMAN TOWARAK: Sure.

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

9

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

17

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

28

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

41

42 Just to finish up now, the petitioner
43 requested the Secretaries to exercise extraterritorial
44 jurisdiction to close and restrict the commercial purse
45 seine fishery to protect the subsistence priority. The
46 Secretaries will need to determine whether State
47 management of the commercial purse seine fishery
48 interferes with subsistence fishing on Federal public
49 lands and waters so as to result in a failure to provide
50 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 Is that an adequate answer? Is there
9 more to the question?
10

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

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

31 CHAIRMAN TOWARAK: Mr. Hernandez.
32

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

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