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FEDERAL SUBSISTENCE BOARD
PUBLIC REGULATORY MEETING

VOLUME III

EGAN CONVENTION CENTER
ANCHORAGE, ALASKA

JANUARY 11, 2007
8:30 o'clock a.m.

MEMBERS PRESENT:

- MIKE FLEAGLE, CHAIR
- NILES CESAR, Bureau of Indian Affairs
- GARY EDWARDS, U.S. Fish and Wildlife Service
- JUDY GOTTLIEB, National Park Service
- DENNY BSCHOR, U.S. Forest Service
- GEORGE OVIATT, Bureau of Land Management
- SARAH GILBERTSON, State of Alaska Representative
- KEITH GOLTZ, Solicitor's Office
- KEN LORD, Solicitor's Office

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

2
3 (Anchorage, Alaska - 1/11/2007)

4
5 (On record)

6
7 CHAIRMAN FLEAGLE: Good morning. The
8 Federal Subsistence Board is reconvened January 11th,
9 Anchorage. And we only have one item left on the agenda
10 but I think we're still taking testimony daily, right, we
11 don't have any cards, is anybody here interested in
12 testifying before the Board on non-agenda items.

13
14 (No comments)

15
16 CHAIRMAN FLEAGLE: Okay, consensus agenda
17 has already been adopted so we don't have to do testimony
18 on that.

19
20 And before we turn it over to the Staff
21 for the Fisheries Resource Monitoring Plan discussion, is
22 there any announcements from Board members or Staff this
23 morning.

24
25 Denny Bschor.

26
27 MR. BSCHOR: Yes, Mr. Chair, I've been
28 remiss during this meeting to not have introduced Mark
29 Chan who is our law enforcement officer from Juneau who
30 is here in place of Marty Meyers. You might remember
31 Marty, Marty retired and is living very happily and
32 comfortable in Hawaii right now. But I wanted to let you
33 know that Mark was in the room and who he is, please
34 stand up.

35
36 Thanks.

37
38 CHAIRMAN FLEAGLE: All right, welcome.
39 Steve Klein.

40
41 MR. KLEIN: I would also like to say that
42 Bill Knauer who has been with the subsistence program for
43 close to 20 years and has 30 plus years of Federal
44 service will be retiring on February 2nd so this was his
45 last Board meeting and actually he's back in the office
46 getting things wrapped up as a result of this meeting.
47 So his days are numbered. We are going to have a
48 celebration of his -- his working days are numbered.

49
50 (Laughter)

1 MR. KLEIN: Sorry Bill.

2

3 (Laughter)

4

5 MR. KLEIN: So we are going to honor Bill
6 with a retirement party and that will be on February 1st.
7 It will be dinner at the Sourdough Mining Company and
8 everyone is invited to attend that, you just need to show
9 up at 6:00 p.m., so we're trying to get a count, so if
10 you plan on attending and spouses are invited as well,
11 just let Pete or I or one of the leadership team members
12 know from OSM and we'll make sure you're included in the
13 count. It will start at 6:00 p.m., with dinner at 6:30
14 and we'd really like to honor Bill. He's really got us
15 out of a lot of jams and provided a lot of useful advice,
16 including at this meeting today, so I'd encourage
17 everybody to try and come and celebrate a very long and
18 distinguished career for Mr. Knauer.

19

20 Thanks.

21

22 CHAIRMAN FLEAGLE: The date again.

23

24 MR. KLEIN: February 1st, which is a
25 Thursday, 6:00 p.m.

26

27 CHAIRMAN FLEAGLE: Thanks, Steve. Other
28 announcements.

29

30 (No comments)

31

32 CHAIRMAN FLEAGLE: All right, hearing
33 none, we'll go ahead and move forward with the agenda and
34 Fisheries Resource Monitoring Plan discussion. Steve, go
35 ahead and lead off.

36

37 MR. KLEIN: Okay, yes, our last agenda
38 topic is the Fisheries Resource Monitoring Plan for 2007,
39 and actually we have two topics. We want to cover the
40 2007 Monitoring Plan, and then we've had several projects
41 come up in what we call our out of cycle process, which is
42 separate from the regular monitoring plan process. Those
43 out of cycle, that process is more akin to like a special
44 action process in the regulatory program.

45

46 So we actually have two topics and the
47 first will be the Monitoring Plan and once that's wrapped
48 up we'll have a briefing on the out of cycle proposals so
49 that everybody's informed of what's going on there.

50

1 So we'll have Cliff Schleusner, who's the
2 acting chief for Fisheries Information Services and his
3 Staff presenting the 2007 Draft Monitoring Plan.

4
5 Mr. Schleusner.

6
7 CHAIRMAN FLEAGLE: Thank you.

8
9 MR. SCHLEUSNER: Mr. Chair. Board. My
10 name is Cliff Schleusner. I'm a fisheries biologist
11 working for the Fisheries Information Service Division of
12 OSM. I'd like to begin my presentation by briefly going
13 over the existing program which is summarized in your
14 Board book on Page 8.

15
16 2007 marks the eighth year of the
17 Fisheries Information Program and currently there are 29
18 projects that were previously approved by the Federal
19 Subsistence Board that will be funded in 2007. Approved
20 projects are funded for one to three years and each
21 project is given a unique numeric code with the first two
22 digits reflecting the year the current project was
23 approved for funding.

24
25 For example, in the Yukon region, the
26 Anvik River Sonar; Tanana River Fall Chum; the Henshaw
27 Creek Weir, and the in-season Harvest Assessment were all
28 funded in 2005, and the remaining three continuation
29 projects on the Yukon begin their initial funding in
30 2006.

31
32 These 29 projects account for 2.3 million
33 of the annual FRMP budget. These leaves approximately 4
34 million available for new project starts in the 2007
35 Monitoring Plan.

36
37 A request for proposals was issued
38 November 2006. To help focus the call, priority
39 information needs were identified through strategic
40 planning, data gap analysis, Council and manager's input.
41 Some of those information needs are listed in the
42 executive summary on Page 6.

43
44 In the response to the request for
45 proposals, we received 68 proposals requesting 7.1
46 million in February of 2006. Proposals were reviewed by
47 Fisheries Information Service Division Staff and then the
48 Technical Review Committee using four ranking factors.

49
50 Those factors are:

- 1 1. Strategic priority.
- 2
- 3 2. Technical and Scientific merit.
- 4
- 5 3. Investigator ability and
- 6 resources.
- 7
- 8 4. Partnership and capacity
- 9 building.
- 10

11 The Technical Review Committee members
12 are listed on Page 7 and include a representative from
13 each of the Federal agencies, one representative from
14 OSM, and three members from the Alaska Department of Fish
15 and Game.

16
17 Of the 68 proposals 44 were advanced for
18 investigation plan development by the Technical Review
19 Committee in March of 2006. In May of 2006 we received
20 38 investigation plans. The Technical Review Committee
21 recommended funding 35 projects totaling 3.8 million.
22 Regional Advisory Councils supported the TRC
23 recommendations in all but one of the investigation plans
24 considered for 2007.

25
26 So we have consensus to fund 35 projects,
27 consensus not to fund two projects, and one non-consent
28 project, all these being summarized on Page 9.

29
30 At the beginning of the meeting Mr. Berg
31 requested that Project 07-103, the distribution and
32 abundance of Unalakleet River Chinook Salmon be removed
33 from the consent agenda. So as it stands right now
34 there's 34 projects on the consent agenda, and, again
35 that's summarized on Page 9.

36
37 Mr. Chairman, at this time I would
38 recommend that the Board address the non-consent
39 projects, beginning with 07-455, the Adak Island
40 Subsistence Fishing, and that's summarized for the Board
41 on Page 10, and then revisit the consent agenda and
42 Unalakleet.

43
44 CHAIRMAN FLEAGLE: All right, any
45 objections, Board members.

46
47 (No comments)

48
49 CHAIRMAN FLEAGLE: Okay, then we'll go
50 ahead and do that. We'll move into non-consensus item,

1 which is on Page 10, correct?

2

3 MR. SCHLEUSNER: Yes, Mr. Chair. Amy
4 Craver is going to be presenting the Adak Island project
5 for you.

6

7 CHAIRMAN FLEAGLE: Good morning.

8

9 MS. CRAVER; Good morning, Federal
10 Subsistence Board members and Mr. Chairman. For the
11 record my name is Amy Craver. The non-consent item that
12 I will be covering is located in your Board book on Page
13 10. The Adak Island subsistence fishing in a changing
14 regulatory environment project is being proposed by Edaw
15 Incorporated, a consulting firm from San Diego,
16 California. The goal of this two year study is to
17 characterize the cultural context of contemporary
18 subsistence fishing and analyze whether conservation
19 management strategies are needed to ensure the protection
20 of subsistence fishing in Adak.

21

22 The rationale for this project is that
23 Adak as a test case is representative of a community in
24 transition with a past tradition of subsistence resource
25 use that has gone from a non-rural status with a
26 population of 6,000 when it was built up as a Naval air
27 station to a rural after severe cutbacks occurred and the
28 population decreased to approximately 100 to 200 people.

29

30 The question the project raises is what
31 role subsistence will play in the future and how
32 important will subsistence become as a community civilian
33 population grows.

34

35 The issues underlying this project is a
36 misunderstanding of the location of the fishery and the
37 number of people participating in the fishery.

38

39 Adak district is located within the
40 Alaska Maritime National Wildlife Refuge. Federal nexus
41 includes all freshwater streams on Adak Island and Keg
42 (ph) Alaska Island. All freshwater on Adak and Keg
43 Alaska Islands in the Adak district are closed for
44 subsistence salmon fishing under both State and Federal
45 regulations.

46

47 It appears that the majority of the
48 subsistence fishing occurring in the Adak district is for
49 salmon but it occurs in marine waters using gillnets
50 outside Technical Review Committee jurisdiction.

1 According to local sources, currently about 13 people
2 regularly subsistence fish using three to four boats and
3 share their catch with 80 to 100 people.

4
5 Based on the assumption that the majority
6 of subsistence fishing in Adak occurs within Federal
7 jurisdiction the Kodiak/Aleutian Council supported this
8 project. The Council felt that funding the project was
9 important for two reasons.

- 10
11 1. Little data on subsistence
12 fishing have been collected in
13 the area.
14
15 2. The Council felt it would be good
16 to get some good baseline data on
17 the fishery given that Adak's
18 status will likely change to
19 rural.

20
21 The Technical Review Committee questioned
22 the applicability of the projects findings for Federal
23 Subsistence Management and did not recommend the project
24 for funding.

25
26 The majority of the committee believed
27 that a biological assessment would be more appropriate to
28 address management and regulation of Federal subsistence
29 fisheries.

30
31 In conclusion, although the investigation
32 plan does have a technically sound approach, in an area
33 where little work of this type has occurred, the
34 information gathered from this project is not a high
35 priority at this time for Federal Subsistence Management.

36
37 Thank you.

38
39 CHAIRMAN FLEAGLE: Okay, thank you, Amy.
40 Board members, questions.

41
42 Gary.

43
44 MR. EDWARDS: Although my understanding
45 is that you said that there's not any subsistence fishing
46 that occurs on freshwater but there is a fairly liberal
47 sportfishery there both for sockeye and I think somewhat
48 of a limited fishery for coho because I think coho runs
49 very small there; is that correct?

50

1 MS. CRAVER: That is correct.
2
3 MR. EDWARDS: So people, I guess, just
4 kind of a follow up, so if people wanted to get fish in
5 freshwater, there are certainly options to do that under
6 the sportfishing regs?
7
8 MS. CRAVER; Absolutely, but not under
9 subsistence regulations.
10
11 CHAIRMAN FLEAGLE: Other discussion.
12
13 (No comments)
14
15 CHAIRMAN FLEAGLE: Okay, so we're
16 following the same format, Steve, just pointed out to me,
17 let me find my page with that list, just a sec.
18
19 (Pause)
20
21 CHAIRMAN FLEAGLE: All right. Summary of
22 written comments, we don't have any of those, right?
23
24 MS. CRAVER: That is correct.
25
26 CHAIRMAN FLEAGLE: Public testimony.
27 Regional Advisory Council recommendation. I don't have a
28 RAC rep from that Council, do we have somebody here that
29 can give that, Steve.
30
31 MR. KLEIN: Amy can.
32
33 CHAIRMAN FLEAGLE: Amy.
34
35 MS. CRAVER: The Bristol Bay Regional
36 Advisory Council chose to take no action based on the
37 fact that the project was being conducted outside their
38 region.
39
40 CHAIRMAN FLEAGLE: Okay, great, thank
41 you. Department of Fish and Game, Sarah.
42
43 MS. GILBERTSON: Thank you, Mr. Chairman.
44 Our position is that if there's money left over after
45 funding all of the items on the consensus agenda and, I
46 guess, in this case including the Unalakleet project,
47 Fish and Game would support funding the Adak project.
48
49 Thanks.
50

1 CHAIRMAN FLEAGLE: And covered the
2 InterAgency Staff Committee recommendation, Amy, no,
3 Steve Klein.

4
5 MR. KLEIN: I'm going to wear a second
6 hat here. The InterAgency Staff Committee agreed with
7 the TRC to not fund the project based on the fact that
8 although Adak has been reclassified as a rural community
9 there's no reason to foresee changes in harvest patterns
10 and/or locations.

11
12 And that raises questions about the broad
13 applicability of the project findings and TRC does not
14 recommend funding the project at this time.

15
16 Mr. Chair.

17
18 CHAIRMAN FLEAGLE: Okay, thank you,
19 Steve. Now, Board discussion.

20
21 Gary Edwards.

22
23 MR. EDWARDS: Mr. Chairman. You know, I
24 agree with the assessment, if we were going to do any
25 study out there it seems to me a biological study makes a
26 lot more sense, given that, you know, up until a few
27 years ago this was, you know, there wasn't any
28 subsistence users out there, this was a military base and
29 I'm not sure what kind of a pattern that we would try to
30 determine, unless you'd go way back, way, way back and
31 I'm not even sure that there's any data to support that
32 so I just can't see, you know, the value of doing that.

33
34 And the other thing, even though it's
35 sort of a side, I mean if the Board would feel strongly
36 that you needed such a study, you know, I guess I would
37 argue that we could get it done significantly cheaper,
38 even by the Refuge, I mean the Refuge didn't propose this
39 because they didn't see a need of this, but they do have
40 a presence out there, we use that as a base to support
41 all of our field camps and we house people out there. So
42 the ability to do this study where you already have your
43 cost for housing and everything already kind of paid for,
44 if we did want a study, I think we could also get it done
45 significantly cheaper than what's being proposed here.
46 And I'm not suggesting that the people who proposed this
47 are padding it because obviously it's pretty expensive
48 just to get people out there to do the work but if you
49 already had people on place, certainly you could probably
50 do the project much cheaper. But we don't even really

1 see a need to do the project at this time.

2

3 And, you know, certainly at some point,
4 to get a better understanding of what's going on there in
5 the fresh water, I think might be of value but I can't
6 see a study now to look at use patterns when there really
7 has only been a year or two of data really available.

8

9 CHAIRMAN FLEAGLE: Thank you. Other
10 discussion.

11

12 MS. GOTTLIEB: Mr. Chair.

13

14 CHAIRMAN FLEAGLE: Judy.

15

16 MS. GOTTLIEB: Well, thanks. I mean I
17 appreciate Gary's offer, I think it would be useful for,
18 as you say, if Fish and Wildlife were able to accommodate
19 some sort of study because we may well get proposals that
20 ask for use in the Federal waters again. And we don't
21 have a reason to foresee changes in subsistence patterns
22 but I'm not sure what we base that on so it might be good
23 to get additional information.

24

25 Thank you.

26

27 CHAIRMAN FLEAGLE: But you agree with
28 Gary's position not to fund this?

29

30 MS. GOTTLIEB: Right. I don't think we
31 need to fund this study, but I think if we have a way to
32 get information that could be very valuable.

33

34 CHAIRMAN FLEAGLE: Other discussion.

35

36 (No comments)

37

38 CHAIRMAN FLEAGLE: Ready for a motion.

39

40 (Pause)

41

42 CHAIRMAN FLEAGLE: Steve, what kind of a
43 motion is typical in this situation such as this to agree
44 with the Council's recommendation, no, it wouldn't be.

45

46 (Pause)

47

48 MR. KLEIN: Mr. Chair. Board members. I
49 wanted to point out that for the Monitoring Plan, unlike
50 the regulatory proposals, the Council's are advisory and

1 we certainly value their input. We take each of these
2 projects to the Councils for their recommendations, but
3 they do not have the due deference that a regulatory
4 proposal has. But in terms of the motion, I think the
5 motion would be to either recommend to fund or not to
6 fund the project.

7
8 CHAIRMAN FLEAGLE: All right. Now, my
9 preference as a Chair is to have motions stated in the
10 positive so that a person knows if they're voting for
11 something, that's for the motion or against the motion.
12 And I understand in the regulatory process we vote to go
13 along with the Regional Advisory Council's
14 recommendation, which in some cases is a negative, for
15 instance, we're voting positive to kill a proposal. In
16 this case since we're not referring to a RAC's position,
17 I would prefer that the motion would be stated in a
18 positive which would be to fund the project and then a
19 negative vote would kill the motion. Does that make it
20 clear? I mean I think that makes the most sense in
21 Robert's Rules or this type of process. And I'm not sure
22 if that's a deviance from what you guys are used to
23 doing.

24
25 MR. EDWARDS: What if you don't get a
26 second to a positive motion?

27
28 CHAIRMAN FLEAGLE: What happens if you
29 don't get a second, it dies and it just goes away.

30
31 Bert.

32
33 MR. ADAMS: Thank you, Mr. Chairman. I
34 think you're right. You know having been brought up
35 under the Alaska Native Brotherhood and leadership
36 positions, you know, we, who have had that experience
37 have been well trained on the parliamentary procedure and
38 Robert's Rules, and you are right, you know, motions
39 should always be made in the positive. Once it has been
40 seconded then you just discuss the heck out of it and
41 then you either vote it up or down.

42
43 Thank you.

44
45 CHAIRMAN FLEAGLE: Thank you. Gary.

46
47 MR. EDWARDS: Well, I can do it that way,
48 I'm prepared to make a motion then if that's the way you
49 want to go.

50

1 (Laughter)
2
3 CHAIRMAN FLEAGLE: Please do, go ahead.
4
5 MR. EDWARDS: Mr. Chairman. I move that
6 we fund Project No. 07-455, which proposes to document
7 subsistence fishing patterns for residents of Adak, and
8 if I get a second then I will tell you why I'm not going
9 to vote in favor of that motion.
10
11 CHAIRMAN FLEAGLE: Is there a second.
12
13 MS. GOTTLIEB: I'll second it.
14
15 CHAIRMAN FLEAGLE: Thank you. We do have
16 a motion. Gary Edwards.
17
18 MR. EDWARDS: Mr. Chairman. I'm going to
19 be prepared to vote against the motion. As I said
20 earlier I think at this point in time such a study is a
21 little premature. If we are going to do any studies it
22 should be more focused on the biology and so we have a
23 better understanding what's taking place there in
24 freshwater. You know, currently there is no harvest in
25 Federal waters, all the subsistence harvest is occurring
26 in the State marine waters.
27
28 And just because it was recently
29 classified as rural, I don't see any reason to assume
30 that any of these harvest patterns are really going to
31 change in the immediate future. So I think the study is
32 a little bit premature at this point.
33
34 CHAIRMAN FLEAGLE: Thank you, Gary.
35 Other discussion.
36
37 (No comments)
38
39 CHAIRMAN FLEAGLE: Ready for the
40 question. Question is recognized on the motion to fund
41 Project 07-455, Steve, please poll the Board.
42
43 MR. KLEIN: Mr. Edwards.
44
45 MR. EDWARDS: No.
46
47 MR. KLEIN: Mr. Fleagle.
48
49 CHAIRMAN FLEAGLE: No.
50

1 MR. KLEIN: Ms. Gottlieb.
2
3 MS. GOTTLIEB: No.
4
5 MR. KLEIN: Mr. Cesar.
6
7 MR. CESAR: No.
8
9 MR. KLEIN: Mr. Oviatt.
10
11 MR. OVIATT: No.
12
13 MR. KLEIN: Mr. Bschor.
14
15 MR. BSCHOR: No.
16
17 MR. KLEIN: Mr. Chair, the motion fails
18 zero/six.
19
20 CHAIRMAN FLEAGLE: Thank you, Steve. All
21 right, now the next part of the process here is we have a
22 consensus agenda with a request to remove one project, do
23 we then take up the one project or do we take up the
24 consensus agenda -- okay, let's go ahead and turn it back
25 over to Staff, Cliff, to speak about the Unalakleet
26 project.
27
28 MR. SCHLEUSNER: Thank you, Mr. Chair.
29 I'd like to give a brief overview of the project and then
30 I guess open it up for discussion.
31
32 Project No. 07-103 the Distribution and
33 Abundance of Unalakleet River salmon. This is a
34 cooperative project between the Native Village of
35 Unalakleet and the Alaska Department of Game and Fish.
36 The project is the combination of the North River
37 counting tower and a radiotelemetry study. The
38 investigators hope to repeat work that was conducted in
39 1997 and '98 using radiotelemetry to verify the
40 proportion of chinook salmon spawning past the North
41 River tower and validate the use of that number to
42 estimate drainage wise escapement.
43
44 Current management is based on the in
45 river test fisheries and the counting tower on the North
46 River as well as aerial surveys and harvest data. The
47 objectives of the study include estimating the proportion
48 of chinook salmon migrating past the North River tower,
49 estimating drainage wide escapement and identifying major
50 spawning locations. This project would test the

1 hypothesis that the proportions of the chinook salmon
2 counted at the North River tower remain consistent over a
3 multiple life cycles with various harvest levels and
4 abundance.

5
6 The TRC recommendation for this project
7 was to fund it for one year and the Regional Advisory
8 Councils supported the TRC recommendations, all three of
9 the Northern Councils.

10
11 That's all I have.

12
13 CHAIRMAN FLEAGLE: Thank you, Cliff.
14 Questions, Board members.

15
16 MS. GOTTLIEB: Mr. Chair.

17
18 CHAIRMAN FLEAGLE: Judy.

19
20 MS. GOTTLIEB: And I don't know if
21 anybody can answer because I was asking Pete about this
22 yesterday but it really would have been helpful to have
23 the RAC Chair on the phone today and so I don't know if
24 we made any attempt to contact or not, but that would be
25 valuable input.

26
27 CHAIRMAN FLEAGLE: Let's see we might
28 have a response. Michelle.

29
30 MS. CHIVERS: Mr. Chair. There was an
31 attempt to contact the Chair of that Council but his wife
32 is currently in the hospital and she's scheduled for
33 surgery in this morning so he was unable to attend.

34
35 Thank you.

36
37 CHAIRMAN FLEAGLE: Thank you. Gary.

38
39 MR. EDWARDS: Cliff, it's my
40 understanding that when the Staff recommended -- when
41 this went forward to the Technical Review Committee, the
42 FIS recommendation was not to fund this project because
43 it said that it wasn't -- from a priority standpoint,
44 from a strategic standpoint, it was not that high?

45
46 MR. SCHLEUSNER: Mr. Chair. Mr. Edwards.
47 You're correct, this is the lowest priority project for
48 that region. And at that time it -- this project
49 actually put the budget for the region over the regional
50 guideline, and it wasn't until after all the projects

1 were looked at that we had enough -- realized we had
2 enough money to fund beyond the regional guideline and
3 that's why it was put back in.

4

5 MR. EDWARDS: But from a strategic
6 standpoint, you said it was the lowest project in the
7 region, and could you elaborate on why that was?

8

9 MR. SCHLEUSNER: Well, I think the
10 sentiment was that the majority of the fishery occurs off
11 of Federal waters and is managed by the State of Alaska.
12 The North River tower and the North River are off of
13 Federal waters, and I think that lowered the strategic
14 priority for at least the evaluation of the strategic
15 priority for our program.

16

17 MR. EDWARDS: This question might be
18 better addressed to the State. But it's my understanding
19 that this project has also been submitted to other
20 funding sources, are you aware if that's the case and how
21 many and who and what is the possibility of it being a
22 more competitive project from some of these other
23 entities that could fund it.

24

25 CHAIRMAN FLEAGLE: Mr. Cannon.

26

27 MR. CANNON: Mr. Chairman. Mr. Edwards.
28 This project in the past has been in -- in '97/98 years
29 when the project was done was funded with funds from
30 other sources. There was money available in Norton Sound
31 because of disaster relief funding, there's money made
32 available for projects in this area from the Norton Sound
33 Economic Development Corporation and from the Bering Sea
34 Fishermen's Association. The North River tower had been
35 funded by the Bering Sea Fishermen's Association and one
36 of the things that we checked with regarding the funding
37 on this project as we questioned and evaluated it, was
38 why the North River tower funding component was put into
39 our request. What we learned is that, that Bering Sea
40 funding money simply evaporated, that's a year to year
41 fund that Bering Sea gets and they simply weren't able to
42 provide that for this coming year and so in order to do
43 the work on the North River tower at all and then as far
44 as our interests, which was the wild and scenic river
45 portion of the Unalakleet, we needed to have the North
46 River tower to have a way of monitoring the tags to
47 compare the main river with the North River. So without
48 the North River, the work on the wild and scenic river
49 didn't make any sense. So that's why the TRC eventually
50 agreed to fund this for one year.

1 MR. EDWARDS: My understanding was that
2 the original proposal was for three years?

3
4 MR. CANNON: That's correct.

5
6 MR. EDWARDS: And when you say you only
7 wanted to fund it for one year, does that mean that then
8 it would be reconsidered for the other two years or is
9 that a certain one year and one year only and regardless
10 if there's a follow up proposal, it wouldn't be
11 considered?

12
13 MR. CANNON: The funding would be for one
14 year, mainly for technical reason, and this is something
15 that came up at the TRC and that is that having back to
16 back years may not be the best test of this relationship
17 because you'd have one brood year production that could
18 be looked at and that might influence the relationship.
19 And so it'd be better to see if this relationship holds
20 up by looking more sporadically maybe every three or four
21 or five years to see if the relationship between the
22 North River and the mainstem Unalakleet actually holds up
23 and so that this project could be used to manage the
24 entire river.

25
26 MR. EDWARDS: I'm still a little unclear,
27 I mean so is there still a potential that if we're in for
28 a penny, we're going to be in for a pound on this?

29
30 MR. CANNON: To directly answer your
31 question, yes. If this relationship holds up, it's
32 something you'd want to check out periodically.

33
34 CHAIRMAN FLEAGLE: Okay, Rich, can I get
35 you to state your name and who you're with for the
36 record, please.

37
38 MR. CANNON: Sorry, Mr. Chairman. My
39 name is Richard Cannon and I work with the FIS/OSM
40 program and I'm a fisheries biologist and I work with the
41 Northern region and the Kuskokwim region.

42
43 CHAIRMAN FLEAGLE: Okay, thank you. John
44 Hilsinger.

45
46 MR. HILSINGER: Thank you, Mr. Chairman.
47 John Hilsinger for the record. This is a Fish and Game
48 project and I could add a little bit to what Mr. Cannon
49 said.

50

1 This would make this basically the third
2 year of radiotelemetry data. And we realize it's an
3 expensive project, I think it's \$275,000 in the first
4 year, and so the question came up as to whether that
5 could be reduced at all and I did talk to the Staff there
6 in the AYK region, and they said they could remove the
7 three months of fishery biologist's II time that's in the
8 budget which would be about \$26,000 so there is the
9 potential there that the State could absorb about 10
10 percent of that cost. Which hopefully may make some
11 difference.

12
13 The big issue here on this project is
14 that that fishery in Unalakleet for chinook was
15 determined to be a yield concern by the Board of
16 Fisheries in 2004, that means basically that there's no
17 -- or not enough excess yield available or harvest
18 potential available to support the existing fisheries,
19 and as a result of that we cut and basically eliminated
20 the commercial fishery in Unalakleet and we're down now
21 just to basically a subsistence fishery in most years.
22 And the stock still has not really rebounded and so it's
23 at the point now where it's very close to being
24 considered a management concern. And at a management
25 concern level we would begin looking at restrictions in
26 the subsistence fishery. And the problem with that is
27 that this is all based on the North River tower, and that
28 relationship between the North River tower and the total
29 escapement is based on only two years of data and I
30 think, you know, we all realize that with natural
31 populations, two consecutive years of data is a pretty
32 minimal amount of data to base significant management
33 decisions on, so this would be a way of checking those
34 two years to see whether they still hold or not. And it
35 could prevent us from making a bad decision on that
36 subsistence fishery or if the run really indeed is that
37 low, it could, you know, help us make the right decision
38 for the stock.

39
40 So that's really what I wanted to add.

41
42 The escapement in that river, the wild
43 and scenic river is approximately 40 to 50 percent of the
44 total escapement and so it does support a large part of
45 that subsistence fishery. And, again, the State is
46 prepared to reduce that budget by about \$26,000.

47
48 Thank you.

49
50 CHAIRMAN FLEAGLE: Thank you, John.

1 Gary.

2

3 MR. EDWARDS: Well, I'm going to have a
4 couple of follow ups. You know, I understand that the
5 Board of Fish has determined this chinook run to be a run
6 of yield concern and if that's the case then why isn't
7 the State willing to use its own money to fund this, or
8 as a follow up, I notice that the match is only five
9 percent. It just seems to me that if this is such a high
10 priority on the part of the State, it would either be
11 using its own money or certainly willing to put up more
12 of its own money to address this run.

13

14 CHAIRMAN FLEAGLE: John.

15

16 MR. HILSINGER: Mr. Chairman. The
17 funding in Norton Sound has largely dried up. We had a
18 lot of projects going. We had the Norton Sound Disaster
19 Relief Fund that was \$5 million that over a five year
20 period, and that funded a lot of projects and a lot of
21 research there, and that money is now gone and so we've
22 had to look other places. And the State budget is tight
23 enough that it simply can't absorb a project like this
24 without cutting out the basic management functions. We
25 really don't have any other money, and, in fact,
26 throughout the AYK region there's a real limitation on
27 the number of projects that are actually available to be
28 funded with State general funds, and it's just because
29 those funds are so tight.

30

31 So I don't -- I haven't been involved
32 with that budget for a couple of years so I can't give
33 you a better answer than that but as Mr. Cannon noted,
34 with the running out of the Norton Sound funds it's
35 really changed the budget picture throughout Norton
36 Sound.

37

38 CHAIRMAN FLEAGLE: Judy and then Denny.
39 Go ahead Denny.

40

41 MS. GOTTLIEB: Thank you, Mr. Chairman.
42 I guess I was just maybe going to confirm, you know, what
43 I hear from our in-season manager is, I think, quite
44 similar to all three of you are saying is that the North
45 River tower serves as an index, not only for the
46 Unalakleet drainage but for several other streams in the
47 area, and that spacing the project, timing-wise, creates
48 certainly a monetary efficiency for this program and
49 would help ensure the quality and reliability and, I
50 guess, as you say, sort of a double check, that the North

1 River can be used as an index for these others and for
2 our program.

3

4 I guess, again, for those of you who
5 haven't been here since we assumed fisheries, I mean we
6 heard from the very beginning from Grace Cross, the
7 Seward Penn RAC Chair how much Seward Penn was hurting.
8 Chinooks have been a significant conservation concern in
9 Eastern Norton Sound, and as John said has been
10 identified as such. And the escapement hasn't been made
11 for many years and the situation is very difficult for
12 them. So we -- the program, when our program started, we
13 weren't able to allocate, we couldn't allocate a lot
14 towards that area because we felt we had higher priority
15 areas like Yukon-Kuskokwim, Copper River, I think we
16 should not say we're sorry again and cut this proposal.

17

18 I think the compromise that seems to be
19 reached here of doing one year as the TRC and Staff
20 Committee say and the offer from Fish and Game, I think
21 goes a long way to helping our information needs.

22

23 Thank you.

24

25 CHAIRMAN FLEAGLE: Okay, thank you. I
26 have Denny Bschor and then George.

27

28 MR. BSCHOR: Yes, Mr. Chair, since I'm
29 not very familiar with this area or this fisheries I'm
30 going to ask probably some pretty basic questions again
31 but I just need clarification. Of these fisheries, is it
32 mostly a State subsistence fishery or how much of it is
33 Federal subsistence, is there any way to measure what
34 that is, what the relative differences are there or
35 percentages are there?

36

37 CHAIRMAN FLEAGLE: John Hilsinger.

38

39 MR. HILSINGER: Mr. Chairman. Mr.
40 Bschor. Most of this fishery does occur in either the
41 marine waters in front of Unalakleet, or in the river, in
42 the lower part of the river, which is not the part of the
43 river that's in the -- that's designated as a wild and
44 scenic river. And as Ms. Gottlieb alluded to, the
45 Unalakleet and Shaktoolik districts are managed together
46 as a unit and based on the North River tower, so the
47 management of both of those districts actually is
48 affected, not just the Unalakleet district.

49

50 Thank you.

1 CHAIRMAN FLEAGLE: George.
2
3 MR. OVIATT: Yeah, I was going to ask the
4 same question because it's my understanding that there is
5 no subsistence harvest in Federal waters. It's also,
6 according to my fishery biologist's knowledge of the wild
7 and scenic portion that there is some spawning that
8 happens up there but they thought it was a lot less than
9 50 percent. If somebody could kind of help me with that.
10
11 It's not that we don't think this is a
12 good project, but we kind of think that there's some
13 inequity in the funding of this project.
14
15 Can somebody help me with the spawning
16 part.
17
18 CHAIRMAN FLEAGLE: Cliff.
19
20 MR. SCHLEUSNER: For the Unalakleet
21 River, it's basically 160 kilometers long and the upper
22 130 kilometers is wild and scenic, so it's only the
23 bottom 30 kilometers of the river that actually are not
24 under the Federal jurisdiction. So the mainstem
25 spawning, the majority of it occurs within Federal
26 jurisdiction.
27
28 MR. OVIATT: And not the North River?
29
30 MR. SCHLEUSNER: The North River does
31 have a significant portion, but it's 40 percent is what
32 the State is saying, 40 percent of the run -- or 40 to --
33 it's variable but.....
34
35 CHAIRMAN FLEAGLE: Gary Edwards.
36
37 MR. EDWARDS: Mr. Chairman. Cliff, you
38 didn't really follow up on George's other question and
39 that really dealt with use, because it is my
40 understanding that none of the subsistence fisheries does
41 occur within our Federal jurisdiction and I understand
42 what Judy's saying, and I've heard Grace many times, you
43 know, express that while I think we need to be sympathic
44 -- you can't help but be sympathetic and I don't think
45 anybody questions the capability of the State to do this
46 study and do it well or that these stocks are not stocks
47 of risk but, you know, our first criteria when it comes
48 to funding projects, and I'll read it:
49
50 It says issues or information needs

1 addressed and projects must have a direct
2 association to a subsistence fishery
3 within a Federal Conservation Unit as
4 defined in Legislation, regulations and
5 plans.
6

7 And I recognize that we have funded some
8 other projects that might not do that, maybe that brings
9 those projects into question, but it seems to me that our
10 responsibility to fund and to use this money and the
11 intent of the money was to address subsistence issues
12 where we have jurisdiction over and where it would help
13 us make better and informed management decisions and
14 policy decisions when it comes to those fisheries. And I
15 don't think this project does that, and I guess that's
16 where my biggest concern is.
17

18 And I just may add, you know, the State
19 brought up, well, you know, we don't have the money to
20 fund this well everyone of us Federal management agency
21 people up here says that we don't have the money to fund
22 a lot of the projects we want to and we have to set
23 priorities everyday and we look at what's the most
24 important and if something's the most important, then we
25 don't do something else in order to fund that and it
26 seems to me that if this project is that important to the
27 State then the State either ought to be funding it or
28 certainly be willing to put more than five percent into
29 the project.
30

31 CHAIRMAN FLEAGLE: George Oviatt.

32
33 MR. OVIATT: Is -- and, I'll rely upon
34 biologists or the State or anyone to help me with this
35 answer. Is there such a conservation concern with these
36 stocks in Unalakleet that it couldn't wait for a year or
37 two until we could come up with more equitable funding
38 sources for this.
39

40 CHAIRMAN FLEAGLE: Cliff.

41
42 MR. SCHLEUSNER: Mr. Oviatt. Mr.
43 Chairman. As it stands right now, with the stocks as a
44 yield concern, what that has essentially done to the
45 fisheries, and, again, the Unalakleet chinook subsistence
46 fishery is the largest subsistence fishery for chinook in
47 Norton Sound so it's a pretty substantial subsistence
48 fishery, I think the five year average is -- the harvest
49 is around 2,500 fish, which is accounting for 32 to 39
50 percent of the total exploitation of the Unalakleet River

1 stocks, the subsistence fishery alone.

2

3 And what the yield concern has done, is
4 since 2000 there's only been one commercial opening on
5 that stock at all so when you're talking about management
6 of the fishery it really comes down to the subsistence
7 fishery and, again, back to Gary's comment, that does
8 occur on State waters, and Gary brought up an important
9 part about Federal nexus, which is the bar that we use to
10 evaluate all projects, that is the first question, is
11 there a Federal nexus to our program. And that speaks
12 directly to strategic priority, and we do have a policy
13 for that in the TRC guidelines, and it says:

14

15 Proposed studies must have a direct
16 association to a subsistence fishery and
17 either the subsistence fishery or fish
18 stocks in question must occur in waters
19 within or adjacent to Federal public
20 lands.

21

22 And that's basically how this project got
23 over that bar, with obviously spawning stocks and the
24 wild and scenic river that provides the Federal nexus.

25

26 CHAIRMAN FLEAGLE: Gary, is that it --
27 okay, hang on, you have the floor George.

28

29 MR. OVIATT: Okay.

30

31 CHAIRMAN FLEAGLE: Continue your line of
32 questioning and then I'll call on Gary.

33

34 MR. OVIATT: And I guess there is a
35 question, I mean it seems to be a question from our
36 biologists anyway that, you know, we do know there's
37 spawning that happens in the wild and scenic river but
38 it's our impression it's more like maybe less than 50
39 percent, 40 percent or even less in Unalakleet, that most
40 of that spawning happens in the North River, so if that's
41 the nexus that we're looking for, I think, even that is
42 weak.

43

44 MR. CANNON: Mr. Chairman. Through the
45 Chair to Mr. Oviatt. The information we have based on
46 the tagging studies would suggest that that isn't the
47 case and that there is a high percentage of the spawning
48 for chinook and coho salmon occurs up in the wild and
49 scenic river. Most of the main stem is in the wild and
50 scenic river.

1 CHAIRMAN FLEAGLE: All right, that was
2 Rich Cannon again.

3
4 Does that complete your line of
5 questioning. Sarah Gilbertson.

6
7 MS. GILBERTSON: Thanks, Mr. Chairman.
8 Perhaps I can shed some light on the State's funding
9 picture especially for Fish and Game, seeing as I was the
10 one fighting for our budget for the last several years in
11 the State Legislature. If there's talk about waiting for
12 a more, I guess, fair approach to this and Fish and Game
13 throwing more money into this, I don't see that
14 happening, and not because we don't feel this isn't an
15 important project or that the needs are there, but as you
16 probably read in the paper, our new Governor has proposed
17 across the board cuts to every department. And I know
18 from working in our budget in detail that we hardly get
19 any general fund at all and I'm not coming to you
20 whining, I'm just stating a matter of fact that our
21 department hardly gets any general fund and what little
22 we do get will be cut through the budget that the
23 Governor just proposed.

24
25 So I just wanted to state that.

26
27 And then, second, you know, we've been
28 talking over the last two or three days, not about where
29 fisheries occur but about stocks, and so in light of
30 those conversations and the regulatory proposals that you
31 all just reviewed and voted on, I think it's important to
32 consider the stock and the health of the stock and where
33 the spawning occurs and where the escapement occurs.

34
35 Thanks.

36
37 CHAIRMAN FLEAGLE: Thank you, Sarah.
38 Judy Gottlieb.

39
40 MS. GOTTLIEB: Thank you, Mr. Chair.
41 Well, I guess the information I have from our in-season
42 manager is that, as I said before and as John has said,
43 the chinooks are a significant conservation concern in
44 Eastern Norton Sound and have been identified as a stock
45 of concern. Chinook escapement has not been met for the
46 last four years of the last several, and the situation is
47 only out about two years before, I'm sure more stringent
48 restrictions will have to be made, something like a Tier
49 II or something like that on the part of the State, but
50 it's important for us to get an overall picture and

1 determine whether this North River can be used as an
2 index and this, again, has to do with the stocks. Given
3 the biological situation and the likelihood of
4 restrictions that could include Federally eligible
5 subsistence users, it's important for us to evaluate that
6 tower, and that project as an index.

7
8 So, again, chinook issue may be the most
9 important conservation concern affecting Federal users in
10 the Unalakleet River and the Unalakleet River is a
11 significant area of Federal waters in the larger Eastern
12 Norton Sound area.

13
14 I also think our discussions about State
15 funding. I mean if we looked at, you know, the other 40
16 projects that we may be funding there's probably many
17 that have to do with -- that aren't in Federal waters
18 that we're not pressing so hard, you know, for more
19 funding from the State, so I'm not sure we're being
20 consistent here.

21
22 Thank you.

23
24 CHAIRMAN FLEAGLE: Thank you, Judy.
25 Before we -- I was allowing some discussion there in the
26 question period, but let's go ahead and move down and
27 hear the RAC recommendation. Do we have that Cliff.

28
29 MR. SCHLEUSNER: Mr. Chairman. There was
30 a consensus support from the Regional Advisory Councils
31 in the Northern region, all three supporting funding this
32 project.

33
34 CHAIRMAN FLEAGLE: And I guess that's why
35 it made it to the consensus agenda, right. Department of
36 Fish and Game obviously supports, John.

37
38 MR. HILSINGER: That's correct, Mr.
39 Chairman.

40
41 And I guess the other point I'd like to
42 make is that eventually what we'd really like to have
43 here is a weir on the mainstem and the location of that
44 weir is probably within the waters designated for the
45 wild and scenic river. And until we have a better handle
46 on the proportion of fish and the consistency of the
47 proportion of fish spawning in that area we really don't
48 want to try to go out and find the money for the weir
49 project. And so this actually is kind of a pre-cursor,
50 potentially, and hopefully to that, which would be a far

1 better long-term method of monitoring if it turns out
2 that it would work.

3

4 Thank you.

5

6 CHAIRMAN FLEAGLE: Thank you, John. And,
7 Steve, anything to add from the Staff Committee's
8 position on this?

9

10 MR. KLEIN: Mr. Chair. The Staff
11 Committee discussed this as part of the projects that had
12 TRC and Council support and there was unanimous support
13 among the Staff Committee to support funding this
14 project, similar to the Technical Review Committee and
15 Councils.

16

17 CHAIRMAN FLEAGLE: Okay, thank you. Now,
18 I'm going to go ahead and open it back up for discussions
19 or potential motions.

20

21 Gary Edwards.

22

23 MR. EDWARDS: Well, I mean, you know,
24 kind of in response to Judy, I mean I don't think it was
25 the intent of this program to be all things to all
26 people. There's needs all over this state on fisheries.
27 I mean we wouldn't be going out funding halibut studies
28 even though halibut is a very important subsistence
29 fishery to folks. I mean at some point it seems to me
30 that we ought to follow our criteria.

31

32 You know in this case, you know, you
33 address your in-season manager but he has no say in what
34 takes place on the stretch of water where the subsistence
35 occurs. If the State wanted to open a commercial fishery
36 and we didn't think it would be advisable we have no
37 nexus there.

38

39 And the other thing, you know, when we
40 got this money, I think we recognized that it was
41 supposed to be value added and that all of us were
42 already contributing our own money to address fishery
43 issues throughout the state and this money was not to
44 come in and replace the work we were already doing but to
45 add value added. And I just feel that the State has a
46 responsibility here and if it's that important they
47 should be carrying out their responsibilities. And I
48 recognize that budgets are tough, but, again, budgets are
49 tough for all of us and we set priorities everyday and we
50 make decisions not to fund one thing in order to fund

1 something else. And I particularly think, you know, the
2 contribution of only five percent, you know, doesn't send
3 a very strong signal, at least in my mind, that this is
4 really that important of a project.

5
6 And maybe as just a follow up question to
7 the State, of that, now, I'm still a little unclear of
8 where the North Tower fits in but that's a separate
9 project to the telemetry, right, and if you could only
10 fund one, which one would you fund?

11
12 CHAIRMAN FLEAGLE: John.

13
14 MR. HILSINGER: Mr. Chairman. Mr.
15 Edwards. The North River tower's been an ongoing project
16 and apparently the funding for that is in question also.
17 And it's really the basis of -- along with the test nets
18 in the lower Unalakleet River, it's really the basis of
19 management so, you know, we definitely would want to run
20 the North River tower, without that we would have only
21 the test nets as the index to manage the fishery on. So
22 that's a high priority.

23
24 But the question of the proportion of the
25 run going up the North River remains, I think, pretty
26 important.

27
28 And the other point I would make is --
29 and I don't have the full detailed budget in front of me
30 but I think with the removal of the fisheries biologist
31 II time, that would bring up the State's contribution in
32 kind in that project to -- that's about 10 percent of the
33 total so that would almost triple it from the five
34 percent figure.

35
36 Thank you.

37
38 CHAIRMAN FLEAGLE: Gary.

39
40 MR. EDWARDS: Just one quick follow up.
41 If -- and I don't know where ultimately this is going to
42 go but if we'd only fund -- or be willing to fund part of
43 the -- just of the North Tower, would the State be
44 willing to share the cost of funding just the North Tower
45 portion of the project?

46
47 MR. HILSINGER: Mr. Chairman. Mr.
48 Edwards. To tell you the truth I would have to talk to
49 Gene Sandone, he's the budget manager and I -- you know,
50 without checking with him I can't commit but I could

1 certainly give him a call and ask him that question and
2 see what he says.

3

4 CHAIRMAN FLEAGLE: Judy.

5

6 MS. GOTTLIEB: Mr. Chair, thank you. In
7 response to Gary, our in-season manager is in daily
8 contact with sport and commercial managers in Nome and,
9 you know, maybe Dave can help me out here, but when
10 closures were made on the Unalakleet River, I don't
11 remember exactly the timeframe, last year or the year
12 before, I mean we were very much involved in that too.
13 So there is close communication and coordination on the
14 ground and I think we do have input and effect there.

15

16 CHAIRMAN FLEAGLE: Okay, thank you. It
17 sounds like we've got diverging opinions on the Board. I
18 would recognize a motion to fund the project as requested
19 for one year as recommended by the Technical Review
20 Committee and we'll see where the discussion goes, debate
21 and a vote.

22

23 Judy.

24

25 MS. GOTTLIEB: I'll move that we support
26 the Technical Review Committee and InterAgency Staff
27 Committee and Regional Advisory Councils to support the
28 funding for 07-103 for one year.

29

30 CHAIRMAN FLEAGLE: Is there a second.

31

32 MR. BSCHOR: Second.

33

34 CHAIRMAN FLEAGLE: We do have a second.
35 Further discussion. George.

36

37 MR. OVIATT: Well, although we -- BLM
38 supports the concept of this project, because it would
39 provide good baseline data for chinook salmon in the
40 Unalakleet River, we cannot support the project at this
41 time for the following reasons.

42

43 I'll accept your explanation that there
44 is spawning in both the North River and the wild and
45 scenic and it's probably equitable or close to equitable
46 and spawning in the Unalakleet, so I won't dwell upon
47 that. But there is no subsistence harvest occurring in
48 Federal waters, all of the harvest occurs in the State
49 waters. The cost of the project is extremely high versus
50 the data that we feel is being collected. The project

1 request, I think is 272,000 plus in Federal funds and the
2 State's contribution is maybe 10 percent of that. And
3 one of the focuses of the study is the North River
4 counting tower which is in State jurisdiction.

5
6 Although it's a good idea we just feel
7 that the funding is unequitable and until it can be more
8 equitable we don't feel that we can support this project
9 at this time.

10
11 Thank you, Mr. Chairman.

12
13 CHAIRMAN FLEAGLE: Thank you, Mr. Oviatt.
14 Other discussion, Board members. Gary.

15
16 MR. EDWARDS: Mr. Chairman. I'm also
17 going to vote against the motion and, again, I don't
18 question the ability of the State to do this project and
19 to do it well. Certainly they have an excellent track
20 record and I don't dispute that this is a stock of
21 concern, but, again, as I look at the criteria that we
22 have set aside for these projects and where it talks
23 about strategic priority and it says, that proposals
24 should address the following, which are six criteria and
25 must meet the first criteria to be eligible, must, it
26 doesn't say should or may, it says it must, and, again
27 that first criteria has to do with Federal jurisdictions
28 and it specifically says:

29
30 That the project must have a direct
31 association to a subsistence fishery
32 within a Federal Conservation Unit.

33
34 And in this case it doesn't rise to that
35 occasion.

36
37 And I might be a little more inclined to,
38 well, not look the other way, but to try to rationalize
39 that if there seemed to be a -- if the State were willing
40 to make a larger contribution, but, you know, the
41 contribution that's being offered here, seems to me to be
42 pretty minor considering, you know, how important at
43 least the State feels that this project is.

44
45 CHAIRMAN FLEAGLE: Okay, thank you, Gary.
46 We did have an offer from Mr. Hilsinger to remove one
47 fisheries biologist II from the proposal, which would
48 reduce the overall cost by roughly \$26,000, which is, you
49 know, roughly 10 percent of the overall cost. I don't
50 know if there's any willingness on the Board to support

1 it with that concession. If there is I would entertain a
2 motion to amend the dollar figure, otherwise, I'll
3 continue recognizing discussion.

4
5 Denny.

6
7 MR. BSCHOR: I'm not prepared to make a
8 motion, I just had a question.

9
10 CHAIRMAN FLEAGLE: Go ahead.

11
12 MR. BSCHOR: And maybe a little more
13 discussion or understanding before I can decide how I'm
14 going to vote on this one.

15
16 Will the information potentially coming
17 from this study help us relative to the issues that we
18 had discussed a couple of years ago relative to Area M;
19 are any of these stocks involved in that run?

20
21 CHAIRMAN FLEAGLE: Keith Goltz sounds
22 like he's got a response.

23
24 MR. GOLTZ: It's always hard for me to
25 know when to jump in but Area M was much on my mind when
26 Gary was making his statements. And I would just like
27 Gary's concurrence that his statements were made as a
28 biologist and not as a lawyer.

29
30 (Laughter)

31
32 MR. EDWARDS: I would be pleased not to
33 be associated with being a lawyer at all costs.

34
35 (Laughter)

36
37 MR. GOLTZ: Okay. So I don't want those
38 statements to come back at me at some later court
39 pleading. Whether or not these stocks specifically
40 relate, I'd have to ask the biologists, I just don't
41 know.

42
43 CHAIRMAN FLEAGLE: John Hilsinger.

44
45 MR. HILSINGER: Mr. Chairman. The short
46 answer is no. This is a chinook stock. Chinook are not
47 a factor in the Area M fishery.

48
49 Thank you.

50

1 CHAIRMAN FLEAGLE: Thank you, John.
2 Other discussion. Judy.

3
4 MS. GOTTLIEB: Thank you, Mr. Chairman.
5 This project builds on work that's been done through this
6 program for several years and would be an important check
7 and step in our monitoring and management. And it's a
8 technically sound project, it also involves good capacity
9 building with the Native Village of Unalakleet. Again,
10 we fund and we're probably going to approve funding on
11 many, many studies here outside of Federal waters where
12 the State may not be making any contributions. I think
13 we're being a little inconsistent with that argument
14 there.

15
16 So I would endorse funding this project
17 for the one year because in the end we're being more
18 efficient by doing it that way and could save us money
19 down the road.

20
21 Thank you.

22
23 CHAIRMAN FLEAGLE: Denny.

24
25 MR. BSCHOR: Yeah, Mr. Chair, just a few
26 comments. I share the concern about the percentage of
27 funding on a project that has not as direct affect on the
28 Federal subsistence as we might like, however, if this
29 information can be utilized just with one more years
30 worth of funding then you're not going to come for 2008,
31 2009 because pretty soon we get up to about a million
32 dollars on this project and I don't think I would support
33 that. But I think in light of the fact that the Council,
34 and I know we don't have to defer to the Council but the
35 Council thinks this is a really important project and it
36 was on the consent agenda in the first place, I'm not
37 prepared to pull it at this point.

38
39 Thank you.

40
41 CHAIRMAN FLEAGLE: Niles Cesar.

42
43 MR. CESAR: Thank you, Mr. Chairman. I
44 view this conversation as overdue and one of many that
45 will take place over the next several years as we look at
46 the funding of these projects. And it was pointed out to
47 me, almost all, if not all of these sockeye -- Southeast
48 subsistence sockeye takes place in State waters, yet we
49 fund many of those projects, they're funded by the Feds,
50 and I think that money's tight. I mean, you know, I hear

1 what the State's saying, you know, but come sit in my
2 shoes, you know, when I have to make a decision about,
3 you know, who's going to get general assistance this
4 month and who isn't, you know we're all in tough shape
5 and it behooves all of us to step up to the plate and I'm
6 concerned about a five percent or even 15 percent, you
7 know, contribution by the State. I think that's too low.
8 I don't think that they've sharpened their pencils.

9
10 I mean we have had this steady stream of
11 money sitting there for a number of years now and we've
12 tried to do the right thing but we're past that, you
13 know, I mean we go to meetings -- every one of us go to
14 meetings everyday it seems like about budget and how are
15 we going to pay for this or what are you going to cut.
16 And basically it's cut this or cut that, not add
17 anything. And so I think we have to really look at these
18 projects on into the future and make some tough decisions
19 about what gets funded. And I think one of the criteria
20 has to be, who's joining in in the battle here, who's
21 adding and who's bringing value to it, and if it isn't
22 being brought then I have a tough time going back to
23 folks I represent and say, well, we're funding this and
24 it looks like we're in the game alone, or relatively
25 alone.

26
27 So I don't want to vote against this
28 because I think it has, you know, provided good
29 information and I think that we probably should fund it
30 one more year, but if we do, I mean please, don't come
31 back next year and give me a story about how poor you
32 are, I'll show you my lawyer's bills.

33
34 CHAIRMAN FLEAGLE: Ralph Lohse.

35
36 MR. LOHSE: Thank you, Mr. Chair. I'm not
37 going to speak in favor or against this project but I'd
38 just like to bring something out. We're talking about a
39 project that deals with people who are Federally-
40 qualified subsistence users. And as we talked yesterday
41 about State and Federal waters in other cases and we're
42 not -- when you look at C&T you look at the big picture
43 of the use of all of the different resources, I think
44 what really should be looked at and this is not so much
45 where and whether the fishery actually takes place on
46 Federal waters, but whether Federally-qualified
47 subsistence users depend, to a large extent, on the fish
48 that we're talking about right here, and that would make
49 more sense to me than who has the jurisdiction to make
50 the final decision on it.

1 And that's for you guys to decide. But I
2 think you need to look at that area and look at the big
3 picture up there. We know the subsistence users up
4 there, they're hurting for resources. Salmon have
5 declined in all kinds of areas there. If this piece of
6 information would increase the information you need to
7 maintain a subsistence season for the people that are up
8 there, maybe it's a valuable piece of information. If it
9 doesn't add anything that way, maybe it's not but maybe
10 that's what you should be looking at.

11

12 Thank you.

13

14 CHAIRMAN FLEAGLE: Thank you, Ralph.
15 Gary Edwards.

16

17 MR. EDWARDS: Well, I guess
18 philosophically I don't disagree with that. It would
19 seem to me then that there would be no project that we
20 wouldn't fund because recognized Federal subsistence
21 users also both hunt and fish on State lands, but, you
22 know, our criteria says where we have a jurisdiction,
23 where we have an opportunity to influence the management,
24 and in this case we have no opportunity to influence.

25

26 Now, I understand that Judy says that
27 they've had discussions and all but in the final analysis
28 on the tough decisions, we would not be able to weigh
29 into those.

30

31 I also have some of the same -- that
32 Niles expressed, and why I asked the question, are we in
33 for a penny, are we in for a pound? My guess is that
34 what came out of the TRC is that we'll only fund this for
35 one year but it was kind of an open-ended, at least, the
36 response that I got, which kind of led me to believe that
37 folks are going to be coming back to the trough and I
38 guess that does concern me because I do think at some
39 point that it's going to end up being a quarter of a
40 million dollars, but being a million dollar project. You
41 know, I'm certainly willing, if it doesn't pass, to go
42 back and revisit the issue of the North Tower because I
43 understand that that does provide a lot of valuable
44 information and it will no longer continued to be funded.

45

46 But I don't think, one, it meets the
47 criteria and, again, I think the contribution is way too
48 small.

49

50 CHAIRMAN FLEAGLE: Other discussion.

1 George.

2

3 MR. OVIATT: Well, my conclusions are the
4 same as Gary's, I just think the contribution is way too
5 small if this is that high of a priority with the State,
6 that they would be able to fund it at a more equitable
7 value. And I haven't changed my opinion.

8

9 CHAIRMAN FLEAGLE: All right. It sounds
10 like the discussion is becoming repetitive and we're not
11 establishing any swing here, are we ready for the
12 question.

13

14 The question is recognized on whether to
15 fund 07-103 for 2007, Steve, please poll the Board.

16

17 MR. KLEIN: Mr. Chair. We have a motion
18 to support the TRC, Regional Advisory Council and
19 InterAgency Staff Committee recommendation to fund
20 Project 07-103, the Unalakleet River Chinook Salmon
21 Radiotelemetry Project. There was a motion by the Park
22 Service and seconded by Forest Service. We'll poll the
23 Board.

24

25 Mr. Fleagle.

26

27 CHAIRMAN FLEAGLE: Aye.

28

29 MR. KLEIN: Ms. Gottlieb.

30

31 MS. GOTTLIEB: Aye.

32

33 MR. KLEIN: Mr. Cesar.

34

35 MR. CESAR: No.

36

37 MR. KLEIN: Mr. Oviatt.

38

39 MR. OVIATT: No.

40

41 MR. KLEIN: Mr. Bschor.

42

43 MR. BSCHOR: Aye.

44

45 MR. KLEIN: Mr. Edwards.

46

47 MR. EDWARDS: No.

48

49 MR. KLEIN: Mr. Chair, the vote turned
50 out three to three, that would mean the motion fails and

1 the will of the Board is to not fund this project as
2 stated in the motion.

3

4 CHAIRMAN FLEAGLE: Okay, thank you,
5 Steve.

6

7 MS. GOTTLIEB: Mr. Chair.

8

9 CHAIRMAN FLEAGLE: Judy.

10

11 MS. GOTTLIEB: Do we have an opportunity,
12 then, since it was hinted that a portion of this project
13 might be acceptable to have another motion, on voting on
14 just the portion that -- okay.

15

16 CHAIRMAN FLEAGLE: No, that's why I
17 offered the offer for an amendment to the funding level,
18 that was the opportunity to pare it down and that didn't
19 occur so this, in my opinion, is dispensed with.

20

21 Gary.

22

23 MR. EDWARDS: Maybe we could take a
24 different tact because as I had indicated, you know, I
25 would be interested in -- since the State's not prepared
26 to address what their funding contribution is, if we said
27 we were willing to fund one portion of it, could we give
28 the State, not today, but the opportunity to sort of
29 relook at that and come back in with another proposal
30 that would address just the North Tower and talk about
31 their contribution to that and let us address it as a
32 separate proposal. I mean would that be one way to sort
33 of get back to it?

34

35 CHAIRMAN FLEAGLE: I think that would
36 work. But I'm not sure what your deadline for deciding
37 these funding on these are, so that's a process question,
38 I guess.

39

40 Steve.

41

42 MR. KLEIN: I think the investigators, in
43 this case and in most cases, if the word was, by the end
44 of January they would still have sufficient time to gear
45 up and get a project in the water for the coming summer,
46 so we have several weeks here. I think it might be good
47 to summarize the cost of the North Tower component, if
48 Staff could do that and get some sideboards on what kind
49 of match the Board is interested in pursuing.

50

1 CHAIRMAN FLEAGLE: Gary.
2
3 MR. EDWARDS: That'd be fine with me, I
4 understand the cost is about 91,000 for -- that's what it
5 has cost previously to do just the tower.
6
7 CHAIRMAN FLEAGLE: Rich Cannon.
8
9 MR. CANNON: Mr. Chairman. Richard
10 Cannon. Yes, that is correct. It's about 90,000 for
11 just the North River tower portion.
12
13 CHAIRMAN FLEAGLE: All right. So is it
14 your will that Staff look into bringing this back before
15 the Board with a much reduced dollar amount and scope
16 just to fund the North Tower. Gary.
17
18 MR. EDWARDS: Well, I can't speak for the
19 other Board members but I'd certainly be willing to look
20 at it from that perspective. I don't know if the State
21 has an interest in doing that or not, I guess that would
22 be up to them, to decide whether they would want to do
23 that or not.
24
25 CHAIRMAN FLEAGLE: Sarah Gilbertson.
26
27 MS. GILBERTSON: I'm looking at John.
28 We'll speak to the managers and we'll have an answer, you
29 know, by the end of today to Steve on whether or not
30 we'll put something together. But my guess would be is
31 we would be interested in doing that.
32
33 CHAIRMAN FLEAGLE: Is there any objection
34 to following Gary's suggestion.
35
36 (No comments)
37
38 CHAIRMAN FLEAGLE: Hearing none, yeah,
39 okay, Gary, that's a good idea, thanks.
40
41 (Pause)
42
43 CHAIRMAN FLEAGLE: Richard Cannon.
44
45 MR. CANNON: Mr. Chairman. Yes, to
46 sharpen our pencil a little better. There's that \$90,000
47 budget, included two telemetry technicians from the local
48 area, so the actual cost of the tower would be, I assume,
49 minus the 23,000 for the technicians to work on the
50 telemetry project, so it may be less than \$90,000.

1 CHAIRMAN FLEAGLE: Okay, thank you.

2

3 All right, before we take action on the
4 consensus agenda, I'm going to call for a 10 minute break
5 and then we'll resume business.

6

7 (Off record)

8

9 (On record)

10

11 CHAIRMAN FLEAGLE: Good morning, we're
12 back in session. And I was approached during the break
13 by Mr. Hilsinger, who has some further information to
14 share with the Board on that last issue we just voted on,
15 07-103, John.

16

17 MR. HILSINGER: Thank you, Mr. Chairman.
18 I was able to do some discussion with people on the
19 concept of a proposal that would fund only the North
20 River tower, and I talked to Gene Sandone and he pointed
21 out to me that none of the money in that budget was Fish
22 and Game money, it all went to Native Village of
23 Unalakleet, and so there wouldn't be much change in that,
24 that's the amount that they need to do the budget. There
25 would be some additional requirements that they did not
26 face before, including the reporting, and that kind of
27 thing and the Department could do that aspect of the
28 project as an in-kind match. I think one of the problems
29 with considering that project alone, talking to the FIS
30 Staff, is that they weren't sure that looking at just the
31 North River tower would make it past the TRC and the FIS
32 review, because in doing only the North River tower, you
33 lose the nexus even to the spawning stock on the part of
34 the river that runs through Federal lands, and if you go
35 to just the North River tower you lose even that nexus.
36 So that's kind of where we're at.

37

38 I think the Department could put together
39 a proposal in concert with the Native Village of
40 Unalakleet. I guess before we did that we'd like to know
41 whether or not it could pass the review, you know, so
42 that we know that it's effective for us to spend our time
43 doing it.

44

45 Thank you.

46

47 CHAIRMAN FLEAGLE: Gary Edwards.

48

49 MR. EDWARDS: Mr. Chairman. So what I'm
50 hearing you saying, you guys are sort of questioning that

1 -- you know, I think one of the things, several of us
2 were looking for, was a bigger contribution from the
3 State on this project. And if -- maybe the North Tower
4 was -- hearing what you said, maybe had been the wrong
5 thing to say go back and revisit that, I mean would you
6 be willing to kind of go back and revisit the telemetry
7 work and see if the State can come up with a more
8 significant contribution, either in-kind or cash.
9 Certainly in-kind often is easier to do because you've
10 got people, you know, that's on your payroll and they're
11 either going to be working here or working there so you
12 might be able to make those kinds of decisions, and like
13 I said maybe I -- when I just identified the North Tower,
14 maybe I said that with not full information. But I think
15 for some of us, if the State would be willing to come
16 back and say, you know, we're going to make a more
17 significant contribution here and what it is, you know, I
18 think I'd certainly be willing to at least maybe consider
19 this for one year.

20

21 Again, I have some concerns that this
22 might turn out to be a much longer request than just the
23 one year so I don't know if that would help.

24

25 CHAIRMAN FLEAGLE: John.

26

27 MR. HILSINGER: Thank you, Mr. Chairman.
28 The one year really is a crucial piece with the -- it
29 will tell us a lot about the prior two years and the
30 consistency of that data and if this third year is
31 consistent with the first two years in '97 and '98, then
32 we'd basically know that the North River tower works and
33 that we can trust it over time as a consistent portion of
34 the run. And if this number is significantly different
35 than the other two, then we know that the North River
36 tower is not a consistent proportion and it's not a good
37 index, and then that calls into question, even the value
38 of continuing the North River tower, so we really need
39 that and one year of data would tell us that. So you
40 don't have to worry about us coming back the second or
41 third year and wanting more money, it's clearly a one
42 year project. And also it would give us the information,
43 probably, that we need to make a determination on the
44 weir.

45

46 Now, as to whether the Department has
47 more funds to put toward it, I've talked to Gene Sandone
48 on that question twice this morning and both times he
49 said that he does not have any additional funds to put
50 toward it other than the fisheries biologist II time that

1 we talked about, that he's extremely tight. We also
2 discussed about the possibility of AYK-SSI funding, and
3 this proposal was not submitted to them because it was on
4 the consensus agenda for this funding source, we did not
5 submit it for funding to other places, and so there's no
6 opportunity this year that I'm aware of to get it funded
7 somewhere else. So if that was our future for this
8 project it would probably wait until next year.

9

10 Thank you.

11

12 CHAIRMAN FLEAGLE: All right, appreciate
13 the discussions. Now, this kind of puts the Federal
14 Subsistence Board in an awkward position of having just
15 voted down a request for funding and with the consensus
16 that it be thrown back to the Staff and the State to come
17 back with a proposal that would fund a project that now
18 appears would have no chance of passing review and
19 probably wouldn't benefit the program. So at this point
20 I kind of find a little conundrum in even having the go
21 ahead with that smaller project coming back to us for
22 consideration this year. And I think, Steve, you've got
23 a comment based on previous discussion. I just have to
24 think about this for a minute.

25

26 MR. KLEIN: Yes, I'd like to speak as
27 Chair of the TRC. The TRC was very deliberate when they
28 looked at this proposal, it really was a package deal and
29 this one year of information would really help us define
30 what it takes to monitor that system, and I think John
31 spoke to that. If it's consistent with the '97/98
32 information, to monitor that chinook run you're looking
33 at a tower that could range from 50 to \$100,000 dependent
34 upon the number of species you counted, and then every
35 three to five years, probably closer to five years, but
36 every three to five years you would probably try to
37 validate that proportion through a telemetry study and
38 maybe that could be scaled down a little.

39

40 So it really was a package deal, and I
41 think if you strip away the telemetry and just look at a
42 tower, I would agree that that really would not be a
43 strong Federal subsistence priority unless it represented
44 the whole system, and that's where you need the
45 telemetry. If you're just looking at the tower, you have
46 basically -- there's no spawning in Federal waters on
47 that fork and there's no fishery, so that nexus, I don't
48 think, if you asked the TRC to look at that
49 scientifically they would rank that -- it wouldn't pass
50 the bar for strategic priority.

1 Mr. Chair.
2
3 MR. EDWARDS: Mr. Chair, let me.....
4
5 CHAIRMAN FLEAGLE: Hold on, hold on Gary,
6 I got a hand over here before you and then I'll recognize
7 you.
8
9 George Oviatt.
10
11 MR. OVIATT: Would it hurt in this study
12 if we waited one year and used this year to try to get
13 some other resources to help out with the funding for
14 this?
15
16 CHAIRMAN FLEAGLE: Who wants to answer
17 that, Steve.
18
19 MR. KLEIN: Whether the telemetry was
20 done in 2007 or 2008, I don't think it's that pertinent
21 for the long-term question, so waiting a year would --
22 might be -- well, I would say that's a better course of
23 action than just looking at a tower project for one year.
24
25 We currently do have a request for
26 proposals out for 2008, I would assume since -- well, I
27 know that the Department could submit this for 2008 for
28 funding under 2008.
29
30 CHAIRMAN FLEAGLE: Gary Edwards.
31
32 MR. EDWARDS: Just a couple questions on
33 the tower. But it is my understanding that the tower is
34 very useful in helping managing the entire river as well
35 as determining escapement levels for fish returning to
36 Federal waters; isn't that correct?
37
38 CHAIRMAN FLEAGLE: John Hilsinger.
39
40 MR. EDWARDS: Mr. Chairman. Mr. Edwards.
41 Yes, assuming that the proportion of fish that go up the
42 North River relative to the whole system is constant.
43 And right now we're operating on that assumption. We had
44 two years of radio telemetry data and both years the
45 proportion that went up the North River was around 38 to
46 40 percent, and it was -- they were eerily consistent,
47 and so we use that, that's the only data we have, and so
48 it does have value. But if that relationship has changed
49 and it's not 38 to 40 percent any longer, then it could
50 actually be detrimental to management to continue

1 utilizing the North River tower. So there's not a simple
2 answer to that question. If the proportions are
3 consistent then it's a good tool, if the proportions are
4 not consistent then it's a bad tool that's being used in
5 error and right now the only way we can find that out is
6 to do this year of radiotelemetry.

7

8 Thank you.

9

10 CHAIRMAN FLEAGLE: Gary, do you want to
11 continue.

12

13 MR. EDWARDS: Well, I just wanted to
14 thank you and maybe addressing something you said
15 earlier. While I'm certainly not interested in
16 revisiting my vote, I guess I'm still willing to give the
17 State a couple weeks to determine really how important
18 this study really is and whether they are -- even though
19 I understand what Gene said, sometimes if you have a
20 couple more days you can think and become creative on how
21 you might be able to fund something. So I'm certainly
22 willing to give them that opportunity to do that.

23

24 CHAIRMAN FLEAGLE: Steve Klein.

25

26 MR. KLEIN: Again, I'd like to, again,
27 scientifically the TRC body felt that without monitoring
28 on a three to five year basis to know what that index
29 represents, it's not scientifically sound. You need to
30 have that three to five year interval and without it it's
31 more akin to an aerial survey where, you know, there's
32 some fish down there but we're not sure what that
33 represents. Now, it's not to that extreme but it's --
34 taking the TRC's mind it would be much closer to an
35 aerial survey without that validation.

36

37 Mr. Chair.

38

39 CHAIRMAN FLEAGLE: Thank you, Steve.
40 Judy, you had a question.

41

42 MS. GOTTLIEB: Yes, thank you. I guess
43 if we don't fund the study or if we do end up funding
44 some reduced form of it, what happens to the money that's
45 saved then?

46

47 CHAIRMAN FLEAGLE: Steve Klein.

48

49 MR. KLEIN: Mr. Chair. Ms. Gottlieb.
50 What we would do is we would forward fund ongoing

1 projects and that would free up additional funding in
2 2008. So with this 272,000 we would look at some
3 projects that we could fund in 2008 with our 2007 dollars
4 and there would be more money available in 2008 for
5 projects, for Partner's Program, for OSM operations.

6

7 CHAIRMAN FLEAGLE: Sarah Gilbertson.

8

9 MS. GILBERTSON: Thanks. I have a
10 question just thinking in terms of, you know, we have a
11 Board meeting coming up for this region in terms of staff
12 time, and allocating that staff time over the next couple
13 weeks, what level of State support would be acceptable to
14 the Board?

15

16 CHAIRMAN FLEAGLE: I was happy with what
17 was proposed so I'm not sure.

18

19 MS. GILBERTSON: Maybe let me rephrase
20 that to Mr. Edwards.

21

22 CHAIRMAN FLEAGLE: Gary.

23

24 MR. EDWARDS: Well, I mean the simple
25 answer, the more the better.

26

27 (Laughter)

28

29 MR. EDWARDS: I'm not sure that there is
30 any kind of magical number. I mean I think, you know,
31 you express the importance of something by how much
32 you're willing to make it a priority and how much you're
33 willing to do that, and so I guess your folks are the
34 better judge. I mean certainly 50 percent is better than
35 25 percent. You know \$100,000 is better than what's
36 being proposed. So at least I -- I guess it's one of
37 these things, I'll know it when I see it whether it seems
38 like a reasonable contribution or not. I mean, you know,
39 we have all kinds of examples, you know, the Federal Aid
40 Program, 70/30, I mean our challenge cost share, I mean
41 there are various -- most programs do require some kind
42 of a match. You know, for various this program hasn't
43 been set up to do that, I don't know if that's something
44 that we need to revisit but, you know, we elected not to
45 do that but certainly I think we do expect some kind of a
46 contribution on this, as well as we should expect it of
47 our own agencies when we're proposing money from this
48 pot.

49

50 CHAIRMAN FLEAGLE: All right, thank you.

1 I think probably as Chair I'm going to add a little to
2 the discussion. I think that when we finished action on
3 this and all conceded to give the State an opportunity to
4 work with Staff to come back within a couple of weeks for
5 something that could be funded this year, I felt that
6 that was reasonable, but hearing concerns that it sounds
7 like a far reduced project that was referred to in the
8 final discussion is not feasible. I think that I would
9 rather, since the Board acted on Proposal 103, it's gone,
10 it's dead, we have a call for proposals for 2008 for
11 everybody just to put their heads together and come back
12 with a proposal that will meet the criteria and will meet
13 the objectives. It sounds like one year is not that
14 critical in the data gathering here, I'd rather not just
15 hodgepodge and piecemeal something in the next several
16 weeks when everybody, including the State's Board is
17 busy.

18

19 So if I don't have any objection I think
20 that that would be the best course of action. Otherwise
21 I would accept a motion for reconsideration on 103 with
22 an amendment for the dollar amount and see where it goes,
23 but otherwise I would rule the issue dead until next
24 year.

25

26 (Pause)

27

28 CHAIRMAN FLEAGLE: All right, that sounds
29 like what we'll -- just kill it, let it come back through
30 the proposal cycle and I think that's probably the most
31 clean way of dealing with it.

32

33 So we'll move on to the consensus agenda
34 then, the rest of the consensus agenda. Steve Klein.

35

36 MR. KLEIN: Mr. Chair. The projects on
37 the consensus agenda are as listed on Page 9 of the Board
38 book with the exception that the project 07-103,
39 Unalakleet River Chinook Salmon Radiotelemetry is on the
40 non-consent agenda with the 07-455 Adak Island. All the
41 remaining projects are -- there's a consensus to fund 34
42 and consensus to not fund two of the projects, and we
43 could entertain a motion to adopt the consent agenda.

44

45 CHAIRMAN FLEAGLE: Okay, thanks, Steve.
46 And since we have this in written form I'm not going to
47 ask anybody to read all of those numbers into the record.
48 We do have it on Page 9 of the documents.

49

50 Do we have a motion for adoption.

1 MR. OVIATT: So moved.
2
3 CHAIRMAN FLEAGLE: George, thank you.
4
5 MR. BSCHOR: Second.
6
7 CHAIRMAN FLEAGLE: Seconded by Denny.
8 Discussion.
9
10 (No comments)
11
12 CHAIRMAN FLEAGLE: Any supporting
13 statements. Judy.
14
15 MS. GOTTLIEB: Mr. Chairman, thank you.
16 I know the TRC has worked long and hard on this and done
17 a really excellent job and provided us with very good
18 information and write ups and we appreciate all the
19 consensus that was reached.
20
21 CHAIRMAN FLEAGLE: Was that a call for
22 the question, too.
23
24 MS. GOTTLIEB: (Nods affirmatively)
25
26 CHAIRMAN FLEAGLE: Question's recognized
27 on the consensus agenda, Steve.
28
29 MR. KLEIN: Did we have a second?
30
31 CHAIRMAN FLEAGLE: Yes, we did, Denny.
32
33 MR. KLEIN: Okay. Okay, we have a motion
34 on the consensus agenda to fund the remaining 34 projects
35 and to not fund two projects, 07-251 and 07-458, motion
36 was by Ms. Gottlieb and seconded by Mr. Bschor -- excuse
37 me the motion was by Mr. Oviatt and seconded by Mr.
38 Bschor.
39
40 Ms. Gottlieb.
41
42 MS. GOTTLIEB: Aye.
43
44 MR. KLEIN: Mr. Cesar.
45
46 MR. CESAR: Aye.
47
48 MR. KLEIN: Mr. Oviatt.
49
50 MR. OVIATT: Aye.

1 MR. KLEIN: Mr. Bschor.
2
3 MR. BSCHOR: Aye.
4
5 MR. KLEIN: Mr. Edwards.
6
7 MR. EDWARDS: Aye.
8
9 MR. KLEIN: Mr. Fleagle.
10
11 CHAIRMAN FLEAGLE: Aye.
12
13 MR. KLEIN: Mr. Chair, the motion passes
14 six to zero.
15
16 CHAIRMAN FLEAGLE: Okay, thank you. Now,
17 we move on to the agenda for other business, is there
18 other business that needs to come before the Board.
19 Steve Klein.
20
21 MR. KLEIN: Mr. Chair. The FIS Staff did
22 want to have an opportunity to brief the Board on three
23 out of cycle proposals we've received recently. This is
24 outside the normal cycle but we would like to brief the
25 Board on those proposals and the current actions taken
26 and anticipated.
27
28 CHAIRMAN FLEAGLE: Thank you, go ahead.
29
30 MR. SCHLEUSNER: Mr. Chairman. Board.
31 In December 2006 we received three out of cycle funding
32 requests, all three proposals received addressed Kenai
33 Peninsula subsistence fisheries in the Kasilof River
34 drainage. The regulatory issue being addressed were the
35 regulatory proposals currently under review for
36 subsistence dipnet fisheries in the Kasilof River.
37
38 The initial Staff analysis is completed
39 on the three proposals and comments have been sent back
40 to the investigators. Funding in this separate process
41 is tentatively been approved for two of the projects
42 pending the submission of detailed investigation plans.
43 Doug McBride is the Fisheries Information Service lead
44 and is working closely with the Kenai Fisheries Office
45 Staff who are the investigators on all three of these
46 proposals to develop full investigation plans for these
47 projects.
48
49 The three projects submitted are 07-507,
50 the Tustumena Lake Coho Abundance Study requesting

1 219,000. In the proposal the objectives are to estimate
2 the coho abundance in four known spawning locations in
3 Tustumena Lake.

4
5 Shintatalik (ph) Indian Glacier and
6 Nikoli Creeks, the proposal is seeking funding to operate
7 four weirs equipped with underwater video systems similar
8 to the one currently operated for steelhead on Nikoli
9 Creek. The proposal would also involve sampling coho in
10 the upper Kasilof River trying to identify the extent of
11 mainstem spawning.

12
13 The recommendation was to fund with
14 modification and develop an investigation plan addressing
15 the accurate assessment of only two of the spawning
16 tributaries. It was felt in the analysis that that level
17 of monitoring would substantially improve the assessment
18 and was adequate to address the management concerns.

19
20 Proposal 07-508, which is the Nikoli
21 Creek Steelhead Abundance and this one was requesting
22 33,000. The project objective is to continue to estimate
23 steelhead abundance in Nikoli Creek using a weir equipped
24 with underwater video system. The current project has
25 operated since 2005 and it's our understanding that the
26 project was funded through 2007.

27
28 The recommendation that came back was to
29 not fund this project since there was already an
30 identified funding source for 2007, it did not meet the
31 criteria for out of cycle funding. And if the future
32 funding of this project is in questioning we recommended
33 the submission of a proposal in the 2008/2009 cycle
34 that's currently open.

35
36 The third and final project that was
37 received is 07-509, it's the Kasilof Steelhead
38 Distribution requesting 151,000. The main project
39 objective is to document the spawning location and
40 distribution of steelhead in the Kasilof River using
41 radiotelemetry. The proposed work would identify or help
42 identify spawning populations outside the known spawning
43 locations in Crooked and Nikoli Creeks.

44
45 The recommendation that went back was
46 fund with modification. The request was to modify the
47 investigation plan to include the tagging of coho salmon
48 to address the spawning location and distribution of both
49 species. And initially focusing on feasibility and
50 tagging mortality.

1 That concludes my presentation.

2

3 CHAIRMAN FLEAGLE: Thank you. And just
4 clarification, the dollar amount on the first, 07-507 was
5 how much?

6

7 MR. SCHLEUSNER: Mr. Chairman. It was
8 219,000.

9

10 CHAIRMAN FLEAGLE: 219, thank you. Steve
11 Klein.

12

13 MR. KLEIN: Mr. Chair. I wanted to
14 comment on the process for the out of cycle proposals.
15 These are taken up outside the normal process and we kind
16 of just went through the normal process on the '07 plan.
17 The normal process is a 15 month process, where we have
18 the Technical Review Committee look at the proposals, not
19 once, but twice, and we're really focused on trying to
20 put sound science before the Board. In the normal
21 process we have review by the Councils and also the
22 public, and then the Staff Committee looks at it from
23 their perspective and then there's Board action. So
24 that's a very deliberative and open process that's
25 science driven.

26

27 For the out of cycle process, which is
28 what Cliff just briefed us on, three projects we are
29 currently considering. We try to avoid that as much as
30 possible except where there's rare or extenuating
31 circumstances, and that is because it's not the -- it
32 doesn't get the level of review that we do in the normal
33 funding cycle. So these are time sensitive issues.
34 We've used this a couple of times in the past. One was
35 for Afognak Lake to do some smolt work for a stock that
36 was at rapidly decline. And then also for the Kenai
37 Peninsula Fisheries Assessment that was funded out of
38 cycle.

39

40 These three proposals, the process we use
41 is that given the time sensitivity, we just have the FIS
42 Staff review it and then it's a decision by the Assistant
43 Regional Director for Subsistence to approve the project
44 and they're only considered for one year and the intent
45 there is to get it back into the normal funding cycle.
46 So the funding considered of those three proposals were
47 just for 2007 and any out year funding in '08, they'll
48 bring them into the normal funding cycle.

49

50 Mr. Chair.

1 CHAIRMAN FLEAGLE: Okay, thanks, Steve.
2 So just to clarify the Board can act on these
3 recommendations now and approve funding and where would
4 the money come from, what are we approving?

5
6 MR. KLEIN: The out of cycle process is
7 -- the ARD for Subsistence is the approving body and then
8 we would bring them back to the Board if they were to
9 continue in 2008. So the Board really has no role and
10 this is provided just for information for the Board. I
11 think with the recent actions on the Kenai Peninsula that
12 the need for additional information, particularly in the
13 Kasilof system where we have very little information, we
14 received these proposals and acted upon them.

15
16 In terms of the funding, we did, when we
17 started 2007, we did have a -- or actually in 2006 we
18 forward funded additional projects to the tune of 550,000
19 so there is funding on the table to fund these two
20 projects recommended and that's what the ARD has
21 tentatively approved pending an investigation plan. So
22 the funding is available. The Board would next see these
23 probably in the 2008 regular cycle.

24
25 CHAIRMAN FLEAGLE: Thank you. Gary
26 Edwards.

27
28 MR. EDWARDS: Mr. Chairman. In way of a
29 little bit of background, once, you know, we had made the
30 decisions both on the Kasilof and on the Kenai, knowing
31 that we were going to be getting, not only the proposals
32 that we've received to date, but obviously probably
33 additional proposals, I asked Staff down there to look at
34 both of those two systems, you know, and say where do we
35 have information gaps, where do we need to get
36 information so as we get these proposals in we know that
37 we're making good decisions on them, which from my
38 perspective is really the intent of this funding to begin
39 with.

40
41 Our folks down there, fisheries offices
42 and Refuges looked at that and felt that it was on the
43 Kasilof, primarily with the steelhead and with the coho
44 where we felt that we needed the most information the
45 soonest in order to be able to address potential requests
46 we had. And certainly with the steelhead and even to
47 some extent to the coho, I think the Refuge does have
48 some conservation concerns, and so with lack of
49 information, you know, we're going to have a tendency, I
50 think, to take maybe a more conservative approach then

1 than we might really need to. And so I asked those folks
2 to put this together, they actually came through with a
3 little more ambitious proposal and working with FIS
4 Staff, I think we were able to trim it back and I think
5 our folks are satisfied with it. There is an agency
6 match on this, I think it's somewhere around 30 percent
7 so at least that's my understanding.

8
9 So I think it is good proposals and as
10 Steve said it would come back up through the regular
11 cycles because these are, I believe, or scheduled to take
12 about three years to complete the project so they would
13 come back up. But I thought it was important that we
14 needed to get this work started immediately, you know,
15 this field season given the anticipation of the proposals
16 that we're going to be receiving.

17
18 CHAIRMAN FLEAGLE: All right, thank you,
19 Gary. Other comments.

20
21 (No comments)

22
23 CHAIRMAN FLEAGLE: Questions.

24
25 (No comments)

26
27 CHAIRMAN FLEAGLE: Okay, thanks for that
28 update. Any other business to come before the Board.

29
30 (No comments)

31
32 CHAIRMAN FLEAGLE: Hearing none, we'll
33 move on Board discussion with Council topics with Chairs,
34 we have two Council Chairman still with us, you guys have
35 anything you'd like to discuss on the meeting, during the
36 meeting or outside of it.

37
38 Ralph.

39
40 MR. LOHSE: Thank you, Mr. Chair.
41 Probably not discuss because I just as soon not take your
42 time, you guys have been working hard at this and it's
43 taken long enough. But just a couple things the Council
44 would like to bring up to you, and just a couple Council
45 concerns, I guess, they're in a letter to you so you
46 could always just read it.

47
48 But two of the Council concerns that our
49 Council would like to bring to you is with the thought of
50 making a new Kenai Board at one time or new Council at

1 one time and your orders to reevaluate how you set up
2 your Council composition. We would just like to, again,
3 bring to your attention that the idea that when you're
4 working on that Council composition that it is important
5 to remember that it is supposed to be a subsistence
6 Council. Now, I know you're called on to have balance in
7 it and how you achieve that balance and what kind of
8 percentages you come up with. But the idea should still
9 be that that Council is there to represent subsistence
10 users, and we'd just like to make sure that that's, you
11 know, that that's the priority in whatever kind of
12 proportion you come up with for the Board.

13

14 The other one is we'd like to speak in
15 support of the Partnership Program. As the AHTNA people
16 and the Native Village of Eyak, and some of the other
17 people have experienced with the partner that we've had
18 in our area, it's been very beneficial to the people
19 involved. So when funding for Partnership Programs comes
20 up we'd just like you to consider that these actually do
21 have an impact on the local people, especially people may
22 have a little bit of difficulty with like we've talked
23 about, before the confusion of two regulation books and
24 things like that, you know, and things on that order. So
25 as a Council we'd like to add our support to anything
26 that we can do to the Partnership Program.

27

28 And other than that I'm open for any
29 questions, and I see by our newspaper headlines today
30 that we've got a lot of work ahead of us on the Kenai and
31 I'm glad I'm sitting in this seat and not in your seat,
32 so with that I'll shut up.

33

34 CHAIRMAN FLEAGLE: Thank you, Ralph. I
35 just want you to thank you for your Council's willingness
36 to help out on that issue with the subcommittee and that
37 process and we look forward to receiving the information
38 that your Council and your committee can provide us for
39 that. Again, that's stepping in to fill a gap that was
40 identified that the Board didn't feel was necessary to go
41 as far as creating a new Council, appreciate you guys
42 stepping up and your willingness to deal with that for
43 us.

44

45 Other Board comments with Ralph.

46

47 MR. EDWARDS: Mr. Chair.

48

49 CHAIRMAN FLEAGLE: Gary.

50

1 MR. EDWARDS: Ralph, just what's your
2 sense as to how things are starting to jell, the
3 discussion among the Council and this kind of working
4 group and all, is it -- are we off to a good start or
5 what do you think?
6

7 MR. LOHSE: Gary, that's a pretty hard
8 one to answer, I don't even think at this point in time
9 all of the membership on the working group has been
10 decided on -- I mean decided on who to ask but I don't
11 think we have complete membership yet in that working
12 group. I know that the people on the Council that are
13 involved in it are willing to put the work in it.
14

15 You know, you know and I know -- you know
16 and I know what the Kenai is like and what we accomplish,
17 it's really going to be a matter of how the people that
18 come to the table decide whether they're going to work
19 together or whether they're all just going to represent
20 their own interests and we won't know that until it's
21 done, you know.
22

23 I think it's an opportunity for people to
24 come and learn from each other and maybe put aside some
25 of their differences and accomplish something, but it's
26 also, you know, until it's over we won't know whether
27 people do that or whether people will just go there and
28 try to represent their own interests. And I guess I've
29 got the same hopes that you've got on that but I'll have
30 to say that I'll have to wait and see before I have
31 confidence one way or the other.
32

33 CHAIRMAN FLEAGLE: All right, thank you.
34 Bert, any comments.
35

36 MR. ADAMS: Thank you, Mr. Chairman. I
37 have a doctor's appointment at 1:00 o'clock, so can I
38 take the rest of the time up until that appointment comes
39 up?
40

41 (Laughter)
42

43 MR. ADAMS: I won't. I do have some
44 issues here that we need to put on the table.
45

46 First off, you know, I feel much more
47 comfortable now that my part of this meeting has taken
48 place and sometimes, you know, I think it's necessary to
49 listen to a story that will make us laugh and I'd like to
50 share one with you.

1 There's this old man from Sitka, I think
2 this was before statehood, he walked up to Fish and Game
3 enforcement officer and he asked him, he says, it is it
4 against the law to kill deer now and this was in July and
5 so, you know, the enforcement officer said, oh, yes,
6 yeah, you know, you can't kill deer right now so anyone
7 who does that is going to have to be dealt with. And so
8 the old man says, well, the bear, it killed two, go
9 handcuff him. Can you imagine the enforcement officer,
10 you know, handcuffing a bear. Although I've seen in my
11 commercial fishing days, you know, that bears have been
12 very detrimental to our fishing efforts, you know, when
13 they come and pull our little gillnets in and take all
14 the fish out but they won't set it back out again, you
15 know, it just sits there in a real big pile.

16
17 I want to thank the Board for the action
18 on the Makhnati Island issue. And, you know, when I
19 first came to this meeting I didn't feel too comfortable
20 about the way it was going to turn out, and, you know, to
21 delay this for a year so that a working group can be put
22 together to gather some more information and make it
23 available for us, you know, and within a year, is a great
24 opportunity. So we didn't win here, nor did we lose.
25 And I think putting a deadline on it is also a real
26 positive thing because it will force, you know, that
27 working group to actually, you know, come up with some --
28 to meet some deadlines and to come up with, I hope,
29 positive ways in how we can address this issue and make
30 it, you know, workable for the people of Sitka because
31 they do need those resources, and if they don't have to
32 go way out in order to meet their needs, you know, as
33 they have been in the past then I think that's really an
34 important thing to consider.

35
36 So I look forward to having that happen
37 and seeing the outcome, you know, when we come back again
38 in a year to hear the report.

39
40 Another thing I have an issue with, and
41 this is just my own personal feeling but we will be
42 talking about it at our next RAC meeting.

43
44 During this process, you know, the last
45 couple of days, you seen -- yesterday when you read some
46 of these proposals, you've seen instances where one
47 individual has submitted a proposal. And I brought this
48 up at our RAC meeting during a teleconference here a
49 month or so ago and the consensus was anyone can submit a
50 proposal, and I agree with that. But, I have issue when

1 it does not get, you know, public comment. An individual
2 can submit and prepare a proposal, but if I could see
3 evidence in there that it had gone through the process of
4 good public hearing or getting an endorsement from some
5 reputable organization or such, you know, then that holds
6 more weight as far as I'm concerned, you know, in
7 supporting that proposal or not. You know, I hope that
8 maybe we can address that at our next RAC meeting in
9 February.

10

11 I wanted to let you know that the Council
12 is in the process right now of asking for our RFR on the
13 Saxman issue. We were disappointed, you know, in the way
14 the Board combined Ketchikan and Saxman at your meeting
15 last month and we feel that we are going to challenge
16 this on process. And so that's in the works right now,
17 we're at the beginning stages of putting together
18 information so that we can proceed with that. So I just
19 wanted you to know, you know, that as far as we're
20 concerned this isn't dead.

21

22 We do have issues with the 70/30 rule. I
23 think before that issue came out we did have a balanced
24 Council. I, for instance, am a commercial fisherman, I'm
25 a charter boat captain and I'm also a subsistence user.
26 You come to my home and look into my freezer you'll find
27 that maybe about 85/90 percent of my freezer is filled
28 with fish and game that me and my family have gotten by
29 ourselves. And so we do have an issue with that and
30 we're working on dealing with it as well.

31

32 I want to talk a little bit about TEK. I
33 gave you an example, I don't know whether it was
34 yesterday or the day before about the East Alsek River
35 situation where we hired a Native anthropologist to look
36 at ways in how our resources were managed, you know, a
37 long time ago and put that into documentation and the
38 purpose for that is when we do a management scheme for,
39 for instance, the East Alsek River, then we can take that
40 information and we can bridge it with Western Science.
41 And where can you go wrong, where you take local
42 knowledge and use that information, you know, with
43 Western Science and begin to make, you know, good sound
44 management schemes for rivers and hunting areas as well.
45 So the SERAC has always been conscious of that, you know,
46 TEK projects was number 1.

47

48 So I hope we can see more and more of
49 that.

50

1 I've still got an hour and a half to talk
2 here yet so I'm trying to think of other things to say.

3
4 Mr. Chairman, I really appreciated being
5 here. I've gotten to know some of you personally and
6 putting a name, you know, to a face has helped me a lot
7 to get to know you a lot better, and I think that you all
8 are doing a great job up there. And I want to commend
9 our new Chairman as well, I think that he is managing
10 himself real well up there in that position. So my
11 compliments to you, Mr. Fleagle.

12
13 And so as I said, you know, getting to
14 put a face on a name has been really valuable to me.

15
16 Now, Mr. Cesar over there is a different
17 story, I've known him for many, many years and I used to
18 do an article for a column for the Juneau Empire for a
19 total of about six years and I was always, you know,
20 talking about self-governance, Bureau of Indian Affairs
21 and I never mentioned his name but he always accused me
22 of picking on him all the time so if I ever get an
23 opportunity to do any more columns, I'm trying to think
24 of somebody on this Board who I can pick on.

25
26 But anyhow, when I started doing those
27 articles I used my Tlingit name, Kadashan, that's my pen
28 name, and before I did that I asked some of the elders in
29 my community and some friends from Sitka where I was born
30 and where I consider my second home, if it would be okay
31 to do that and everyone of them counseled me in this way.
32 They all had the same idea even though I talked to them
33 different. They said don't say anything bad about
34 anyone, and so I've tried to, you know, gear those
35 articles in a positive way and I also try to conduct our
36 meetings in a positive way, and that's why I supported
37 your idea about motions being in positive, Mr. Fleagle.
38 Because if we look at things, you know, somebody
39 mentioned to me just the other day, there's two things
40 you can do when you get a lemon. You can either complain
41 about how sour it is or you can turn it into a lemonade,
42 and, you know, that has always been a process for me as I
43 thought and thought about issues that come before me, is
44 how can we turn this into a lemonade. Even though some
45 of these things may be unpleasant or hard to -- you know,
46 difficult to deal with.

47
48 The working group for the Makhnati Island
49 issue, I think I want to go back to that again, is very
50 good, and I've heard, you know, Sarah, who I have come to

1 respect and like very much over the past couple -- over
2 the past year or so, said that there might be some issues
3 that might cause, you know, some stumbling blocks there.
4 I think if you want to do things right, you know, and in
5 the process of doing things right, as I mentioned
6 yesterday, we need to do the right things for the right
7 reasons and they should be based on correct principles.
8 That if we are doing something worthwhile then any of
9 those obstacles or impediments that might come before us,
10 we need to work very hard to try to remove those so that
11 we can go in and start doing the right things for the
12 right reasons.

13

14 So, Mr. Chairman, I think I'm going to
15 end with another story. As I mentioned earlier, I am a
16 charter boat captain as well and about three years ago I
17 took a group out, there were three individuals, and it
18 was a family. The father was 90 years old. You know, I
19 remember us helping him try to get in the boat, you know,
20 he was kind of stumbling here and there and then he had
21 two sons who were probably in -- the youngest one was in
22 his 60s and the other one I think is in his 70s and so I
23 scratched my head, I was trying to figure out how am I
24 going to deal with these guys, you know, if something
25 happens. But once they got on the boat, you know, it was
26 okay. We got out to our fishing grounds, I set the
27 anchor and shut down the engine and helped them get their
28 gear out. And oh about 10 or 15 minutes, you know, the
29 old man he caught something. And I could tell right off
30 the bat that this was a pretty good size halibut and so
31 he was, you know, reeling that thing in and it would come
32 up a little ways and it would dive right down to the
33 bottom again and it took him 40 minutes to pull that
34 thing in and his two sons are saying, hey, dad, you need
35 some help, you want us to help you pull that in, he says,
36 nope, I'm going to do this all by myself. And it took
37 him 40 minutes. We got that up to the surface and it was
38 a pretty tired halibut, I did have to, you know, plug it
39 a couple times with my 410 but it took all of us, you
40 know, to pull that thing in and it weighed out to 286
41 pounds, you know, and so we got that one into the hold
42 and then got their gear back into the water. Another 10
43 minutes, you know, he catches another one. And his two
44 boys, you know, they weren't catching anything. In fact,
45 the youngest boy was -- he's a lot shorter than I am and
46 he had this, you know, I guess what you would call a
47 Napoleon complex and when he got on the boat he says,
48 Captain, he says I want you to catch me the largest
49 halibut you can find in this bay and I don't want any of
50 those little ping-pong paddles either, you know, and he

1 was catching fish but he was catching all of those ping-
2 pong paddles, you know. And here his father, you know,
3 was there, you know, catching all of these big ones. It
4 took him another 20 minutes or so to pull that one in,
5 and this was a 90 pounder. You know, we got that into
6 the boat and you know all settled down and I have an
7 inboard/outboard -- you know, in drive on my boat, it's
8 an inboard with an out drive, and there's an engine
9 cowling over there and he sat down on that cowling and he
10 took off his hat and he wiped his forehead like this and
11 he says, whew, now, I know why they only limit you to
12 two, but he was one tired guy and he wouldn't let, you
13 know, anyone help him and I still get Christmas cards
14 from them and they appreciate those days that they were
15 with me.

16

17 But anyhow, Mr. Chairman, again, I just
18 want to say thank you for the good job that you're doing
19 up there and for listening, you know, to the concerns of
20 the people from the communities as well as what the RACs
21 are doing.

22

23 We think that we are doing some valuable
24 work here and we think that yours is just as valuable as
25 ours. And I say Gunalcheesh to you all and have a safe
26 trip home.

27

28 CHAIRMAN FLEAGLE: Thank you, very much.
29 I appreciate those comments. I do accept your gracious
30 comments concerning my Chairmanship, that means a lot to
31 me, Bert, thank you.

32

33 Niles.

34

35 MR. CESAR: You know, Bert there's a term
36 that comes to my mind every time that you start to talk
37 and it's what they call (In Tlingit) (In Tlingit), and I
38 appreciate that and you're a classic example of why never
39 to give a Tlingit a microphone.

40

41 (Laughter)

42

43 MR. CESAR: Thank you.

44

45 CHAIRMAN FLEAGLE: Other Board comments.

46

47 MR. ADAMS: Mr. Chairman. I want to tell
48 another story about Niles.

49

50 (Laughter)

1 MR. ADAMS: When the self-governance
2 demonstration project came into being for tribal
3 governments, you know, that changed the way that the
4 Bureau of Indian Affairs was supposed to administer the
5 programs and that meant restructuring and downsizing, you
6 know, department and turning more of the functions and
7 services and activities down to the tribal level. And he
8 was at an AITC conference one time and he was talking
9 about how, you know, he was going to restructure and
10 downsize the Bureau of Indian Affairs and he made the
11 comment that, you know, give me a couple years and
12 there's only going to be me and the secretary there. And
13 it was a couple months later, you know, this was after
14 the first of the year when this happened and I think it
15 was in March I needed to talk to the realty person at the
16 BIA office in Juneau and they had just gotten over a real
17 big storm and, you know, the roads were slippery and all
18 that and so a lot of people didn't come to work, so I
19 called, you know, the office there in Juneau and here's a
20 guy who answered the phone and I says can I talk to
21 Glenda Miller please and he says, well, she's not here.
22 And so I says well who's the next in line, well, he's not
23 here either. And I said well is anybody there. And he
24 says no. And then I said, well, who's this and he said,
25 well, it's Niles Cesar, and I said, holy cow he did it.

26

(Laughter)

27

28
29 CHAIRMAN FLEAGLE: All right. Thank you.
30 I want to thank the Board for your indulgence in letting
31 me explore lots of questioning on the issues that we had
32 at this meeting, you know, just haven't had the
33 opportunity of years of experience that you all have and
34 think that just having a really good understanding of
35 issues before I vote on them is just very important. I
36 think that it's important for everybody.

37

38 I also want to thank the Board, the
39 Staff, and the State representatives, RAC Chairs and
40 everybody that participated in the meeting for just the
41 level of civility and cooperativeness. I mean I don't
42 think that we've changed anything as far as positions or
43 struggles that the State and Federal system are going to
44 have and have had but I think that just changing the
45 attitude in the arena in which we discuss these will have
46 positive benefits. I just really appreciate the
47 positiveness of the meeting, and I want to thank
48 everybody for the contribution to that.

49

50 Keith.

1 MR. GOLTZ: I want to thank Bert for his
2 comments, particularly his insights into Niles, I think
3 that will be very helpful.

4
5 (Laughter)

6
7 MR. GOLTZ: But I don't want the record
8 to reflect that I agree with your comments on the RFR and
9 I think you and I should talk about that afterwards.

10
11 CHAIRMAN FLEAGLE: You bet. Closing
12 comments, anybody else before we adjourn.

13
14 (No comments)

15
16 CHAIRMAN FLEAGLE: Is there a motion to
17 adjourn.

18
19 MR. CESAR: So moved.

20
21 MR. OVIATT: Second.

22
23 CHAIRMAN FLEAGLE: So ordered.

24
25 Thank you, everyone.

26
27 (Off record)

28
29 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and reporter for Computer Matrix Court Reporters, do hereby certify:

THAT the foregoing pages numbered 289 through 344 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME III taken electronically by Nathan Hile on the 11th day of January 2007, beginning at the hour of 8:30 o'clock a.m. at the Egan Convention Center in Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 21st day of January 2007.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/2008